

Tab 5



The World Anti-Doping Code

INTERNATIONAL STANDARD FOR TESTING

version 3.0

June 2003

PREAMBLE

World Anti-Doping Code *International Standard for Testing* is a mandatory *International Standard* developed as part of the World Anti-Doping Program.

The *International Standard for Testing* is extracted from the proposed ISO International Standard for Doping Control (ISO ISDC) which is being prepared by an expert group within the International Anti-Doping Arrangement (IADA) and WADA. The ISO ISDC is based on the IADA International Standard for Doping Control (ISDC)/ISO PAS 18873 (1999). WADA supports and is an active partner with IADA in developing the Proposed ISO ISDC to a full ISO standard. The ISO process is expected to be completed in mid 2004.

Version 1.0 of the *International Standard for Testing* was circulated to *Signatories* and governments for review and comments in November 2002. Version 2.0 was based on the comments and proposals received from *Signatories* and governments.

All *Signatories* and governments were consulted and have had the opportunity to review and provide comments on version 2.0. This draft version 3.0 will be presented for approval to the WADA Executive Committee on June 7th 2003.

The official text of the *International Standard for Testing* 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.

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PART ONE: INTRODUCTION, CODE PROVISIONS AND DEFINITIONS

1.0 Introduction and scope

The main purpose of *International Standard for Testing* is to plan for effective *Testing* and to maintain the integrity and identity of the *Samples*, from notifying the *Athlete* to transporting *Samples* for analysis.

The *International Standard for Testing* includes standards for test distribution planning, notification of *Athletes*, preparing for and conducting *Sample* collection, security/post test administration and transport of *Samples*.

The *International Standard for Testing*, including all annexes, is mandatory for all *Signatories* to the *Code*.

The World Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs. The main elements are: the *Code* (Level 1), *International Standards* (Level 2), and Models of Best Practice (Level 3).

In the introduction to the *Code*, the purpose and implementation of the *International Standards* are summarized as follows:

"International Standards for different technical and operational areas within the anti-doping program will be developed in consultation with the Signatories and governments and approved by WADA. The purpose of the International Standards is harmonization among Anti-Doping Organizations responsible for specific technical and operational parts of the anti-doping programs. Adherence to the International Standards is mandatory for compliance with the Code. The International Standards may be revised from time to time by the WADA Executive Committee after reasonable consultation with the Signatories and governments. Unless provided otherwise in the Code, International Standards and all revisions shall become effective on the date specified in the International Standard or revision."

The standards included in the *International Standard for Testing* are extracted from the ISO International Standard for Doping Control (ISO ISDC), which also includes management and support processes for *Testing* activities

Definitions specified in the *Code* are written in italics. Additional definitions specific to the *International Standard for Testing* are underlined.

2.0 Code Provisions

The following articles in the *Code* directly address the *International Standard for Testing*:

Code Article 2 Anti-Doping Rule Violations:

2.3 Refusing, or failing without compelling justification, to submit to *Sample* collection after notification as authorized in applicable anti-doping rules or otherwise evading *Sample* collection.

2.4 Violation of applicable requirements regarding *Athlete* availability for *Out-of-Competition Testing* including failure to provide required whereabouts information and missed tests which are declared based on reasonable rules.

2.5 *Tampering*, or *Attempting* to tamper, with any part of *Doping Control*.

2.8 Administration or *Attempted* administration of a *Prohibited Substance* or *Prohibited Method* to any *Athlete*, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any *Attempted* violation.

Code Article 3 Proof of Doping:

3.2.2 Departures from the *International Standard for Testing* which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* establishes that departures from the *International Standard* occurred during *Testing* then the *Anti-Doping Organization* shall have the burden to establish that such departures did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

Code Article 5 Testing:

5.1 Test Distribution Planning. *Anti-Doping Organizations* conducting *Testing* shall in coordination with other *Anti-Doping Organizations* conducting *Testing* on the same *Athlete* pool:

5.1.1 Plan and implement an effective number of *In-Competition* and *Out-of-Competition* tests. Each International Federation shall establish a *Registered Testing Pool* for *International-Level Athletes* in its sport, and each *National Anti-Doping Organization* shall establish a national *Registered Testing Pool* for *Athletes* in its country. The national-level pool shall include *International-Level Athletes* from that country as well as other national-level *Athletes*. Each International Federation and *National Anti-Doping Organization* shall plan and conduct *In-Competition* and *Out-of-Competition Testing* on its *Registered Testing Pool*.

5.1.2 Make *No Advance Notice Testing* a priority.

5.1.3 Conduct *Target Testing*.

5.2 Standards for Testing. *Anti-Doping Organizations* conducting *Testing* shall conduct such *Testing* in conformity with the *International Standard for Testing*.

Code Article 7 Results Management:

7.3 Further Review of Adverse Analytical Finding Where Required by Prohibited List. The *Anti-Doping Organization* or other reviewing body established by such organization shall also conduct any follow-up investigation as may be required by the *Prohibited List*. Upon completion of such follow-up investigation, the *Anti-Doping Organization* shall promptly notify the *Athlete* regarding the results of the follow-up investigation and whether or not the *Anti-Doping Organization* asserts that an anti-doping rule was violated.

Code Article 10 Sanctions on Individuals:

10.10 Reinstatement Testing. As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by any *Anti-Doping Organization* having *Testing* jurisdiction, and must, if requested, provide current and accurate whereabouts information. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified relevant *Anti-Doping Organizations* and has been subject to *Out-of-Competition Testing* for a period of time equal to the period of *Ineligibility* remaining as of the date the *Athlete* had retired.

Code Article 14 Confidentiality and Reporting:

14.3 Athlete Whereabouts Information. *Athletes* who have been identified by their International Federation or *National Anti-Doping Organization* for inclusion in an *Out-of-Competition Testing* pool shall provide accurate, current location information. The International Federations and *National Anti-Doping Organizations* shall coordinate the identification of *Athletes* and the collecting of current location information and shall submit it to *WADA*.

WADA shall make this information accessible to other *Anti-Doping Organizations* having authority to test the *Athlete* as provided in Article 15. This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *Testing*; and shall be destroyed after it is no longer relevant for these purposes.

14.5 Doping Control Information Clearing House. *WADA* shall act as a central clearing house for *Doping Control Testing* data and results for *International-Level Athletes* and national-level *Athletes* that have been included in their *National Anti-Doping Organization's Registered Testing Pool*. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in *Testing* by the various *Anti-Doping Organizations*, each *Anti-Doping Organization* shall report all *In-Competition* and *Out-of-Competition* tests on such *Athletes* to the *WADA* clearinghouse as soon as possible after such tests have been conducted. *WADA* shall make this information accessible to the *Athlete*, the *Athlete's* National Federation, *National Olympic Committee* or *National Paralympic Committee*, *National Anti-Doping Organization*, International Federation, and the International Olympic Committee or International Paralympic Committee. Private information regarding an *Athlete* shall be maintained by *WADA* in strict confidence. *WADA* shall, at least annually, publish statistical reports summarizing such information.

Code Article 15 Clarification of Doping Control Responsibilities:

15.1 Event Testing. The collection of *Samples* for *Doping Control* does and should take place at both *International Events* and *National Events*. However, only a single organization should be responsible for initiating and directing *Testing* during an *Event*. At *International Events*, the collection of *Doping Control Samples* shall be initiated and directed by the

international organization which is the ruling body for the *Event* (e.g., the IOC for the Olympic Games, the International Federation for a World Championship, and PASO for the Pan American Games). If the international organization decides not to conduct any *Testing* at such an *Event*, the *National Anti-Doping Organization* for the country where the *Event* occurs may, in coordination with and with the approval of the international organization or *WADA*, initiate and conduct such *Testing*. At *National Events*, the collection of *Doping Control Samples* shall be initiated and directed by the designated *National Anti-Doping Organization* of that country.

15.2 Out-of-Competition Testing. *Out-of-Competition Testing* is and should be initiated and directed by both international and national organizations. *Out-of-Competition Testing* may be initiated and directed by: (a) *WADA*; (b) the IOC or IPC in connection with the Olympic Games or Paralympic Games; (c) the *Athlete's* International Federation; (d) the *Athlete's National Anti-Doping Organization*; or (e) the *National Anti-Doping Organization* of any country where the *Athlete* is present. *Out-of-Competition Testing* should be coordinated through *WADA* in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing* of individual *Athletes*.

15.4 Mutual Recognition. Subject to the right to appeal provided in Article 13, the *Testing*, therapeutic use exemptions and hearing results or other final adjudications of any *Signatory* which are consistent with the *Code* and are within that *Signatory's* authority, shall be recognized and respected by all other *Signatories*. *Signatories* may recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

3.0 Terms and definitions

3.1 Defined terms from the Code

Adverse Analytical Finding: A report from a laboratory or other approved *Testing* entity that identifies in a *Specimen* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

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

Athlete: For purposes of *Doping Control*, any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*) and any additional *Person* who participates in sport at a lower level if designated by the *Person's National Anti-Doping Organization*. For purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code*.

Code: The World Anti-Doping Code.

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

Consequences of Anti-Doping Rules Violations: An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.9; and (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under Article 8 (Right to a Fair Hearing).

Doping Control: The process including test distribution planning, *Sample* collection and handling, laboratory analysis, results management, hearings and appeals.

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

In-Competition: For purposes of differentiating between *In-Competition* and *Out-of-Competition Testing*, unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, an *In-Competition* test is a test where an *Athlete* is selected for *Testing* in connection with a specific *Competition*.

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

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

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

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

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

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

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. 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 Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

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

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

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

Provisional Suspension: See *Consequences* above.

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

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

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National*

Olympic Committees, National Paralympic Committees, Major Event Organizations, National Anti-Doping Organizations, and WADA.

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

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

WADA: The World Anti-Doping Agency.

3.2 Defined Terms from the *International Standard for Testing*

Blood Collection Official: An official who is qualified to and has been authorized by the ADO to collect a blood *Sample* from an *Athlete*.

Chain of Custody: The sequence of individuals or organizations who have the responsibility for a *Sample/specimen* from the provision of the sample/specimen until the *Sample/specimen* has been received for analysis.

Chaperone: An official who is trained and authorized by the ADO to carry out specific duties including notification of the *Athlete* selected for *Sample* collection, accompanying and observing the *Athlete* until arrival at the Doping Control Station, and/or witnessing and verifying the provision of the *Sample* where the training qualifies him/her to do so.

Doping Control Officer: An official who has been trained and authorised by the ADO with delegated responsibility for the on-site management of a *Sample Collection Session*.

Doping Control Station: The location where the *Sample Collection Session* will be conducted.

Failure to Comply: A term used to describe *Anti-Doping Rule Violations* in Articles 2.3, 2.4, 2.5 and 2.8 of the Code.

Sample Collection Equipment: Containers or apparatus used to directly collect or hold the *Athlete's Specimen* at any time during the *Sample* collection process. *Sample Collection Equipment* shall, as a minimum, consist of:

- For urine *Sample* collection:
 - Collection vessels for collecting the urine *Sample* as it leaves the *Athlete's* body;
 - Sealable and tamper-evident bottles and lids for securing the urine *Sample*;

- For blood *Sample* collection:
 - Needles for collecting the blood *Sample*;
 - Blood tubes with sealable and tamper-evident devices for holding the blood *Sample*.

Sample Collection Personnel: A collective term for qualified officials authorised by the ADO who may carry out or assist with duties during the Sample Collection Session.

Sample Collection Session: All of the sequential activities that directly involve the *Athlete* from notification until the *Athlete* leaves the Doping Control Station after having provided his/her *Sample/s*.

Weighted: A ranking method of selecting *Athletes* using criteria where the ranking is based on the potential risk of doping and possible doping patterns.

PART TWO: STANDARDS FOR TESTING

4.0 Planning

4.1 Objective

The objective is to plan and implement an effective distribution of *Athlete* tests.

4.2 General

Planning starts with establishing criteria for *Athletes* to be included in a *Registered Testing Pool* and ends with selecting *Athletes* for *Sample* collection.

The main activities are information gathering, risk evaluation, and developing, monitoring, evaluating and modifying the test distribution plan.

4.3 Requirements for establishing the *Registered Testing Pool*

4.3.1 The *Anti-Doping Organization* (ADO) shall define and document the criteria for *Athletes* to be included in a *Registered Testing Pool*. This shall include as a minimum:

- For International Federations (IFs):
Athletes who compete at a high level of international competition, and
- For *National Anti-Doping Organizations*:
Athletes who are part of national teams in Olympic and Paralympic sports and recognised national federations.

The criteria shall be reviewed at least annually and updated if required.

4.3.2 The ADO shall include *Athletes* under their authority in the *Registered Testing Pool* who are serving periods of *Ineligibility* or *Provisional Suspensions* as *Consequences of Anti-Doping Rules Violations*.

4.3.3 The *Registered Testing Pool* shall be reviewed and updated regularly to reflect changes in *Athletes'* competing levels to ensure additions to or removals from the pool as required.

4.4 Requirements for collecting *Athlete* whereabouts information for the purposes of Out of Competition Testing

4.4.1 The ADO shall define procedures and/or systems for:

- a) Collecting, maintaining and monitoring sufficient whereabouts information to ensure that *Sample* collection can be planned and conducted at *No Advance Notice* for all *Athletes* included in the *Registered Testing Pool*, and
- b) When *Athletes* fail to provide accurate and timely whereabouts information, taking appropriate action to ensure the information stays up to date and complete.

4.4.2 As a minimum the following *Athlete* whereabouts information shall be collected:

- a) Name
- b) Sport/discipline,
- c) Home address
- d) Contact phone numbers
- e) Training times and venues
- f) Training camps
- g) Travel plans
- h) Competition schedule
- I) Disability if applicable, including the requirement for third party involvement in notification.

4.5 Requirements for test distribution planning

4.5.1 The ADO shall, as a minimum, evaluate the potential risk of doping and possible doping pattern for each sport and/or discipline based on:

- a) Physical demands of the sport and possible performance enhancing effect that doping may elicit;
- b) Available doping analysis statistics;
- c) Available research on doping trends;
- d) Training periods and *Competition* season.

4.5.2 The ADO shall develop and document a test distribution plan based on information determined in 4.5.1, the number of *Athletes* per sport/discipline in the *Registered Testing Pool* and the evaluation outcomes of previous test distribution planning cycles.

4.5.3 The ADO shall allocate the number of *Sample* collections by type of *Sample* collection for each sport/discipline, including *No Advance Notice*, *Out-of-Competition*, *In-Competition*, blood and urine *Sample* collection, as required to achieve effective deterrence.

4.5.4 The ADO shall establish a system whereby the test distribution plan is reviewed and, if necessary, updated on a regular basis in order to incorporate new information and take into account *Sample* collection from *Athletes* in the *Registered Testing Pool* by other ADOs.

4.5.5 The ADO shall establish a system for maintaining test distribution planning data. Such data shall be used to assist with determining whether modifications to the plan are necessary. This information shall include as a minimum:

For each test:

- a) The sport/discipline;
- b) The country represented by the *Athlete* (if applicable);
- c) The type of *Sample* collection (*No Advance Notice*, *Out-of-Competition*, *In-Competition* or advance notice);
- d) The date of *Sample* collection; and
- e) The country in which the *Sample* collection occurred.

In addition, for each *Adverse Analytical Finding*:

- a) Dates of *Sample* collection and analysis;
- b) Class of substance/s found;
- c) Actual substance/s detected;
- d) *Sanctions of Anti-Doping Rules Violations*, if any.

4.5.6 The ADO shall ensure that the athlete support personnel shall not be involved in the test distribution planning for their athletes.

4.5.7 In planning and conducting tests at *International Event*, and where the relevant IF does not have a doping control program that complies with this standard, the *National Anti-Doping Organization* shall be the preferred *Sample* collection supplier.

4.6 Requirements for selection of *Athletes*

4.6.1 In accordance with the number of *Sample* collections allocated to each sport/discipline in the test distribution plan, the ADO shall select *Athletes* for *Sample* collection using *Target Testing*, Weighted and random selection methods.

4.6.2 As a minimum, the *ADO* shall consider *Target Testing Athletes* based on the following information:

- a) Injury;
- b) Withdrawal or absence from expected *Competition*;
- c) Going into or coming out of retirement;
- d) Behaviour indicating doping;
- e) Sudden major improvements in performance;
- f) Changes in *Athlete* whereabouts information that can indicate a potential increase in the risk of doping, including moving to a remote location;
- g) *Athlete* sport performance history;
- h) Details of past *Doping Controls*;
- i) *Athlete* reinstatement after a period of *Ineligibility*; and
- j) Reliable information from a third party.

4.6.3 An *ADO* may select *Athletes* under their authority for *Sample* collection who are not included in the *Registered Testing Pool* defined in 4.3.1 and 4.3.2.

4.6.4 Where the *ADO* authorises a Doping Control Officer (DCO) to select *Athletes* for *Sample* collection, the *ADO* shall provide selection criteria to the DCO in accordance with the test distribution plan.

4.6.5 Following the selection of an *Athlete* for *Sample* collection and prior to notification of the *Athlete*, the *ADO* and/or DCO shall ensure *Athlete* selection decisions are disclosed only to those who need to know in order to ensure the *Athlete* can be notified and tested on a *No Advance Notice* basis.

5.0 Notification of Athletes

5.1 Objective

To ensure that the selected *Athlete* is notified, the rights of the *Athlete* are maintained, there are no opportunities to manipulate the *Sample* to be provided and the notification is documented.

5.2 General

Notification of *Athletes* starts when the *ADO* initiates the notification of the selected *Athlete* and ends when the *Athlete* arrives at the Doping Control Station or when the *Athlete's* possible failure to comply is brought to the *ADO's* attention.

The main activities are:

- a) Appointment of DCOs, Chaperones and other Sample Collection Personnel;
- b) Locating the *Athlete* and confirming his/her identity;
- c) Informing the *Athlete* that he/she has been selected to provide a *Sample* and of his/her rights and responsibilities;
- d) For *No Advance Notice Sample* collection, continuously chaperoning the *Athlete* from the time of notification to the arrival at the designated Doping Control Station; and
- e) Documenting the notification.

5.3 Requirements prior to notification of *Athletes*

5.3.1 *No Advance Notice* shall be the notification method for *Out-of-Competition Sample* collection whenever possible.

5.3.2 To conduct or assist with Sample Collection Sessions, the ADO shall appoint and authorise Sample Collection Personnel who have been trained for their assigned responsibilities, who do not have a conflict of interest in the outcome of the *Sample* collection, and who are not *Minors*.

5.3.3 Sample Collection Personnel shall have official identification that is provided and controlled by the ADO. The minimum identification requirement is an official card/document naming the ADO through which they have been authorised. For DCOs, additional identification requirements shall include their name, their photograph and the card's/document's expiry date. For Blood Collection Officials additional identification requirements include evidence of their professional training in the collection of blood *Samples*.

5.3.4 The ADO shall establish criteria to validate the identity of an *Athlete* selected to provide a *Sample*. This ensures the selected *Athlete* is the *Athlete* who is notified.

5.3.5 The ADO, DCO or Chaperone, as applicable, shall establish the location of the selected *Athlete* and plan the approach and timing of notification, taking into consideration the specific circumstances of the sport/*Competition* and the situation in question.

5.3.6 For *Out-of-Competition Sample* collection, the ADO shall establish criteria to ensure that reasonable attempts are made to notify *Athletes* of their selection for *Sample* collection.

5.3.7 Reasonable attempts shall be defined by the ADO and at a minimum shall consider alternative times of day/evening and alternative locations over a specified period of time from the initial notification attempt.

5.3.8 The *ADO* shall establish a system for logging *Athlete* notification attempt/s and outcome/s.

5.3.9 The *Athlete* shall be the first one notified that he/she has been selected for *Sample* collection except where prior contact with a third party is required as specified in 5.3.10.

5.3.10 The *ADO/DCO/Chaperone*, as applicable, shall consider whether a third party is required to be notified prior to notification of the *Athlete* when the *Athlete* is a *Minor*, where required by an *Athlete's* disability as provided for in Annex B - Modifications for *Athletes* with disabilities, or in situations where an interpreter is required for the notification.

5.3.11 If the *Athlete* can not be contacted after having made reasonable attempts using the information supplied in 4.4.2 and logging the attempts in accordance with 5.3.8, the *DCO* or *ADO*, as applicable, shall institute Annex A - Investigating a possible failure to comply.

5.3.12 The *ADO* shall not re-schedule or change a *Sample* collection from *No Advance Notice* to advance notice except where an unexpected situation forces the need for an advanced notice *Sample* collection. Any such decision shall be recorded.

5.3.13 Notification for advance notice *Sample* collection shall be by any means that indicates the *Athlete* received the notice.

5.4 Requirements for notification of *Athletes*

5.4.1 When initial contact is made, the *ADO*, *DCO* or *Chaperone*, as applicable, shall ensure that the *Athlete* and/or a third party if required in accordance with 5.3.10, is informed:

- a) That the *Athlete* is required to undergo a *Sample* collection;
- b) Of the authority under which the *Sample* collection is to be conducted;
- c) Of the type of *Sample* collection and any conditions that need to be adhered to prior to the *Sample* collection;
- d) Of the *Athlete's* rights, including the right to:
 - i. Have a representative and, if required, an interpreter;
 - ii. Ask for additional information about the *Sample* collection process;
 - iii. Request a delay in reporting to the Doping Control Station for valid reasons; and
 - iv. Request modifications as provided for in Annex B - Modifications for *Athletes* with disabilities.
- e) Of the *Athlete's* responsibilities, including the requirement to:

- i. Remain within sight of the DCO/Chaperone at all times from the first moment of in-person notification by the DCO/Chaperone until the completion of the *Sample* collection procedure;
 - ii. Produce identification in accordance with 5.3.4; and
 - iii. Comply with *Sample* collection procedures and the possible consequences of failure to comply; and
 - iv. Report to the Doping Control Station, unless delayed for valid reasons, as soon as possible and within 60 minutes of notification for a *No Advance Notice Sample* collection and 24 hours of receipt of notification for an advance notice *Sample* collection.
- f) Of the location of the Doping Control Station.

5.4.2 When in-person contact is made, the DCO/Chaperone shall:

- a) From this time until the *Athlete* leaves the Doping Control Station at the end of his/her Sample Collection Session, keep the *Athlete* under observation at all times.
- b) Identify themselves to the *Athlete* using their official *ADO* identification card/document;
- c) Confirm the *Athlete's* identity as per the criteria established in 5.3.4. Any failure to confirm the identity of the *Athlete* shall be documented. In such cases, the DCO responsible for conducting the Sample Collection Session shall decide whether it is appropriate to report the situation in accordance with Annex A – Investigating a possible failure to comply.

5.4.3 The Chaperone/DCO shall then have the *Athlete* sign an appropriate form to acknowledge and accept the notification. If the *Athlete* refuses to sign that he/she has been notified or evades the notification, the Chaperone/DCO shall inform the *Athlete* of the consequences of failing to comply if possible, and the Chaperone (if not the DCO) shall immediately report all relevant facts to the DCO. When possible the DCO shall continue to collect a *Sample*. The DCO shall document the facts and report the circumstances to the *ADO*. The DCO and *ADO* shall follow the steps prescribed in Annex A – Investigating a possible failure to comply.

5.4.4 The DCO/Chaperone shall consider any reasonable request by the *Athlete* to delay reporting to the Doping Control Station within 60 mins of acknowledgement and acceptance of notification and approve or reject such requests as appropriate in accordance with 5.4.5 and 5.4.6. The DCO shall document the reasons for any such delay that may require further investigation by the *ADO*. The first urine *Sample* post notification shall be collected.

5.4.5 A DCO may accept a request from an *Athlete* to delay reporting to the Doping Control Station beyond 60 mins, and/or once the athlete arrives at the Doping Control Station and wishes to leave if the *Athlete*

can be continuously chaperoned during the delay and if the request relates to the following activities:

- a) Participation in a victory ceremony;
- b) Fulfilment of media commitments;
- c) Competing in further *competitions*;
- d) Performing a warm down;
- e) Obtaining necessary medical treatment;
- f) Locating a representative and/or interpreter.

The DCO shall document the reasons for delay in reporting to the Doping Control Station and/or reasons for leaving the Doping Control Station once arriving that may require further investigation by the ADO.

5.4.6 A DCO/Chaperone shall reject a request for delay from an *Athlete* if it will not be possible for the *Athlete* to be continuously chaperoned.

5.4.7 When an *Athlete* notified of an advance notice *Sample* collection does not report to the Doping Control Station at the designated time, the DCO shall use his/her judgement whether to attempt to contact the *Athlete*. At a minimum, the DCO shall wait 30 minutes after the appointed time before departing. If the *Athlete* still has not reported by the time the DCO departs, the DCO shall follow the requirements of Annex A – Investigating a possible failure to comply.

5.4.8 If the *Athlete* reports to the Doping Control Station after the minimum waiting time and prior to the DCO's departure, the DCO shall decide as to whether to process a possible failure to comply. If at all possible the DCO shall proceed with collecting a *Sample*, and shall document the details of the delay in the *Athlete* reporting to the Doping Control Station.

5.4.9 If, while keeping the *Athlete* under observation, Sample Collection Personnel observe any matter with potential to compromise the test, the circumstances shall be reported to and documented by the DCO. If deemed appropriate by the DCO, the DCO shall follow the requirements of Annex A – Investigating a possible failure to comply.

6.0 Preparing for the Sample Collection Session

6.1 Objective

To prepare for the Sample Collection Session in a manner that ensures that the session can be conducted efficiently and effectively.

6.2 General

Preparing for the Sample Collection Session starts with the establishment of a system for obtaining relevant information for effective conduct of the session and ends when it is confirmed that the Sample Collection Equipment conforms to the specified criteria.

The main activities are:

- a) Establishing a system for collecting details regarding the Sample Collection Session;
- b) Establishing criteria for who may be authorised to be present during a Sample Collection Session;
- c) Ensuring that the Doping Control Station meets the minimum criteria prescribed in 6.3.2;
- d) Ensuring that Sample Collection Equipment used by the ADO meets the minimum criteria prescribed in 6.3.4.

6.3 Requirements for preparing for the Sample Collection Session

6.3.1 The ADO shall establish a system for obtaining all the information necessary to ensure that the Sample Collection Session can be conducted effectively, including special requirements to meet the needs of *Athletes* with disabilities as provided in Annex B – Modifications for *Athletes* with disabilities.

6.3.2 The DCO shall use a Doping Control Station which, at a minimum, ensures the *Athlete's* privacy and is used solely as a Doping Control Station for the duration of the Sample Collection Session. The DCO shall record any significant deviations from these criteria.

6.3.3 The ADO shall establish criteria for who may be authorised to be present during the Sample Collection Session in addition to the Sample Collection Personnel. At a minimum the criteria shall include:

- a) An *Athlete's* entitlement to be accompanied by a representative and/or interpreter during the Sample Collection Session except when the *Athlete* is passing a urine *Sample*.
- b) A *Minor Athlete's* entitlement, and the witnessing DCO/Chaperone's entitlement to have a representative observe the Chaperone when the *Minor Athlete* is passing a urine *Sample*, but without the representative directly observing the passing of the *Sample* unless requested to do so by the *Minor Athlete*.
- c) An *Athlete* with a disability's entitlement to be accompanied by a representative as provided for in Annex B - Modifications for *Athletes* with disabilities.

- d) A WADA Independent Observer where applicable under the *Independent Observer Program*. The WADA Independent Observer shall not directly observe the passing of a urine *Sample*.

6.3.4 The DCO shall only use Sample Collection Equipment systems that are authorised by the *ADO*, which at a minimum, shall meet the following criteria. They shall:

- a) Have a unique numbering system incorporated into all bottles, containers, tubes or any other item used to seal the *Athlete's Sample*;
- b) Have a sealing system that is tamper evident;
- c) Ensure the identity of the *Athlete* is not evident from the equipment itself;
- d) Ensure that all equipment is clean and sealed prior to use by the *Athlete*.

7.0 Conducting the Sample Collection Session

7.1 Objective

To conduct the Sample Collection Session in a manner that ensures the integrity, security and identity of the *Sample* and respects the privacy of the *Athlete*.

7.2 General

The Sample Collection Session starts with defining overall responsibility for the conduct of the Sample Collection Session and ends once the *Sample* collection documentation is complete.

The main activities are:

- a) Preparing for collecting the *Sample*;
- b) Collecting the *Sample*; and
- c) Documenting the *Sample* collection.

7.3 Requirements prior to Sample collection

7.3.1 The *ADO* shall be responsible for the overall conduct of the Sample Collection Session with specific responsibilities delegated to the DCO.

7.3.2 The DCO shall ensure that the *Athlete* is informed of his/her rights and responsibilities as specified in 5.4.1.

7.3.3 The DCO shall provide the *Athlete* with the opportunity to hydrate.

7.3.4 The *Athlete* shall only leave the Doping Control Station under continuous observation by the DCO/Chaperone and with the approval of the DCO. The DCO shall consider any reasonable request by the *Athlete* to leave the Doping Control Station, as specified in 5.4.5 and 5.4.6, until the *Athlete* is able to provide a *Sample*.

7.3.5 If the DCO gives approval for the *Athlete* to leave the Doping Control Station, the DCO shall agree with the *Athlete* on:

- a) The purpose of the *Athlete* leaving the Doping Control Station; and
- b) The time of return (or return upon completion of an agreed activity).

The DCO shall document this information and the actual time of the *Athlete's* departure and return.

7.4 Requirements for *Sample* collection

7.4.1 The DCO shall collect the *Sample* from the *Athlete* according to the following protocol/s for the specific type of *Sample* collection:

- a) Annex C: Collection of urine *Samples*
- b) Annex D: Collection of blood *Samples*

7.4.2 Any behaviour by the *Athlete* and/or persons associated with the *Athlete* or anomalies with potential to compromise the *Sample* collection shall be recorded. If appropriate, the *ADO* and/or DCO, as applicable, shall institute Annex A – Investigating a possible failure to comply.

7.4.3 If there are doubts as to the origin or authenticity of the *Sample*, the *Athlete* shall be asked to provide an additional *Sample*. If the *Athlete* refuses to provide an additional *Sample* the DCO shall institute Annex A – Investigating a possible failure to comply.

7.4.4 The DCO shall provide the *Athlete* with the opportunity to document any concerns he/she may have about how the session was conducted.

7.4.5 In conducting the *Sample Collection Session* the following information shall be recorded as a minimum:

- a) Date, time and type of notification (*No Advance Notice*, advance notice, *In-Competition* or *Out-of-Competition*);
- b) Date and time of *Sample* provision;
- c) The name of the *Athlete*;
- d) The date of birth of the *Athlete*;

- e) The gender of the *Athlete*;
- f) The *Athlete's* home address and telephone number;
- g) The *Athlete's* sport and discipline;
- h) The *Sample* code number;
- i) The name and signature of the Chaperone who witnessed the urine *Sample* provision;
- j) The name and signature of the Blood Collection Official who collected the blood *Sample*, where applicable;
- k) Required laboratory information on the *Sample*;
- l) Medications and supplements taken and recent blood transfusion details if applicable, within the timeframe specified by the lab as declared by the *Athlete*;
- m) Any irregularities in procedures;
- n) *Athlete* comments or concerns regarding the conduct of the session, if provided;
- o) The name and signature of the *Athlete*;
- p) The name and signature of the *Athlete's* representative, if required; and
- q) The name and signature of the DCO.

7.4.6 The *Athlete* and DCO shall sign appropriate documentation to indicate their satisfaction that the documentation accurately reflects the details of the *Athlete's Sample Collection Session*, including any concerns recorded by the *Athlete*. The *Athlete's* representative shall sign on behalf of the *Athlete* if the *Athlete* is a *Minor*. Other persons present who had a formal role during the *Athlete's Sample Collection Session* may sign the documentation as a witness of the proceedings.

7.4.7 The DCO shall provide the *Athlete* with a copy of the records of the *Sample Collection Session* that have been signed by the *Athlete*.

8.0 Security/Post test administration

8.1 Objective

To ensure that all *Samples* collected at the Doping Control Station and *Sample* collection documentation are securely stored prior to their departure from the Doping Control Station.

8.2 General

Post test administration begins when the *Athlete* has left the Doping Control Station after providing his/her *Sample/s*, and ends with preparation of all of the collected *Samples* and documentation for transport.

8.3 Requirements for Security/post test administration

8.3.1 The *ADO* shall define criteria ensuring that any sealed *Sample* will be stored in a manner that protects its integrity, identity and security prior to transport from the Doping Control Station. The *DCO* shall ensure that any sealed *Sample* is stored in accordance with these criteria.

8.3.2 Without exception, all *Samples* collected shall be sent for analysis to a *WADA* accredited laboratory or as otherwise approved by *WADA*.

8.3.3 The *ADO/DCO* shall develop a system to ensure that the documentation for each sealed *Sample* is completed and securely handled.

8.3.4 The *ADO* shall develop a system to ensure that, where required, instructions for the type of analysis to be conducted are provided to the *WADA* accredited laboratory or as otherwise approved by *WADA*.

9.0 Transport of Samples and documentation

9.1 Objective

- a) To ensure that *Samples* and related documentation arrive at the *WADA* accredited laboratory or as otherwise approved by *WADA* in proper condition to do the necessary analysis, and
- b) To ensure the *Sample Collection Session* documentation is sent by the *DCO* to the *ADO* in a secure and timely manner.

9.2 General

Transport starts when the sealed *Samples* and documentation leave the Doping Control Station and ends with the confirmed receipt of the *Samples* and *Sample* collection documentation at their intended destinations.

The main activities are arranging for the secure transport of *Samples* and related documentation to the *WADA* accredited laboratory or as otherwise approved by *WADA*, and arranging for the secure transport of *Sample* collection documentation to the *ADO*.

9.3 Requirements for transport of *Samples* and documentation

9.3.1 The *ADO* shall authorise a transport system that ensures *Samples* and documentation will be transported in a manner that protects their integrity, identity and security.

9.3.2 The *ADO* shall develop a system for recording the Chain of Custody of the *Samples* and *Sample* collection documentation which includes confirming that both the *Samples* and *Sample* collection documentation have arrived at their intended destinations.

9.3.3 Sealed *Samples* shall always be transported to the WADA accredited laboratory or as otherwise approved by WADA, using the *ADO*'s authorised transport method as soon as practicable after the completion of the Sample Collection Session.

9.3.4 Documentation identifying the *Athlete* shall not be included with the *Samples* or documentation sent to the WADA accredited laboratory or as otherwise approved by WADA.

9.3.5 The DCO shall send all relevant Sample Collection Session documentation to the *ADO* using the *ADO*'s authorised transport method as soon as practicable after the completion of the Sample Collection Session.

9.3.6 Chain of Custody shall be checked by the *ADO* if receipt of either the *Samples* with accompanying documentation or *Sample* collection documentation is not confirmed at their intended destination or a *Sample*'s integrity or identity may have been compromised during transport. In this instance, the *ADO* shall consider whether the *Sample* should be voided.

PART THREE: ANNEXES

Annex A - Investigating a possible failure to comply

A.1 Objective

To ensure that any matters occurring before, during or after a Sample Collection Session that may lead to a determination of a failure to comply are assessed, acted upon and documented.

A.2 Scope

Investigating a possible failure to comply begins when the *ADO* or a DCO becomes aware of a matter with the potential to compromise an *Athlete's* test and ends when the *ADO* takes appropriate follow-up action based on the outcomes of its investigation into the possible failure to comply.

A.3 Responsibility

A.3.1 The *ADO* is responsible for ensuring that:

- a) Any matters with the potential to compromise an Athlete's test are assessed to determine if a possible failure to comply has occurred;
- b) All relevant information, including information from the immediate surroundings when applicable, is obtained as soon as possible or when practicable to ensure that all knowledge of the matter can be reported and be presented as possible evidence; and
- c) Appropriate documentation is completed to report any possible failure to comply.

A.3.2 Sample Collection Personnel are responsible for reporting to the DCO any matter with the potential to compromise a test, and the DCO is responsible for reporting such matters to the *ADO*.

A.4 Requirements

A.4.1 Any matters with the potential to compromise the test shall be reported as soon as practicable.

A.4.2 If the matter has potential to compromise the test, the *Athlete* shall be notified if possible:

- a) Of the possible consequences;
- b) That a possible failure to comply will be investigated by the *ADO* and appropriate follow-up action will be taken.

A.4.3 The necessary information about the possible failure to comply shall be obtained from all relevant sources as soon as possible and recorded.

A.4.4 If possible, the *Athlete's Sample Collection Session* shall be completed.

A.4.5 The *ADO* shall establish a system for ensuring that the outcomes of its investigation into the possible failure to comply are considered for results management action and, if applicable, for further planning and *Testing*.

Annex B - Modifications for *Athletes* with disabilities

B.1 Objective

To ensure that the special needs of *Athletes* with disabilities are provided as much as possible in relation to the provision of a *Sample*.

B.2 Scope

The scope of determining whether modifications need to be considered starts with identification of situations where *Sample* collection involves *Athletes* with disabilities and ends with the necessary modifications to *Sample* collection procedures and equipment as possible for these *Athletes*.

B.3 Responsibility

The *ADO* has responsibility for ensuring, when possible, that the *DCO* has any information and *Sample* Collection Equipment necessary to conduct a *Sample* Collection Session with an *Athlete* with a disability. The *DCO* has responsibility for the *Sample* collection.

B.4 Requirements

B.4.1 All aspects of notification and *Sample* collection for *Athletes* with disabilities shall be carried out in accordance with the standard notification and *Sample* collection procedures unless modifications are necessary due to the *Athlete's* disability.

B.4.2 In planning or arranging *Sample* collection, the *ADO* and *DCO* shall consider whether there will be any *Sample* collection for *Athletes* with disabilities that may require modifications to the standard procedures for notification or *Sample* collection, including *Sample* Collection Equipment and facilities.

B.4.3 The *DCO* shall have the authority to make modifications as the situation requires when possible and as long as such modifications will not compromise the identity, security or integrity of the *Sample*.

B.4.4 For *Athletes* with a physical disability or a sensorial disability, the *Athlete* can be assisted by the *Athlete's* representative or *Sample* Collection Personnel during the *Sample* Collection Session where authorised by the *Athlete* and agreed to by the *DCO*.

B.4.5 For *Athletes* with an intellectual disability, the *ADO* or *DCO* shall determine whether the *Athlete* must have a representative at the *Sample* Collection Session and the nature of the assistance that the representative must provide. Additional assistance can be provided by the representative or *Sample* Collection Personnel during the *Sample* Collection Session where authorised by the *Athlete* and agreed to by the *DCO*.

B.4.6 The DCO can decide that alternative Sample Collection Equipment or facilities will be used when required to enable the *Athlete* to provide the *Sample* as long as the *Sample's* identity, security and integrity will not be affected.

B.4.7 *Athletes* who are using urine collection or drainage systems are required to eliminate existing urine from such systems before providing a urine *Sample* for analysis.

B.4.8 The DCO will record modifications made to the standard *Sample* collection procedures for *Athletes* with disabilities, including any applicable modifications specified in the above actions.

Annex C - Collection of urine *Samples*

C.1 Objective

To collect an *Athlete's* urine *Sample* in a manner that ensures:

- a) Consistency with relevant principles of internationally recognised standard precautions in healthcare settings so that the health and safety of the *Athlete* and Sample Collection Personnel are not compromised;
- b) The *Sample* is of a quality and quantity that meets laboratory guidelines;
- c) The *Sample* is clearly and accurately identified; and
- d) The *Sample* is securely sealed.

C.2 Scope

The collection of a urine *Sample* begins with ensuring the *Athlete* is informed of the *Sample* collection requirements and ends with discarding any residual urine remaining at the end of the *Athlete's* Sample Collection Session.

C.3 Responsibility

The DCO has the responsibility for ensuring that each *Sample* is properly collected, identified and sealed. The DCO/Chaperone has the responsibility for directly witnessing the passing of the urine *Sample*.

C.4 Requirements

C.4.1 The DCO shall ensure that the *Athlete* is informed of the requirements of the *Sample* collection, including any modifications as provided for in Annex B – Modifications for *Athletes* with disabilities.

C.4.2 The DCO shall ensure that the *Athlete* is offered a choice of appropriate equipment for collecting the *Sample*. If the nature of an *Athlete's* disability requires that he/she must use additional or other equipment as provided for in Annex B – Modifications for *Athletes* with disabilities, the DCO shall inspect that equipment to ensure that it will not affect the identity or integrity of the *Sample*.

C.4.3 The DCO shall instruct the *Athlete* to select a collection vessel.

C.4.4 When the *Athlete* selects a collection vessel and for selection of all other Sample Collection Equipment that directly holds the urine *Sample*, the DCO will instruct the *Athlete* to check that all seals on the selected equipment are intact and the equipment has not been tampered with. If the *Athlete* is not satisfied with the selected equipment, he/she may select another. If the *Athlete* is not satisfied with any of the equipment available for the selection, this shall be recorded by the DCO.

If the DCO does not agree with the *Athlete's* opinion that all of the equipment available for the selection is unsatisfactory, the DCO shall instruct the *Athlete* to proceed with the Sample Collection Session. If the DCO agrees with the reasons put forward by the *Athlete* that all of the equipment available for the selection is unsatisfactory, the DCO shall terminate the collection of the *Athlete's* urine *Sample* and this shall be recorded by the DCO.

C.4.5 The *Athlete* shall retain control of the collection vessel and any *Sample* provided until the *Sample* is sealed, unless assistance is required by an *Athlete's* disability as provided for in Annex B – Modifications for *Athletes* with disabilities.

C.4.6 The DCO/Chaperone who witnesses the passing of the *Sample* shall be of the same gender as the *Athlete* providing the *Sample*.

C.4.7 The DCO/Chaperone and *Athlete* shall proceed to an area of privacy to collect a *Sample*.

C.4.8 The DCO/Chaperone shall witness the *Sample* leaving the *Athlete's* body and record the witnessing in writing.

C.4.9 The DCO shall use the relevant laboratory's specifications to verify, in full view of the *Athlete*, that the volume of the urine *Sample* satisfies the laboratory's requirements for analysis.

C.4.10 Where the volume of urine is insufficient, the DCO shall conduct a partial *Sample* collection procedure as prescribed in Annex E – Urine *Samples* – insufficient volume.

C.4.11 The DCO shall instruct the *Athlete* to select a *Sample* collection kit containing A and B bottles in accordance with C.4.4.

C.4.12 Once a *Sample* collection kit has been selected, the DCO and the *Athlete* shall check that all code numbers match and that this code number is recorded accurately by the DCO.

If the *Athlete* or DCO finds that the numbers are not the same, the DCO shall instruct the *Athlete* to choose another kit in accordance with C.4.4. The DCO shall record the matter.

C.4.13 The *Athlete* shall pour the relevant laboratory's prescribed minimum volume of urine into the B bottle, and then fill the A bottle as much as possible. The *Athlete* shall then fill the B bottle as much as possible with the remaining urine. The *Athlete* shall ensure that a small amount of urine is left in the collection vessel.

C.4.14 The *Athlete* shall seal the bottles as directed by the DCO. The DCO shall check, in full view of the *Athlete*, that the bottles have been properly sealed.

C.4.15 The DCO shall use the relevant laboratory's guidelines for pH and specific gravity to test the residual urine in the collection vessel to determine if the *Sample* is likely to meet the laboratory guidelines. If it is

not, then the DCO shall follow Annex F - *Urine Samples* - *Samples* that do not meet laboratory pH and specific gravity guidelines.

C.4.16 The DCO shall ensure any residual urine that will not be sent for analysis is discarded in full view of the *Athlete*.

Annex D - Collection of blood Samples

D.1 Objective

To collect an *Athlete's* blood *Sample* in a manner that ensures:

- a) The health and safety of the *Athlete* and Sample Collection Personnel are not compromised;
- b) The *Sample* is of a quality and quantity that meets the relevant analytical guidelines;
- c) The *Sample* is clearly and accurately identified; and
- d) The *Sample* is securely sealed.

D.2 Scope

The collection of a blood *Sample* begins with ensuring the *Athlete* is informed of the *Sample* collection requirements and ends with properly storing the *Sample* prior to dispatch for analysis at the WADA accredited laboratory or as otherwise approved by WADA.

D.3 Responsibility

D.3.1 The DCO has the responsibility for ensuring that:

- a) Each *Sample* is properly collected, identified and sealed; and
- b) All *Samples* have been properly stored and dispatched in accordance with the relevant analytical guidelines.

D.3.2 The Blood Collection Official has the responsibility for collecting the blood *Sample*, answering related questions during the provision of the *Sample*, and proper disposal of used blood sampling equipment not required for completing the Sample Collection Session.

D.4 Requirements

D.4.1 Procedures involving blood shall be consistent with relevant principles of internationally recognised standard precautions in health care settings.

D.4.2 Blood Sample Collection Equipment shall consist of, either an A sample tube, or an A sample tube and a B sample tube. If the sample collection consists solely of blood then a B sample shall be collected and used as a confirmation if required.

D.4.3 The DCO shall ensure that the *Athlete* is informed of the requirements of the *Sample* collection, including any modifications as provided for in Annex B – Modifications for *Athletes* with disabilities.

D.4.4 The DCO/Chaperone and *Athlete* shall proceed to the area where the *Sample* will be provided.

D.4.5 The DCO shall ensure the *Athlete* is offered comfortable conditions including being in a relaxed position for at least 10 minutes prior to providing a *Sample*.

D.4.6 The DCO shall instruct the *Athlete* to select the *Sample* collection kit/s required for collecting the *Sample* and to check that the selected equipment has not been tampered with and the seals are intact. If the *Athlete* is not satisfied with a selected kit, he/she may select another. If the *Athlete* is not satisfied with any kits and no others are available, this shall be recorded by the DCO.

If the DCO does not agree with the *Athlete's* opinion that all of the available kits are unsatisfactory, the DCO shall instruct the *Athlete* to proceed with the Sample Collection Session.

If the DCO agrees with the reasons put forward by the *Athlete* that all available kits are unsatisfactory, the DCO shall terminate the collection of the *Athlete's* blood *Sample* and this shall be recorded by the DCO.

D.4.7 When a *Sample* collection kit has been selected, the DCO and the *Athlete* shall check that all code numbers match and that this code number is recorded accurately by the DCO.

If the *Athlete* or DCO finds that the numbers are not the same, the DCO shall instruct the *Athlete* to choose another kit in accordance with D.4.5. The DCO shall record the matter.

D.4.8 The Blood Collection Official shall clean the skin with a sterile disinfectant wipe or swab in a location unlikely to adversely affect the *Athlete* or his/her performance and, if required, apply a tourniquet. The Blood Collection Official shall take the blood *Sample* from a superficial vein into the final collection container. The tourniquet, if applied, shall be immediately removed after the venipuncture has been made.

D.4.9 The amount of blood removed shall be adequate to satisfy the relevant analytical requirements for the *Sample* analysis to be performed.

D.4.10 If the amount of blood that can be removed from the *Athlete* at the first attempt is insufficient, the Blood Collection Official shall repeat the procedure. Maximum attempts shall be three. Should all attempts fail, then the Blood Collection Official shall inform the DCO. The DCO shall terminate the collection of the blood *Sample* and record this and the reasons for terminating the collection.

D.4.11 The Blood Collection Official shall apply a dressing to the puncture site/s.

D.4.12 The Blood Collection Official shall dispose of used blood sampling equipment not required for completing the Sample Collection Session.

D.4.13 The *Athlete* shall seal his/her *Sample* into the *Sample* collection kit as directed by the DCO. In full view of the *Athlete*, the DCO shall check that the sealing is satisfactory.

D.4.14 The sealed *Sample* shall be kept at a cool, but not freezing, temperature prior to analysis at the Doping Control Station or dispatch for analysis at the WADA accredited laboratory or as otherwise approved by WADA.

Annex E - Urine *Samples* - Insufficient volume

E.1 Objective

To ensure that where an insufficient volume of urine is provided, appropriate procedures are followed.

E.2 Scope

The procedure begins with informing the *Athlete* that the *Sample* is of insufficient volume and ends with the provision of a *Sample* of sufficient volume.

E.3 Responsibility

The DCO has the responsibility for declaring the *Sample* volume insufficient and for collecting the additional *Sample/s* to obtain a combined *Sample* of sufficient volume.

E.4 Requirements

E.4.1 If the *Sample* collected is of insufficient volume, the DCO shall inform the *Athlete* that a further *Sample* shall be collected to meet the relevant laboratory's volume requirements.

E.4.2 The DCO shall instruct the *Athlete* to select partial *Sample Collection Equipment* in accordance with C.4.4.

E.4.3 The DCO shall then instruct the *Athlete* to open the relevant equipment, pour the insufficient *Sample* into the container and seal it as directed by the DCO. The DCO shall check, in full view of the *Athlete*, that the container has been properly sealed.

E.4.4 The DCO and the *Athlete* shall check that the equipment code number, and the volume and identity of the insufficient *Sample* are recorded accurately by the DCO. Either the *Athlete* or the DCO shall retain control of the sealed partial *Sample*.

E.4.5 While waiting to provide an additional *Sample*, the *Athlete* shall remain under continuous observation and be given the opportunity to hydrate.

E.4.6 When the *Athlete* is able to provide an additional *Sample*, the procedures for collection of the *Sample* shall be repeated as prescribed in Annex C – Collection of urine *Samples* until a sufficient volume of urine will be provided by combining the initial and additional *Sample/s*.

E.4.7 When the DCO is satisfied that a sufficient volume of urine has been provided, the DCO and *Athlete* shall check the integrity of the seal/s on the partial *Sample* container/s containing the previously provided insufficient *Sample/s*. Any irregularity with the integrity of the seal/s will

be recorded by the DCO and investigated according to Annex A – Investigating a possible failure to comply.

E.4.8 The DCO shall then direct the *Athlete* to break the seal/s and combine the *Samples*, ensuring that additional *Samples* are added sequentially to the first *Sample* collected until the required volume is met.

E.4.9 The DCO and *Athlete* shall then continue with C.4.11.

Annex F - Urine Samples - Samples that do not meet laboratory pH or specific gravity guidelines

F.1 Objective

To ensure that when the urine *Sample* does not meet the contracted laboratory pH or specific gravity guidelines, appropriate procedures are followed.

F.2 Scope

The procedure begins with the DCO informing the *Athlete* that a further *Sample* is required and ends with the collection of a *Sample* that meets laboratory pH and specific gravity guidelines or appropriate follow-up action by the *ADO* if required.

F.3 Responsibility

The *ADO* is responsible for establishing criteria for the number of additional *Samples* to be collected at the *Athlete's Sample Collection Session*. If the additional *Sample/s* collected do not meet the relevant laboratory's guidelines for analysis, the *ADO* is responsible for scheduling a new *Sample Collection Session* for the *Athlete* and, if required, taking subsequent appropriate action.

The DCO is responsible for collecting additional *Sample/s* in accordance with the *ADO's* criteria.

F.4 Requirements

F.4.1 The *ADO* shall establish criteria for the number of additional *Samples* to be collected by the DCO when the DCO determines that an *Athlete's Sample* is unlikely to meet the relevant laboratory's pH or specific gravity guidelines.

F.4.2 The DCO shall inform the *Athlete* that he/she is required to provide a further *Sample*.

F.4.3 While waiting to provide an additional *Sample*, the *Athlete* shall remain under continuous observation.

F.4.4 When the *Athlete* is able to provide an additional *Sample*, the DCO shall repeat the procedures for collection of the *Sample* as prescribed in Annex C – Collection of urine *Sample* and in accordance with the *ADO's* criteria for the number of additional *Samples* to be collected as established in F.4.1.

F.4.5 The DCO shall record that the *Samples* collected belong to a single *Athlete* and the order in which the *Samples* were provided.

F.4.6 The DCO shall then continue with C.4.16.

F.4.7 If it is determined by the relevant laboratory that all of the *Athlete's Samples* do not meet the laboratory's pH and specific gravity requirements for analysis and this is not related to natural causes, the ADO shall schedule another Sample Collection Session for the *Athlete* as *Target Testing* as soon as possible.

F.4.8 If the *Target Testing Sample Collection Session* also results in *Samples* that do not meet the laboratory's pH and/or specific gravity requirements for analysis, the ADO shall investigate a possible anti-doping rule violation.

Annex G - Sample Collection Personnel Requirements

G.1 Objective

To ensure that Sample Collection Personnel have no conflict of interest and have adequate qualifications and experience to conduct *Sample* collection sessions.

G.2 Scope

Sample Collection Personnel requirements starts with the development of the necessary competencies for Sample Collection Personnel and ends with the provision of identifiable accreditation.

Responsibility

The ADO has the responsibility for all activities defined in this Annex G.

G.4 Requirements - Qualifications and Training

The ADO shall determine the necessary competence and accreditation requirements for the positions of Doping Control Officer, Chaperones and Blood Collection Official. The ADO shall develop duty assignments for all Sample Collection Personnel that outline their respective responsibilities. As a minimum:

- a) Sample Collection Personnel shall be of adult age.
- b) Blood Collection Officials shall have adequate qualifications and practical skills required to perform blood collection from a vein.

G.4.2 The ADO shall ensure that Sample Collection Personnel that have an interest in the outcome of the collection or testing of a *Sample* from an *Athlete* who might provide a *Sample* at a session are not involved in that Sample collection session. Sample Collection Personnel shall not be allowed to have an interest in the collection of a *Sample* if they are:

- a) Involved in the planning of the sport for which testing is being conducted; or
- b) Related to, or involved in the personal affairs of any *Athlete* who might provide a *Sample* at that session.

G.4.3 The ADO shall establish a system that ensures that Sample Collection Personnel are adequately qualified and trained to carry out their duties.

G.4.4 The training program for Chaperones and Blood Collection Officials as a minimum shall include studies of all relevant requirements of the testing process and familiarization of relevant standard precautions in healthcare settings.

G.4.5 The training program for Doping Control Officers as a minimum shall include:

- a) Comprehensive theoretical training in different types of testing activities relevant to the Doping Control Officer position;
- b) One observation of all doping control activities related to requirements in this standard, preferably on site;
- c) The satisfactory performance of one complete *Sample* collection on site under observation by a qualified Doping Control Officer or similar. The requirement related to actual passing of *Sample* shall not be included in the on site observations.

G.4.6 The ADO shall maintain records of education, training, skills and experience.

G.5 Requirements - Accreditation, re-accreditation and delegation

G.5.1 The ADO shall establish a system for accrediting and re-accrediting Sample Collection Personnel.

G.5.2 The ADO shall ensure that Sample Collection Personnel have completed the training program and are familiar with the requirements in this testing standard before granting accreditation.

G.5.3 Accreditation shall only be valid for a maximum of two years. Sample Collection Personnel shall be required to repeat a full training program if they have not participated in *Sample* collection activities within the year prior to re-accreditation.

G.5.4 Only Sample Collection Personnel that have an accreditation recognised by the ADO shall be authorised by the ADO to conduct *Sample* collection activities on behalf of the ADO.

G.5.5 Doping Control Officers may personally perform any activities involved in the Sample Collection Session, with the exception of blood collection unless particularly qualified, or they may direct a Chaperone to perform specified activities that fall within the scope of the Chaperone's authorised duties.

Tab D

THE SECRETARY OF STATE
WASHINGTON

October 30, 2007

The President:

I have the honor to submit to you, with a view to its transmittal to the Senate for advice and consent to ratification, the International Convention Against Doping in Sport, adopted by the United Nations Educational, Scientific, and Cultural Organization on October 19, 2005.

The United States supported the development of the Convention as a means to ensure equitable and effective application and promotion of anti-doping controls in international competition. The Convention will help to advance international cooperation on and promotion of international doping control efforts and will help to protect the integrity and spirit of sport by supporting efforts to ensure a fair and doping-free environment for athletes.

The International Olympic Movement supports the promotion and adoption of this Convention by the international community. Ratification by the United States will demonstrate the United States' longstanding commitment to the development of international anti-doping controls and its commitment to apply and facilitate the application of anti-doping controls.

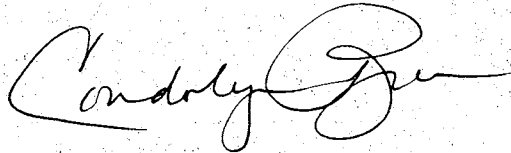
The President,

The White House.

consistent with the Convention during competitions held in the United States. Ratification will also ensure that the United States will continue to remain eligible to host international competitions. An overview of the provisions of the Convention is enclosed.

The Office of National Drug Control Policy and the Department of Health and Human Services participated in or otherwise supported the negotiation of the Convention and join me in recommending that it be transmitted to the Senate at an early date.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Condoleezza Rice". The signature is fluid and cursive, with the first name "Condoleezza" written in a larger, more prominent script than the last name "Rice".

Enclosures:

As stated.

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WASHINGTON
October 30, 2007

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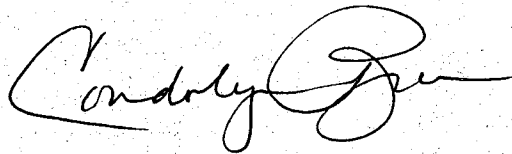
The President,

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Enclosures:

As stated.

U.S. DEPARTMENT OF STATE DRAFT MESSAGE

TO THE SENATE OF THE UNITED STATES

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the International Convention Against Doping in Sport, adopted by the United Nations Educational, Scientific, and Cultural Organization on October 19, 2005.

The United States supported the development of the Convention as a means to ensure equitable and effective application and promotion of anti-doping controls in international competition. The Convention will help to advance international cooperation on and promotion of international doping control efforts, and will help to protect the integrity and spirit of sport by supporting efforts to ensure a fair and doping-free environment for athletes.

The International Olympic Movement has been supportive of the promotion and adoption of this Convention by the international community. Ratification by the United States will demonstrate the United States' longstanding commitment to the development of international anti-doping controls and its commitment to apply and facilitate the application of appropriate anti-doping controls during competitions held in the United

States. Ratification will also ensure that the United States will continue to remain eligible to host international competitions.

I recommend that the Senate give prompt and favorable consideration to the Convention and give its advice and consent to ratification.

The White House,

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International Convention Against Doping in Sport 2005
Overview

The International Convention Against Doping in Sport was negotiated under the auspices of the United Nations Educational, Scientific, and Cultural Organization ("UNESCO") and adopted by its General Conference on October 19, 2005. The Convention entered into force on February 1, 2007. The United States participated in the negotiations and supported development of the Convention as a means of promoting anti-doping control efforts for international competition based on the World Anti-Doping Code (the "Code").

This Convention builds on longstanding efforts of the international community, supported by the United States, to develop a common approach and standards for equitable anti-doping control and enforcement for international competition. These efforts led to the creation and adoption by the World Anti-Doping Agency ("WADA") of the Code in 2003. The Convention was developed to build on these efforts and support them by providing a common instrument that countries could join to demonstrate their commitment to the Code as the basis for national anti-doping control and policy. The International Olympic Movement is committed to the Convention as a means of promoting anti-doping control in sport and has indicated that it may bar countries that do not support the Convention from participating in or hosting Olympic Games in the future.

The terms of the Convention recognize that, notwithstanding the need to provide a common framework for anti-doping controls, regulation of sport is a matter of national law and policy. The Convention is not structured to secure changes to national law or regulation, but rather to secure commitments by parties to promote international collaboration, research, education, and their own national efforts and awareness of anti-doping control efforts and of the Code. The Convention was developed for application to competitions regulated by national and international anti-doping organizations pursuant to the World Anti-Doping Code. The convention does not apply to professional sports organizations or other competitions outside the jurisdiction of the World Anti-Doping Code. There are no obligations in the Convention that require any changes to existing United States law or policy and nothing in the Convention which, upon ratification, would require implementing legislation for the United States to meet its obligations.

The Convention consists of its main text, two annexes (The Prohibited List-International Standard and Standards for Granting Therapeutic Use Exemptions), and three appendices (the World Anti-Doping Code, International Standards for

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Laboratories, and International Standards for Testing). The following article-by-article analysis provides a detailed discussion of the Convention.

Article-by-Article Analysis

Preamble

The preamble describes the basis and context for the Convention. It notes the value of sport as a means of promoting international understanding and the need to encourage and coordinate international cooperation towards the elimination of doping in sport.

Article 1 – Purpose of the Convention

This article notes that the purpose of the Convention is to promote the prevention of and the fight against doping in sport, with a view to its elimination.

Article 2 – Definitions

This article contains the definitions of certain terms used in the Convention. Relevant aspects of these terms are addressed in connection with the substantive provisions that use the terms.

Several provisions in the Convention create obligations with respect to the application of doping control measures to “athletes,” “anti-doping organizations,” and “sports organizations.” We interpret these definitions, consistent with the purpose of the Convention, to create obligations solely with respect to those individuals and entities engaged in internationally-regulated competition, and we intend to apply the Convention accordingly.

Article 3 – Means to achieve the purpose of the Convention

This article sets out the means by which Parties commit to achieve the purposes of the Convention.

Under Subsection (a), the Parties undertake to adopt “appropriate” measures at the national and international levels that are consistent with the principles of the Code. This provision does not create any obligation on Parties to take any actions beyond those set out elsewhere in the Convention, but it notes that actions taken by Parties to advance the purposes of the Convention should be consistent with the principles of the Code. Article 4(2) of the Convention, however, notes that the Code itself does not create any binding obligations. The United States supports the principles of the Code.

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Under Subsection (b), the Parties undertake to encourage all forms of international cooperation aimed at protecting athletes and ethics in sport and at sharing anti-doping research.

Under Subsection (c), the Parties undertake to foster international cooperation between Parties and anti-doping organizations, in particular the WADA.

Article 4 – Relationship of the Convention to the Code

This provision confirms that the Code and the other appendices to the Convention are included for information purposes and do not create any binding obligations under the Convention. Notwithstanding this status, under this article Parties commit to the principles of the Code as the basis for measures under Article 5 of the Convention. United States anti-doping policy is consistent with the principles of the Code. This provision also makes it clear that nothing in the Convention restricts a Party from adopting additional measures that are complementary to the Code. This provision also states that, unlike the appendices, the two annexes to the Convention (The Prohibited List – International Standard and Standards for Granting Therapeutic Use Exemptions) are integral parts of the Convention.

Article 5 – Measures to achieve the objectives of the Convention

This article states that Parties undertake to adopt “appropriate” measures in abiding by the obligations under the Convention. It states that such measures may include legislation, regulation, policies, or administrative practices. Nothing in this article or elsewhere in the Convention interferes with a Party’s sovereign authority to fulfill its obligations under the Convention by whatever means it chooses under its national system.

Article 6 – Relationship to other international instruments

This article establishes that nothing in the Convention affects the rights and obligations arising from any existing convention previously concluded and consistent with the object and purpose of this Convention.

Article 7 – Domestic coordination

This article provides that Parties shall ensure application of the Convention through domestic coordination. This article does not impose any obligation on Parties regarding domestic implementation of their obligations under the Convention, which remain governed by national systems and by Articles 5 and 35 of the Convention. The article notes that Parties may rely on anti-doping

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organizations as well as sports authorities and organizations to meet their obligations under the Convention.

Article 8 – Restricting the availability and use in sport of prohibited substances and methods

This article imposes general obligations that the United States can implement with no changes in law or policy. Paragraph 1 requires each Party to adopt measures where appropriate to restrict the availability of prohibited substances and methods in order to restrict their use in sport by athletes, unless their use is based on a therapeutic use exemption. Many substances on WADA's Prohibited List are controlled substances whose production, movement, importation, distribution, and sale are controlled by the Federal Controlled Substances Act. In addition, a number of the non-controlled substances on the Prohibited List are nevertheless subject to provisions of the Federal Food, Drug, and Cosmetic Act that restrict their use to legitimate medical activities and prohibit trafficking. These legal restrictions apply to athletes and athlete support personnel. In addition to the restrictions contained in the Federal Controlled Substances Act and Federal Food, Drug, and Cosmetic Act, states have parallel laws that address the trafficking, possession, and use of many of the substances on the Prohibited List. In addition, an increasing number of states have implemented student drug testing programs and education initiatives to prevent the use of doping substances on the Prohibited List. Federal resources are available to assist with such activities.

Paragraph 2 requires Parties to adopt or encourage, where appropriate, the adoption of measures to prevent and restrict the use and possession of prohibited substances and methods by athletes. The United States already takes such steps through, among other things, its financial and other support of the activities of the Office of National Drug Control Policy and support of the anti-doping control activities of the United States Anti-Doping Agency ("USADA") and the United States Olympic Committee.

Article 9 – Measures against athlete support personnel

This article requires Parties to take measures, or to encourage sports organizations and anti-doping organizations to take anti-doping measures, aimed at athlete support personnel. The United States already undertakes such measures through its support of the USADA, whose policies and testing protocols are consistent with the Code and contain provisions specifically addressing sanctions and penalties applicable to athlete support personnel.

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Article 10 – Nutritional supplements

This article requires Parties, where appropriate, to encourage producers and distributors of nutritional supplements to establish best practices in the marketing and distribution of nutritional supplements, including information regarding their analytic composition and quality assurance. The United States could meet this obligation with no change in existing law or policy. The Dietary Supplement Health Education Act of 1994 (“DSHEA”) requires that dietary supplement manufacturers must ensure that a dietary supplement is safe before it is marketed, and that its product label information is truthful and not misleading. The law sets forth post-marketing requirements that include monitoring safety, for example, adverse event reporting. In June 2007, the Federal Food and Drug Administration (“FDA”) established regulations requiring good manufacturing practices for dietary supplements which are designed to ensure that such supplements are produced in a quality manner, do not contain contaminants or impurities, and are accurately labeled. Through these and other measures, the United States currently meets the obligations that would arise under this article.

Article 11 – Financial measures

This article obligates Parties, where appropriate, to use certain financial measures to promote anti-doping control. Paragraph (a) requires Parties, where appropriate, to fund a national testing program across all sports or to provide financial assistance to sports organizations and anti-doping organizations through subsidies or grants. Paragraphs (b) and (c) obligate Parties, where appropriate, to withhold sport-related financial support from individual athletes and athlete support personnel who have been suspended following an anti-doping violation, or from any sports organization or anti-doping organization not in compliance with the Code.

The United States would currently meet the obligations of this article by virtue of its provision of annual funding to support the anti-doping testing program of the USADA. The testing protocols of the USADA are consistent with the Code, and sanctions under the program are consistent with the obligations of this article of the Convention.

Article 12 – Measures to facilitate doping control

This article obligates Parties, where appropriate, to undertake certain activities to facilitate the anti-doping control activities of sports organizations and anti-doping organizations.

Paragraph (a) obligates Parties to encourage and facilitate the implementation of doping controls by sports organizations and anti-doping

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organizations, including no-advance notice, out-of-competition, and in-competition testing. By virtue of its annual funding of the USADA and policy coordination and collaboration with the USADA in support of its programs, the United States would currently meet this obligation as a matter of policy and practice.

Paragraph (b) obligates Parties to encourage and facilitate the negotiation by sports organizations and anti-doping organizations of agreements permitting their members to be tested by authorized anti-doping control teams from other countries. Paragraph (c) obligates Parties to assist sports organizations and anti-doping organizations within their jurisdictions to gain access to accredited doping control laboratories for the purpose of doping control analysis. The United States would currently meet the obligations set out in these paragraphs through its consistent and ongoing support of cooperation among anti-doping organizations, and through its support of the USADA and its extensive efforts in this area. The USADA is an active member of the Executive Committee of the Association of National Anti-doping Organizations (ANDO). ANDO members undertake cooperative action to promote compliance with the Code, including the facilitation of cooperation as set out in this article. USADA has also partnered with national anti-doping agencies and provided expert advice, administered out-of-competition testing, and conducted drug control officer training services. The United States has supported the USADA in its efforts to enter into agreements contemplated by this article, and the USADA has entered into such agreements, notably with WADA's Central American Regional Anti-Doping Organization, which performs Code-compliant testing in eight countries.

Article 13 – Cooperation between anti-doping organizations and sports organizations

This article obligates Parties to advance the purpose of the Convention by encouraging cooperation between anti-doping organizations, public authorities, and sports organizations within their jurisdiction and those of other countries. The United States would satisfy this obligation as a matter of current policy and practice. The United States collaborates with other public authorities and promotes collaboration with and among anti-doping organizations and sports organizations through its service on the Executive Committee, Foundation Board, and several key committees of WADA. The United States also advances public anti-doping support and public-private anti-doping control activities through its participation in regional anti-doping control bodies. It plays an active role in the Americas Sports Council, an informal organization of 42 governments from North, South, and Central America dedicated to advancing drug-free sport in the Americas, and participates in anti-doping activities of the Council of Europe and the Caribbean Community (CARICOM).

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Article 14 – Supporting the mission of the World Anti-Doping Agency

The article affirms the general support by Parties of WADA in the international fight against doping.

Article 15 – Equal funding of the World Anti-Doping Agency

This article notes that Parties support the “principle” of equal funding of WADA’s approved annual core budget by public authorities and the Olympic Movement. This provision reaffirms principles that have been agreed within the governance structures of WADA, including by the United States, but creates no separate legal obligation with respect to these principles. Funding of WADA is determined within its governance structures, and nothing in this Convention creates obligations or alters the right of Parties to adjust funding principles or structures of WADA in any manner they decide is appropriate.

Article 16 – International cooperation in doping control

This article obligates Parties to take certain steps to facilitate international cooperation in anti-doping testing and control. Parties are only obligated to take steps under this article to the degree they are “appropriate and in accordance with domestic law and procedures.” No changes in existing U.S. law or policy would be necessary to meet the obligations that would arise under this article.

Paragraphs (a), (d), (e), (f), and (g) obligate Parties to facilitate, subject to relevant host countries’ regulations, the work of the WADA and anti-doping organizations in conducting in- or out-of-competition doping controls on their athletes, on their territory, or elsewhere in a manner consistent with the Code, and to take other efforts to support and facilitate international cooperation on certain anti-doping control measures. The United States currently facilitates such activities through its support of the activities of the USADA. The USADA actively engages in anti-doping testing cooperation with appropriate Code-compliant anti-doping organizations. In 2006, the USADA established out-of-competition testing agreements to provide and/or request testing services with 21 anti-doping organizations and contracted to conduct testing on U.S. athletes training and competing in 19 countries. The USADA provided Code-compliant domestic in-competition testing services to a number of international sports federations and organizing committees of the Olympic games. The United States supports the mutual recognition of Code-compliant results management decisions and works with international federations, WADA, and national anti-doping organizations to ensure recognition of sanctions.

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Under Paragraph (b), Parties commit to facilitate the timely movement of duly authorized doping control teams across their borders when conducting doping control activities. Because this provision is subject to domestic law and procedures and need only be implemented where appropriate, it does not require changes in U.S. border control law, nor does it require the United States to provide favorable immigration treatment to individuals engaged in doping control activities if it does not deem doing so appropriate as a matter of national policy.

Under Paragraph (c), Parties commit to cooperate to expedite the timely shipping or carrying across borders of samples in such a way as to maintain their security and integrity. As with Paragraph (b), because this provision is subject to domestic law and procedures and need only be implemented where appropriate, it does not require changes in United States border control law, nor does it require the United States to provide special treatment for anti-doping samples crossing its border.

Article 17 – Voluntary Fund

This article establishes a voluntary fund (the “Voluntary Fund”) dedicated to providing assistance to Parties for the implementation of their obligations under the Convention. The article notes that any contributions to the Voluntary Fund are purely voluntary, sets out the type of entities that may contribute to the Voluntary Fund (and authorizes the Conference of Parties to broaden the category of resources which may comprise the Voluntary Fund), and notes that a Party’s contributions to the Voluntary Fund do not offset any obligation it may have to contribute to the WADA annual budget. Nothing in this provision would impose any financial obligation on the United States.

Article 18 – Use and governance of the Voluntary Fund

This article sets out the terms of governance and use of the Voluntary Fund. The Voluntary Fund is to be allocated by the Conference of Parties for activities approved by it, notably the assistance of Parties in their anti-doping control efforts consistent with the Convention. Notwithstanding the control exercised by the Conference of Parties over the Voluntary Fund, the Convention limits that control by providing that no political, economic, or other conditions may be attached to contributions to the Voluntary Fund.

Article 19 – General education and training

This article obligates Parties, within their means, to support, devise, or implement education and training programs on anti-doping. The article further outlines the type of education and training programs that Parties “should” support in meeting its obligations under this provision. The United States currently funds a

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number of programs that would fall within the scope of its obligations under this article.

The United States supports two research-derived school-based steroid education programs, the ATLAS (Adolescents Training and Learning to Avoid Steroids) program, and the ATHENA (Athletes Targeting Healthy Exercise and Nutrition Alternatives) program. The United States also supports anti-doping education through its support of the USADA, which traditionally directs more than 10 percent of its annual budget toward education programs targeting schoolchildren, emerging elite athletes, coaches, and parents. The United States also provides federal grant funds to operate student drug testing programs and education initiatives, such as activities undertaken by the Department of Education's Office of Safe and Drug-Free Schools.

Article 20 – Professional codes of conduct

This article obligates Parties to “encourage” professional associations and institutions to develop and implement appropriate codes of conduct, good practice, and ethics related to anti-doping in sport that are consistent with the Code. The United States would meet its obligations under this provision through its existing support of the activities of the USADA and the USOC in this area. The USADA and the USOC each work to ensure that various national sport governing bodies develop and implement codes of conduct and doping rules that are consistent with the Code, and excludes from competition any Olympic-recognized national sports federation that fails to implement such rules. The USADA also works with medical and health professional associations, such as the American Medical Association and the American College of Sports Medicine, on raising awareness of the health and ethical effects of doping.

Article 21 – Involvement of athletes and athlete support personnel

This article obligates Parties to promote and, within their means, support active participation by athletes and athlete support personnel in all facets of the anti-doping work of sports and other relevant organizations. The United States would currently fulfill its obligations under this provision through its existing support of the USADA (which involves athletes and athlete support personnel in its governing bodies and anti-doping programs), the policies and practices of WADA (which has directly involved athletes in its anti-doping work), and through various outreach policies of the Office of National Drug Control Policy.

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Article 22 – Sports organizations and ongoing education and training on anti-doping

Under this article Parties are obligated to “encourage” sports organizations and anti-doping organizations to implement ongoing education and training programs on the subjects identified in Article 19. The United States would currently meet its obligations under this article through its existing support of the USADA as well as through direct implementation of the federal programs discussed in connection with Article 19.

Article 23 – Cooperation in education and training

This article obligates Parties to share, where appropriate, information, expertise, and experience on effective anti-doping programs with other Parties and relevant anti-doping organizations. The United States already shares information collected and expertise accrued through its own education and training experience with its counterparts and with relevant anti-doping organizations. It does so through its participation and leadership in WADA and in collaboration with governments and organizations in organizations such as UNESCO, the Council of Europe, the Americas Sports Council, and CARICOM.

Article 24 – Promotion of research in anti-doping

Article 24 obligates Parties, “within their means,” to encourage and promote anti-doping research in cooperation with sports and other relevant organizations on (a) prevention, detection methods, behavioral and social aspects, and the health consequences of doping, (b) ways and means of devising scientifically-based physiological and psychological training programs, and (c) the use of emerging substances and methods arising from scientific developments.

The United States may implement this obligation without any change in law or policy. The United States already funds significant research related to anti-doping, both directly and through the USADA. The USADA spends between 15 and 20 percent of its budget on research, and, among other research promotion activities, sponsors an annual international conference that brings together anti-doping researchers. The United States also supports anti-doping research activities through the National Institutes of Health (NIH), the Drug Enforcement Administration (DEA), and the National Institute of Drug Abuse (NIDA).

Articles 25 and 26 – Nature of anti-doping research; Sharing the results of anti-doping research

Article 25 obligates Parties, while promoting anti-doping research, to ensure that such research will comply with internationally recognized ethical practices, avoid the administration to athletes of prohibited substances and methods, and be

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undertaken with adequate precautions to prevent the results of the research from being used for doping purposes. Article 26 obligates Parties, where appropriate and subject to national and international law, to share the results of their research with other Parties and with WADA.

The United States currently promotes research in a manner consistent with the principles of these articles. It has, through ONDCP, promoted the sharing of research results by coordinating research collaboration between WADA's Science and Research Department and government officials from NIH, NIDA, and the FDA.

Article 27 – Sport science research

This article requires Parties to encourage members of the scientific and medical communities to carry out sport science research in accordance with the principles of the Code and to encourage sports organizations and athlete support personnel within their jurisdiction to implement such research. The United States already encourages and directly supports the sports science research of organizations such as the American College of Sports Medicine, the American Medical Association, and other medical and public health groups. Through its support of the USADA and its programs, the United States supports the dissemination of the results of this research and the implementation of policies and programs based on this research by sports organizations and athlete support personnel.

Article 28 – Conference of Parties

This article is a standard provision establishing the Conference of Parties (the "COP") of the Convention. The COP of this Convention meets once every two years, or more frequently if it so decides or if requested by one-third of the Parties. The Convention allows the COP to establish and amend its rules of procedure, as it deems appropriate, subject to the rule above on the frequency of meetings and the requirement that each Party shall have one vote.

Article 29 – Advisory organization and observers to the Conference of Parties

This article provides that the WADA will be invited as an advisory organization to the COP and that the following organizations shall have the right to participate as observers: the International Olympic Committee, the International Paralympic Committee, the Council of Europe, and the Intergovernmental Committee for Physical Education and Sport. It also provides that the COP may invite other relevant organizations as observers. The terms of participation by observers shall be determined by the rules of procedure of the COP, as provided under Article 28.

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Article 30 – Functions of the Conference of Parties

This article enumerates specific functions of the COP, in addition to those provided elsewhere in the Convention, and notes that in implementing these functions the COP may cooperate with other intergovernmental bodies. These functions are the following:

(a) Promote the purpose of the Convention. Parties may undertake collective action through the COP and its Secretariat to promote the purpose of the Convention.

(b) Discuss the relationship with WADA and study the mechanisms of funding WADA's core budget (the Convention provides that State non-Parties may be invited to these discussions). Though this provision notes that the COP may discuss WADA funding, the COP is not authorized to take any action to determine WADA funding mechanisms, which remain within the governance structures of WADA.

(c) Adopt a plan for the use of resources of the Voluntary Fund, as provided for in Article 18.

(d) Examine bi-annual reports submitted by the Parties pursuant to Article 31 regarding measures they have undertaken to implement the Convention. Though the COP may examine these bi-annual implementation reports, the Convention does not provide a mechanism for the COP to take any formal action on these reports.

(e) Monitor compliance with the Convention in accordance with the reports submitted by Parties to the COP pursuant to Article 31.

(f) Examine draft amendments of the Convention for adoption under the procedures outlined in Articles 33 and 34.

(g) Examine, for approval, modifications to the Prohibited List and to the Standards for Granting Therapeutic Use Exemptions adopted by WADA pursuant to the procedures set out in Article 34.

(h) Define and implement cooperation between Parties and WADA within the framework of the Convention. This provision does not affect a Party's sovereign right to implement its obligations under the Convention, as it deems appropriate.

(i) Request a report from WADA on the implementation of the Code to each of its sessions for examination.

Article 31 – National reports to the Conference of Parties

Under this article Parties are obligated to report to the COP every two years on the measures taken by them to implement their obligations under the Convention. As provided in Article 30, the COP may examine these reports, but the Convention does not set out any formal action or sanction that the COP may take as a result of these reports.

Article 32 – Secretariat of the Conference of Parties

This article provides for the establishment of a Secretariat for the COP within UNESCO. The Secretariat will be provided by UNESCO, and functioning costs related to the Convention will be funded from the UNESCO budget “within its existing resources at an appropriate level,” the Voluntary Fund, or some combination of the two funding sources as determined by the COP every two years. Recognizing that the primary financial burden for operation of the COP Secretariat should be borne by Parties to the Convention, the article provides that funding from UNESCO core budget resources should be provided on a strictly minimal basis. The article notes that the Secretariat shall provide support to the COP and shall have the authority to ensure the implementation of its decisions.

Articles 33 and 34 – Amendments: Specific amendment procedure for the Annexes to the Convention

These articles contain provisions regarding the amendment procedure and the adoption of amendments to the annexes to the Convention that are common to several international agreements to which the United States is party. Article 33 provides that any Party may propose amendments to the Convention. Proposed amendments will be circulated to all Parties by the Director-General of UNESCO, and, if within six months of such circulation at least half of the Parties have consented, the Director-General will present the proposals to the following session of the COP. Amendments may be adopted by a two-thirds majority vote of the Parties present and voting.

Following adoption, amendments to the Convention shall enter into force, for those Parties that have accepted them, three months after the deposit of instruments of ratification, acceptance, approval, or accession by at least two-thirds of the Parties, and, for any other Party, three months after deposit of its instrument of ratification, acceptance, approval, or accession. A State that becomes a Party to the Convention after entry into force of an amendment shall, failing an expression

of different intention, become a Party to the Convention as amended or, with respect to the Parties not bound by the amendment, a Party to the unamended Convention.

Regarding the annexes to the Convention, Article 34 provides that if WADA amends the Prohibited List or the Standards for Granting Therapeutic Use Exemptions, it may inform the Director General of UNESCO of the changes. The Director General of UNESCO shall then notify the COP of the changes, which shall be considered for approval by the COP as proposed amendments to the relevant annex to the Convention at one of its sessions or through written consultation under a 45-day "no-objection" procedure. Unless two-thirds of the Parties express an objection within 45 days of the notification of the proposed amendment, the amendment will be deemed approved and, 45 days following approval, in force among all Parties who did not previously notify the Director-General that they do not accept the amendments. For Parties that have made such notifications, the Annexes will remain in force as unamended.

Articles 35-43 – Final clauses

Articles 35 through 43 are final clauses that are routinely included in conventions negotiated under the auspices of the United Nations and its specialized agencies.

Article 35 recognizes that Parties with federal systems may not have the constitutional authority at the national level to implement certain obligations under the Convention. It notes that such Parties are not obligated to implement those obligations at the federal level but must nevertheless inform the competent sub-national authorities of such obligations and recommend that the obligations be implemented by them at the sub-national level.

Articles 36 and 37 are standard provisions on ratification and entry into force. Article 36 provides that the Convention will be open to ratification, acceptance, approval, or accession by States that are members of UNESCO. Article 37 notes that the Convention will enter into force on the first day of the month following the deposit of the thirtieth such instrument. For States that subsequently express their consent to be bound, the Convention will enter into force on the first day of the month following one month after the deposit of its instrument. Article 38 allows for Parties who are the administering powers of a territory or territories, and who are responsible for their international relations, to specify the territories to which the Convention shall apply.

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Article 39 provides for denunciation of the Convention by any Party, through an instrument deposited with the Director General of UNESCO. Such denunciation is effective on the first day of the month following a period of six months after the date of receipt of the instrument of denunciation.

Articles 40 through 42 are standard provisions which specify that UNESCO shall serve as the depository for the Convention and set out its administrative responsibilities, note that the Convention shall be registered at the Secretariat of the United Nations, and state that each of its texts are equally authoritative.

Article 43 states that no reservations may be made to the Convention that are incompatible with the object and purpose of the Convention. This provision preserves standard reservation practice in permitting reservations that are consistent with the object and purpose of the Convention.

Annexes I and II – The Prohibited List-International Standard and the Standards for Granting Therapeutic Use Exemptions

Annexes I (The Prohibited List – International Standard) and II (Standards for Granting Therapeutic Use Exemptions) are integral parts of the Convention. The Annexes as adopted in 2005 were approved and adopted by WADA, and the United States actively supported each Annex in its capacity as a member of WADA's Executive Committee and Foundation Board. Each Annex defines the scope of a Party's obligation to adopt control measures under Article 8 of the Convention by setting out the prohibited substances that are subject to control measures and applicable therapeutic use exemptions. Annex I was subsequently amended in accordance with the amendment procedure set out in Article 34 of the Convention to reflect modifications by WADA to its Prohibited List. The revised Annex I, effective 2007, and Annex II as adopted in 2005 have been adopted by USADA and serve as the basis of its anti-doping control measures. Upon ratification, the United States would be bound by the terms of Annex I as revised.

Appendices 1-3, The World Anti-Doping Code, International Standard for Laboratories, and International Standard for Testing

Pursuant to Article 4, Appendices 1, 2, and 3 are included for information purposes and are not integral parts of the Convention. They do not contain any binding obligations on Parties.

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**INTERNATIONAL CONVENTION
AGAINST DOPING IN SPORT**

Paris, 19 October 2005

INTERNATIONAL CONVENTION AGAINST DOPING IN SPORT

The General Conference of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as "UNESCO", meeting in Paris, from 3 to 21 October 2005, at its 33rd session,

Considering that the aim of UNESCO is to contribute to peace and security by promoting collaboration among nations through education, science and culture,

Referring to existing international instruments relating to human rights,

Aware of resolution 58/5 adopted by the General Assembly of the United Nations on 3 November 2003, concerning sport as a means to promote education, health, development and peace, notably its paragraph 7,

Conscious that sport should play an important role in the protection of health, in moral, cultural and physical education and in promoting international understanding and peace,

Noting the need to encourage and coordinate international cooperation towards the elimination of doping in sport,

Concerned by the use of doping by athletes in sport and the consequences thereof for their health, the principle of fair play, the elimination of cheating and the future of sport,

Mindful that doping puts at risk the ethical principles and educational values embodied in the International Charter of Physical Education and Sport of UNESCO and in the Olympic Charter,

Recalling that the Anti-Doping Convention and its Additional Protocol adopted within the framework of the Council of Europe are the public international law tools which are at the origin of national anti-doping policies and of intergovernmental cooperation,

Recalling the recommendations on doping adopted by the second, third and fourth International Conferences of Ministers and Senior Officials Responsible for Physical Education and Sport organized by UNESCO at Moscow (1988), Punta del Este (1999) and Athens (2004) and 32 C/Resolution 9 adopted by the General Conference of UNESCO at its 32nd session (2003),

Bearing in mind the World Anti-Doping Code adopted by the World Anti-Doping Agency at the World Conference on Doping in Sport, Copenhagen, 5 March 2003, and the Copenhagen Declaration on Anti-Doping in Sport,

Mindful also of the influence that elite athletes have on youth,

Aware of the ongoing need to conduct and promote research with the objectives of improving detection of doping and better understanding of the factors affecting use in order for prevention strategies to be most effective,

Aware also of the importance of ongoing education of athletes, athlete support personnel and the community at large in preventing doping,

Mindful of the need to build the capacity of States Parties to implement anti-doping programmes,

Aware that public authorities and the organizations responsible for sport have complementary responsibilities to prevent and combat doping in sport, notably to ensure the proper conduct, on the basis of the principle of fair play, of sports events and to protect the health of those that take part in them,

Recognizing that these authorities and organizations must work together for these purposes, ensuring the highest degree of independence and transparency at all appropriate levels,

Determined to take further and stronger cooperative action aimed at the elimination of doping in sport,

Recognizing that the elimination of doping in sport is dependent in part upon progressive harmonization of anti-doping standards and practices in sport and cooperation at the national and global levels,

Adopts this Convention on this nineteenth day of October 2005.

I. Scope

Article 1 – Purpose of the Convention

The purpose of this Convention, within the framework of the strategy and programme of activities of UNESCO in the area of physical education and sport, is to promote the prevention of and the fight against doping in sport, with a view to its elimination.

Article 2 – Definitions

These definitions are to be understood within the context of the World Anti-Doping Code. However, in case of conflict the provisions of the Convention will prevail.

For the purposes of this Convention:

1. “Accredited doping control laboratories” means laboratories accredited by the World Anti-Doping Agency.
2. “Anti-doping organization” means an entity 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, the World Anti-Doping Agency, international federations and national anti-doping organizations.
3. “Anti-doping rule violation” in sport means one or more of the following:
 - (a) the presence of a prohibited substance or its metabolites or markers in an athlete’s bodily specimen;
 - (b) use or attempted use of a prohibited substance or a prohibited method;

- (c) refusing, or failing without compelling justification, to submit to sample collection after notification as authorized in applicable anti-doping rules or otherwise evading sample collection;
 - (d) violation of applicable requirements regarding athlete availability for out-of-competition testing, including failure to provide required whereabouts information and missed tests which are declared based on reasonable rules;
 - (e) tampering, or attempting to tamper, with any part of doping control;
 - (f) possession of prohibited substances or methods;
 - (g) trafficking in any prohibited substance or prohibited method;
 - (h) administration or attempted administration of a prohibited substance or prohibited method to any athlete, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted violation.
4. "Athlete" means, for the purposes of doping control, any person who participates in sport at the international or national level as defined by each national anti-doping organization and accepted by States Parties and any additional person who participates in a sport or event at a lower level accepted by States Parties. For the purposes of education and training programmes, "athlete" means any person who participates in sport under the authority of a sports organization.
 5. "Athlete support personnel" means any coach, trainer, manager, agent, team staff, official, medical or paramedical personnel working with or treating athletes participating in or preparing for sports competition.
 6. "Code" means the World Anti-Doping Code adopted by the World Anti-Doping Agency on 5 March 2003 at Copenhagen which is attached as Appendix 1 to this Convention.
 7. "Competition" means a single race, match, game or singular athletic contest.
 8. "Doping control" means the process including test distribution planning, sample collection and handling, laboratory analysis, results management, hearings and appeals.
 9. "Doping in sport" means the occurrence of an anti-doping rule violation.
 10. "Duly authorized doping control teams" means doping control teams operating under the authority of international or national anti-doping organizations.
 11. "In-competition" testing means, for purposes of differentiating between in-competition and out-of-competition testing, unless provided otherwise in the rules of an international federation or other relevant anti-doping organization, a test where an athlete is selected for testing in connection with a specific competition.
 12. "International Standard for Laboratories" means the standard which is attached as Appendix 2 to this Convention.

13. "International Standard for Testing" means the standard which is attached as Appendix 3 to this Convention.
14. "No advance notice" means a doping control which takes place with no advance warning to the athlete and where the athlete is continuously chaperoned from the moment of notification through sample provision.
15. "Olympic Movement" means all those who agree to be guided by the Olympic Charter and who recognize the authority of the International Olympic Committee, namely the international federations of sports on the programme of the Olympic Games, the National Olympic Committees, the Organizing Committees of the Olympic Games, athletes, judges and referees, associations and clubs, as well as all the organizations and institutions recognized by the International Olympic Committee.
16. "Out-of-competition" doping control means any doping control which is not conducted in competition.
17. "Prohibited List" means the list which appears in Annex I to this Convention identifying the prohibited substances and prohibited methods.
18. "Prohibited method" means any method so described on the Prohibited List, which appears in Annex I to this Convention.
19. "Prohibited substance" means any substance so described on the Prohibited List, which appears in Annex I to this Convention.
20. "Sports organization" means any organization that serves as the ruling body for an event for one or several sports.
21. "Standards for Granting Therapeutic Use Exemptions" means those standards that appear in Annex II to this Convention.
22. "Testing" means the parts of the doping control process involving test distribution planning, sample collection, sample handling and sample transport to the laboratory.
23. "Therapeutic use exemption" means an exemption granted in accordance with Standards for Granting Therapeutic Use Exemptions.
24. "Use" means the application, ingestion, injection or consumption by any means whatsoever of any prohibited substance or prohibited method.
25. "World Anti-Doping Agency" (WADA) means the foundation so named established under Swiss law on 10 November 1999.

Article 3 – Means to achieve the purpose of the Convention

In order to achieve the purpose of the Convention, States Parties undertake to:

- (a) adopt appropriate measures at the national and international levels which are consistent with the principles of the Code;

- (b) encourage all forms of international cooperation aimed at protecting athletes and ethics in sport and at sharing the results of research;
- (c) foster international cooperation between States Parties and leading organizations in the fight against doping in sport, in particular with the World Anti-Doping Agency.

Article 4 – Relationship of the Convention to the Code

1. In order to coordinate the implementation, at the national and international levels, of the fight against doping in sport, States Parties commit themselves to the principles of the Code as the basis for the measures provided for in Article 5 of this Convention. Nothing in this Convention prevents States Parties from adopting additional measures complementary to the Code.
2. The Code and the most current version of Appendices 2 and 3 are reproduced for information purposes and are not an integral part of this Convention. The Appendices as such do not create any binding obligations under international law for States Parties.
3. The Annexes are an integral part of this Convention.

Article 5 – Measures to achieve the objectives of the Convention

In abiding by the obligations contained in this Convention, each State Party undertakes to adopt appropriate measures. Such measures may include legislation, regulation, policies or administrative practices.

Article 6 – Relationship to other international instruments

This Convention shall not alter the rights and obligations of States Parties which arise from other agreements previously concluded and consistent with the object and purpose of this Convention. This does not affect the enjoyment by other States Parties of their rights or the performance of their obligations under this Convention.

II. Anti-doping activities at the national level

Article 7 – Domestic coordination

States Parties shall ensure the application of the present Convention, notably through domestic coordination. To meet their obligations under this Convention, States Parties may rely on anti-doping organizations as well as sports authorities and organizations.

Article 8 – Restricting the availability and use in sport of prohibited substances and methods

1. States Parties shall, where appropriate, adopt measures to restrict the availability of prohibited substances and methods in order to restrict their use in sport by athletes, unless the use is based upon a therapeutic use exemption. These include measures against trafficking to athletes and, to this end, measures to control production, movement, importation, distribution and sale.
2. States Parties shall adopt, or encourage, where appropriate, the relevant entities within their jurisdictions to adopt measures to prevent and to restrict the use and possession of

prohibited substances and methods by athletes in sport, unless the use is based upon a therapeutic use exemption.

3. No measures taken pursuant to this Convention will impede the availability for legitimate purposes of substances and methods otherwise prohibited or controlled in sport.

Article 9 – Measures against athlete support personnel

States Parties shall themselves take measures or encourage sports organizations and anti-doping organizations to adopt measures, including sanctions or penalties, aimed at athlete support personnel who commit an anti-doping rule violation or other offence connected with doping in sport.

Article 10 – Nutritional supplements

States Parties, where appropriate, shall encourage producers and distributors of nutritional supplements to establish best practices in the marketing and distribution of nutritional supplements, including information regarding their analytic composition and quality assurance.

Article 11 – Financial measures

States Parties shall, where appropriate:

- (a) provide funding within their respective budgets to support a national testing programme across all sports or assist sports organizations and anti-doping organizations in financing doping controls either by direct subsidies or grants, or by recognizing the costs of such controls when determining the overall subsidies or grants to be awarded to those organizations;
- (b) take steps to withhold sport-related financial support to individual athletes or athlete support personnel who have been suspended following an anti-doping rule violation, during the period of their suspension;
- (c) withhold some or all financial or other sport-related support from any sports organization or anti-doping organization not in compliance with the Code or applicable anti-doping rules adopted pursuant to the Code.

Article 12 – Measures to facilitate doping control

States Parties shall, where appropriate:

- (a) encourage and facilitate the implementation by sports organizations and anti-doping organizations within their jurisdiction of doping controls in a manner consistent with the Code, including no-advance notice, out-of-competition and in-competition testing;
- (b) encourage and facilitate the negotiation by sports organizations and anti-doping organizations of agreements permitting their members to be tested by duly authorized doping control teams from other countries;

- (c) undertake to assist the sports organizations and anti-doping organizations within their jurisdiction in gaining access to an accredited doping control laboratory for the purposes of doping control analysis.

III. International cooperation

Article 13 - Cooperation between anti-doping organizations and sports organizations

States Parties shall encourage cooperation between anti-doping organizations, public authorities and sports organizations within their jurisdiction and those within the jurisdiction of other States Parties in order to achieve, at the international level, the purpose of this Convention.

Article 14 - Supporting the mission of the World Anti-Doping Agency

States Parties undertake to support the important mission of the World Anti-Doping Agency in the international fight against doping.

Article 15 - Equal funding of the World Anti-Doping Agency

States Parties support the principle of equal funding of the World Anti-Doping Agency's approved annual core budget by public authorities and the Olympic Movement.

Article 16 - International cooperation in doping control

Recognizing that the fight against doping in sport can only be effective when athletes can be tested with no advance notice and samples can be transported in a timely manner to laboratories for analysis, States Parties shall, where appropriate and in accordance with domestic law and procedures:

- (a) facilitate the task of the World Anti-Doping Agency and anti-doping organizations operating in compliance with the Code, subject to relevant host countries' regulations, of conducting in- or out-of-competition doping controls on their athletes, whether on their territory or elsewhere;
- (b) facilitate the timely movement of duly authorized doping control teams across borders when conducting doping control activities;
- (c) cooperate to expedite the timely shipping or carrying across borders of samples in such a way as to maintain their security and integrity;
- (d) assist in the international coordination of doping controls by various anti-doping organizations, and cooperate to this end with the World Anti-Doping Agency;
- (e) promote cooperation between doping control laboratories within their jurisdiction and those within the jurisdiction of other States Parties. In particular, States Parties with accredited doping control laboratories should encourage laboratories within their jurisdiction to assist other States Parties in enabling them to acquire the experience, skills and techniques necessary to establish their own laboratories should they wish to do so;

- (f) encourage and support reciprocal testing arrangements between designated anti-doping organizations, in conformity with the Code;
- (g) mutually recognize the doping control procedures and test results management, including the sport sanctions thereof, of any anti-doping organization that are consistent with the Code.

Article 17 – Voluntary Fund

1. A "Fund for the Elimination of Doping in Sport", hereinafter referred to as "the Voluntary Fund", is hereby established. The Voluntary Fund shall consist of funds-in-trust established in accordance with the Financial Regulations of UNESCO. All contributions by States Parties and other actors shall be voluntary.
2. The resources of the Voluntary Fund shall consist of:
 - (a) contributions made by States Parties;
 - (b) contributions, gifts or bequests which may be made by:
 - (i) other States;
 - (ii) organizations and programmes of the United Nations system, particularly the United Nations Development Programme, as well as other international organizations;
 - (iii) public or private bodies or individuals;
 - (c) any interest due on the resources of the Voluntary Fund;
 - (d) funds raised through collections, and receipts from events organized for the benefit of the Voluntary Fund;
 - (e) any other resources authorized by the Voluntary Fund's regulations, to be drawn up by the Conference of Parties.
3. Contributions into the Voluntary Fund by States Parties shall not be considered to be a replacement for States Parties' commitment to pay their share of the World Anti-Doping Agency's annual budget.

Article 18 – Use and governance of the Voluntary Fund

Resources in the Voluntary Fund shall be allocated by the Conference of Parties for the financing of activities approved by it, notably to assist States Parties in developing and implementing anti-doping programmes, in accordance with the provisions of this Convention, taking into consideration the goals of the World Anti-Doping Agency, and may serve to cover functioning costs of this Convention. No political, economic or other conditions may be attached to contributions made to the Voluntary Fund.

IV. Education and training

Article 19 – General education and training principles

1. States Parties shall undertake, within their means, to support, devise or implement education and training programmes on anti-doping. For the sporting community in general, these programmes should aim to provide updated and accurate information on:
 - (a) the harm of doping to the ethical values of sport;
 - (b) the health consequences of doping.
2. For athletes and athlete support personnel, in particular in their initial training, education and training programmes should, in addition to the above, aim to provide updated and accurate information on:
 - (a) doping control procedures;
 - (b) athletes' rights and responsibilities in regard to anti-doping, including information about the Code and the anti-doping policies of the relevant sports and anti-doping organizations. Such information shall include the consequences of committing an anti-doping rule violation;
 - (c) the list of prohibited substances and methods and therapeutic use exemptions;
 - (d) nutritional supplements.

Article 20 – Professional codes of conduct

States Parties shall encourage relevant competent professional associations and institutions to develop and implement appropriate codes of conduct, good practice and ethics related to anti-doping in sport that are consistent with the Code.

Article 21 – Involvement of athletes and athlete support personnel

States Parties shall promote and, within their means, support active participation by athletes and athlete support personnel in all facets of the anti-doping work of sports and other relevant organizations and encourage sports organizations within their jurisdiction to do likewise.

Article 22 – Sports organizations and ongoing education and training on anti-doping

States Parties shall encourage sports organizations and anti-doping organizations to implement ongoing education and training programmes for all athletes and athlete support personnel on the subjects identified in Article 19.

Article 23 – Cooperation in education and training

States Parties shall cooperate mutually and with the relevant organizations to share, where appropriate, information, expertise and experience on effective anti-doping programmes.

V. Research

Article 24 – Promotion of research in anti-doping

States Parties undertake, within their means, to encourage and promote anti-doping research in cooperation with sports and other relevant organizations on:

- (a) prevention, detection methods, behavioural and social aspects, and the health consequences of doping;
- (b) ways and means of devising scientifically-based physiological and psychological training programmes respectful of the integrity of the person;
- (c) the use of all emerging substances and methods resulting from scientific developments.

Article 25 – Nature of anti-doping research

When promoting anti-doping research, as set out in Article 24, States Parties shall ensure that such research will:

- (a) comply with internationally recognized ethical practices;
- (b) avoid the administration to athletes of prohibited substances and methods;
- (c) be undertaken only with adequate precautions in place to prevent the results of anti-doping research being misused and applied for doping.

Article 26 – Sharing the results of anti-doping research

Subject to compliance with applicable national and international law, States Parties shall, where appropriate, share the results of available anti-doping research with other States Parties and the World Anti-Doping Agency.

Article 27 – Sport science research

States Parties shall encourage:

- (a) members of the scientific and medical communities to carry out sport science research in accordance with the principles of the Code;
- (b) sports organizations and athlete support personnel within their jurisdiction to implement sport science research that is consistent with the principles of the Code.

VI. Monitoring of the Convention

Article 28 – Conference of Parties

1. A Conference of Parties is hereby established. The Conference of Parties shall be the sovereign body of this Convention.

2. The Conference of Parties shall meet in ordinary session in principle every two years. It may meet in extraordinary session if it so decides or at the request of at least one third of the States Parties.
3. Each State Party shall have one vote at the Conference of Parties.
4. The Conference of Parties shall adopt its own Rules of Procedure.

Article 29 – Advisory organization and observers to the Conference of Parties

The World Anti-Doping Agency shall be invited as an advisory organization to the Conference of Parties. The International Olympic Committee, the International Paralympic Committee, the Council of Europe and the Intergovernmental Committee for Physical Education and Sport (CIGEPS) shall be invited as observers. The Conference of Parties may decide to invite other relevant organizations as observers.

Article 30 – Functions of the Conference of Parties

1. Besides those set forth in other provisions of this Convention, the functions of the Conference of Parties shall be to:
 - (a) promote the purpose of this Convention;
 - (b) discuss the relationship with the World Anti-Doping Agency and study the mechanisms of funding of the Agency's annual core budget. States non-Parties may be invited to the discussion;
 - (c) adopt a plan for the use of the resources of the Voluntary Fund, in accordance with Article 18;
 - (d) examine the reports submitted by States Parties in accordance with Article 31;
 - (e) examine, on an ongoing basis, the monitoring of compliance with this Convention in response to the development of anti-doping systems, in accordance with Article 31. Any monitoring mechanism or measure that goes beyond Article 31 shall be funded through the Voluntary Fund established under Article 17;
 - (f) examine draft amendments to this Convention for adoption;
 - (g) examine for approval, in accordance with Article 34 of the Convention, modifications to the Prohibited List and to the Standards for Granting Therapeutic Use Exemptions adopted by the World Anti-Doping Agency;
 - (h) define and implement cooperation between States Parties and the World Anti-Doping Agency within the framework of this Convention;
 - (i) request a report from the World Anti-Doping Agency on the implementation of the Code to each of its sessions for examination.
2. The Conference of Parties, in fulfilling its functions, may cooperate with other intergovernmental bodies.

Article 31 – National reports to the Conference of Parties

States Parties shall forward every two years to the Conference of Parties through the Secretariat, in one of the official languages of UNESCO, all relevant information concerning measures taken by them for the purpose of complying with the provisions of this Convention.

Article 32 – Secretariat of the Conference of Parties

1. The secretariat of the Conference of Parties shall be provided by the Director-General of UNESCO.
2. At the request of the Conference of Parties, the Director-General of UNESCO shall use to the fullest extent possible the services of the World Anti-Doping Agency on terms agreed upon by the Conference of Parties.
3. Functioning costs related to the Convention will be funded from the regular budget of UNESCO within existing resources at an appropriate level, the Voluntary Fund established under Article 17 or an appropriate combination thereof as determined every two years. The financing for the secretariat from the regular budget shall be done on a strictly minimal basis, it being understood that voluntary funding should also be provided to support the Convention.
4. The secretariat shall prepare the documentation of the Conference of Parties, as well as the draft agenda of its meetings, and shall ensure the implementation of its decisions.

Article 33 – Amendments

1. Each State Party may, by written communication addressed to the Director-General of UNESCO, propose amendments to this Convention. The Director-General shall circulate such communication to all States Parties. If, within six months from the date of the circulation of the communication, at least one half of the States Parties give their consent, the Director-General shall present such proposals to the following session of the Conference of Parties.
2. Amendments shall be adopted by the Conference of Parties with a two-thirds majority of States Parties present and voting.
3. Once adopted, amendments to this Convention shall be submitted for ratification, acceptance, approval or accession to States Parties.
4. With respect to the States Parties that have ratified, accepted, approved or acceded to them, amendments to this Convention shall enter into force three months after the deposit of the instruments referred to in paragraph 3 of this Article by two thirds of the States Parties. Thereafter, for each State Party that ratifies, accepts, approves or accedes to an amendment, the said amendment shall enter into force three months after the date of deposit by that State Party of its instrument of ratification, acceptance, approval or accession.
5. A State that becomes a Party to this Convention after the entry into force of amendments in conformity with paragraph 4 of this Article shall, failing an expression of different intention, be considered:

- (a) a Party to this Convention as so amended;
- (b) a Party to the unamended Convention in relation to any State Party not bound by the amendments.

Article 34 – Specific amendment procedure for the Annexes to the Convention

1. If the World Anti-Doping Agency modifies the Prohibited List or the Standards for Granting Therapeutic Use Exemptions, it may, by written communication addressed to the Director-General of UNESCO, inform her/him of those changes. The Director-General shall notify such changes as proposed amendments to the relevant Annexes to this Convention to all States Parties expeditiously. Amendments to the Annexes shall be approved by the Conference of Parties either at one of its sessions or through a written consultation.
2. States Parties have 45 days from the Director-General's notification within which to express their objection to the proposed amendment either in writing, in case of written consultation, to the Director-General or at a session of the Conference of Parties. Unless two thirds of the States Parties express their objection, the proposed amendment shall be deemed to be approved by the Conference of Parties.
3. Amendments approved by the Conference of Parties shall be notified to States Parties by the Director-General. They shall enter into force 45 days after that notification, except for any State Party that has previously notified the Director-General that it does not accept these amendments.
4. A State Party having notified the Director-General that it does not accept an amendment approved according to the preceding paragraphs remains bound by the Annexes as not amended.

VII. Final clauses

Article 35 – Federal or non-unitary constitutional systems

The following provisions shall apply to States Parties that have a federal or non-unitary constitutional system:

- (a) with regard to the provisions of this Convention, the implementation of which comes under the legal jurisdiction of the federal or central legislative power, the obligations of the federal or central government shall be the same as for those States Parties which are not federal States;
- (b) with regard to the provisions of this Convention, the implementation of which comes under the jurisdiction of individual constituent States, counties, provinces or cantons which are not obliged by the constitutional system of the federation to take legislative measures, the federal government shall inform the competent authorities of such States, counties, provinces or cantons of the said provisions, with its recommendation for their adoption.

Article 36 - Ratification, acceptance, approval or accession

This Convention shall be subject to ratification, acceptance, approval or accession by States Members of UNESCO in accordance with their respective constitutional procedures. The instruments of ratification, acceptance, approval or accession shall be deposited with the Director-General of UNESCO.

Article 37 - Entry into force

1. This Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession.
2. For any State that subsequently expresses its consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of deposit of its instrument of ratification, acceptance, approval or accession.

Article 38 - Territorial extension of the Convention

1. Any State may, when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories for whose international relations it is responsible and to which this Convention shall apply.
2. Any State Party may, at any later date, by a declaration addressed to UNESCO, extend the application of this Convention to any other territory specified in the declaration. In respect of such territory the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of receipt of such declaration by the depositary.
3. Any declaration made under the two preceding paragraphs may, in respect of any territory specified in such declaration, be withdrawn by a notification addressed to UNESCO. Such withdrawal shall become effective on the first day of the month following the expiration of a period of one month after the date of receipt of such a notification by the depositary.

Article 39 - Denunciation

Any State Party may denounce this Convention. The denunciation shall be notified by an instrument in writing, deposited with the Director-General of UNESCO. The denunciation shall take effect on the first day of the month following the expiration of a period of six months after the receipt of the instrument of denunciation. It shall in no way affect the financial obligations of the State Party concerned until the date on which the withdrawal takes effect.

Article 40 - Depositary

The Director-General of UNESCO shall be the Depositary of this Convention and amendments thereto. As the Depositary, the Director-General of UNESCO shall inform the States Parties to this Convention, as well as the other States Members of the Organization of:

- (a) the deposit of any instrument of ratification, acceptance, approval or accession;
- (b) the date of entry into force of this Convention in accordance with Article 37;
- (c) any report prepared in pursuance of the provisions of Article 31;
- (d) any amendment to the Convention or to the Annexes adopted in accordance with Articles 33 and 34 and the date on which the amendment comes into force;
- (e) any declaration or notification made under the provisions of Article 38;
- (f) any notification made under the provisions of Article 39 and the date on which the denunciation takes effect;
- (g) any other act, notification or communication relating to this Convention.

Article 41 - Registration

In conformity with Article 102 of the Charter of the United Nations, this Convention shall be registered with the Secretariat of the United Nations at the request of the Director-General of UNESCO.

Article 42 - Authoritative texts

1. This Convention, including its Annexes, has been drawn up in Arabic, Chinese, English, French, Russian and Spanish, the six texts being equally authoritative.
2. The Appendices to this Convention are provided in Arabic, Chinese, English, French, Russian and Spanish.

Article 43 - Reservations

No reservations that are incompatible with the object and purpose of the present Convention shall be permitted.

Annex I – The Prohibited List – International Standard

Annex II – Standards for Granting Therapeutic Use Exemptions

Appendix 1 – World Anti-Doping Code

Appendix 2 – International Standard for Laboratories

Appendix 3 – International Standard for Testing