

WORLD ANTI-DOPING CODE

世界反兴奋剂条例

**INTERNATIONAL STANDARD  
FOR RESULTS MANAGEMENT**

**结果管理国际标准**

2023



世界反兴奋剂机构



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## ***International Standard for Results Management***

The World Anti-Doping *Code International Standard for Results Management* is a mandatory *International Standard* developed as part of the World Anti-Doping Program. It was developed in consultation with *Signatories*, public authorities, and other relevant stakeholders.

The *International Standard for Results Management* was first adopted and approved by the WADA Executive Committee at the World Conference on Doping in Sport in Katowice on 7 November 2019 and came into effect January 2021.

This version of the *International Standard for Results Management* incorporates minor revisions to align the *International Standard for Results Management* with a number of other WADA regulatory documents. It was approved by the WADA Executive Committee on 20 May 2021 and has been effective since this date.

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## 《结果管理国际标准》

《世界反兴奋剂条例》下的《结果管理国际标准》是具有强制性的国际标准，是世界反兴奋剂体系的组成部分。本国际标准经征求签约方、政府部门和其他利益相关方意见后制定而成。

世界反兴奋剂机构（WADA）执委会于2019年11月7日在卡托维兹举行的世界反兴奋剂大会上首次通过并批准了《结果管理国际标准》。本国际标准于2021年1月1日起生效。

本版本的《结果管理国际标准》包含少量修订，以使《结果管理国际标准》与WADA其他规范性文件保持一致。WADA执委会于2021年5月20日予以批准，并自该日起生效。

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## PART ONE: INTRODUCTION, CODE PROVISIONS, INTERNATIONAL STANDARD PROVISIONS AND DEFINITIONS

### 1.0 Introduction and Scope

The *International Standard for Results Management* is a mandatory *International Standard* developed as part of the World Anti-Doping Program.

The purpose of the *International Standard for Results Management* is to set out the core responsibilities of *Anti-Doping Organizations* with respect to *Results Management*. In addition to describing certain general principles of *Results Management* (section 4), this *International Standard* also sets out the core obligations applicable to the various phases of *Results Management* from the initial review and notification of potential anti-doping rule violations (section 5), through *Provisional Suspensions* (section 6), the assertion of anti-doping rule violations and proposal of *Consequences* (section 7), the Hearing Process (section 8) until the issuance and notification of the decision (section 9) and appeal (section 10).

Notwithstanding the mandatory nature of this *International Standard* and the possibility that departures by *Anti-Doping Organizations* may give rise to compliance consequences under the *International Standard* for Code Compliance by *Signatories*, departures from this *International Standard* shall not invalidate analytical results or other evidence of an anti-doping rule violation and shall not constitute a defense to an anti-doping rule violation, except as expressly provided for under *Code* Article 3.2.3.

Terms used in this *International Standard* that are defined terms from the *Code* are italicized. Terms that are defined in this or another *International Standard* are underlined.

### 2.0 Code Provisions

The following articles in the *Code* are directly relevant to the *International Standard for Results Management*; they can be obtained by referring to the *Code* itself:

- *Code* Article 2 Anti-Doping Rule Violations
- *Code* Article 3 Proof of Doping
- *Code* Article 5 *Testing* and Investigations
- *Code* Article 7 *Results Management*: Responsibility, Initial Review, Notice and *Provisional Suspensions*
- *Code* Article 8 *Results Management*: Right to a Fair Hearing and Notice of Hearing Decision
- *Code* Article 9 Automatic *Disqualification* of Individual Results
- *Code* Article 10 Sanctions on Individuals
- *Code* Article 11 *Consequences* to Teams
- *Code* Article 13 *Results Management*: Appeals
- *Code* Article 14 Confidentiality and Reporting
- *Code* Article 15 Implementation of Decisions
- *Code* Article 20 Additional Roles and Responsibilities of *Signatories* and WADA



## 第一部分 导言、《条例》规定、国际标准规定和定义

### 1.0 导言和适用范围

《结果管理国际标准》是具有强制性的国际标准，是世界反兴奋剂体系的组成部分。

《结果管理国际标准》旨在规定反兴奋剂组织在结果管理方面的核心职责。除了概述结果管理的某些一般原则（第4节）外，本国际标准还规定了适用于结果管理各阶段的核心义务，从对可能存在的兴奋剂违规的初审和通知（第5节）到临时停赛（第6节）、指控兴奋剂违规和提出后果（第7节）、听证程序（第8节），直到作出决定和决定通知（第9节）以及上诉（第10节）。

尽管本国际标准具有强制性，而且反兴奋剂组织偏离本国际标准可能会导致《签约方遵守条例国际标准》规定的不遵守后果，但偏离本国际标准不会使检测结果或其他兴奋剂违规的证据无效，也不会构成对兴奋剂违规的抗辩，除非《条例》条款3.2.3有明确的规定。

本国际标准引用《条例》的术语定义均以斜体标注。本国际标准定义的、或引用其他国际标准的术语用下划线标注。

### 2.0 《条例》规定

《条例》中的下列条款与《结果管理国际标准》直接相关，可参照《条例》原文：

- 《条例》第2条：兴奋剂违规
- 《条例》第3条：使用兴奋剂的举证
- 《条例》第5条：检查和调查
- 《条例》第7条：结果管理：职责、初审、通知和临时停赛
- 《条例》第8条：结果管理：获得公平听证和听证决定通知的权利
- 《条例》第9条：个人成绩的自动取消
- 《条例》第10条：对个人的处罚
- 《条例》第11条：集体项目运动队违规的后果
- 《条例》第13条：结果管理：上诉
- 《条例》第14条：保密和报告
- 《条例》第15条：决定的执行
- 《条例》第20条：签约方和WADA的附加责任与义务

## 3.0 Definitions and Interpretation

### 3.1 Defined Terms from the *Code* that are used in the *International Standard for Results Management*

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

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

**Adverse Analytical Finding:** A report from a WADA-accredited Laboratory or other WADA-approved laboratory that, consistent with the *International Standard* for Laboratories, establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* or evidence of the *Use* of a *Prohibited Method*.

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

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

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

### 3.0 定义和解释

#### 3.1 在《结果管理国际标准》中使用的引自《条例》的术语

**ADAMS:** 反兴奋剂管理系统是一个基于网络的数据库管理工具，用于数据的录入、储存、共享和报告，旨在协助各利益相关方和 WADA 结合数据保护法律开展反兴奋剂工作。

**施用:** 提供、供应、指导、协助或以其他方式参与他人使用或企图使用某种禁用物质或禁用方法。但是，该定义不包括真正的医务人员将某种禁用物质或禁用方法用于真实合法的治疗目的或其他可接受的合法理由，也不包括涉及赛外检查中不禁用的禁用物质的行为，除非整体情况表明这些禁用物质不是用于真实合法的治疗目的或旨在提高运动能力。

**阳性检测结果:** WADA 认可的实验室或其他 WADA 批准的实验室依照《实验室国际标准》出具的，证明样本中存在禁用物质或其代谢物或标记物，或存在使用禁用方法的证据的报告。

**生物护照阳性结果:** 适用的国际标准中所述的确定为生物护照阳性结果的报告。

**反兴奋剂组织:** WADA 或负责制定规则以启动、实施或执行兴奋剂管制过程中任何部分工作的签约方，例如包括国际奥委会、国际残奥委会、在其赛事中实施兴奋剂检查的其他重大赛事组织机构、国际单项体育联合会和国家反兴奋剂组织。

**运动员:** 任何参加国际级（以各国际单项体育联合会的定义为准）或国家级（以各国家反兴奋剂组织的定义为准）体育比赛的当事人。反兴奋剂组织有权对既不是国际级也不是国家级的运动员适用反兴奋剂规则，从而将其纳入“运动员”的定义范围。对既不是国际级也不是国家级运动员，反兴奋剂组织可以决定：实施有限的检查或根本不检查；样本可以不对所有禁用物质进行检测；要求提供部分行踪信息或不要求提供行踪信息；或不要求事先申请 TUE。但是，如果反兴奋剂组织选择行使检查权的运动员参加了低于国际级或国家级的比赛，并且构成了条款 2.1、2.3 或 2.5 的兴奋剂违规，则必须适用《条例》规定的后果。为实现条款 2.8 和 2.9 的目的以及为进行反兴奋剂宣传和教育，参加承认《条例》的任何签约方、政府或其他体育组织管辖下的体育运动的任何当事人都是运动员。

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

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

**Attempt:** Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

**Atypical Finding:** A report from a WADA-accredited laboratory or other WADA-approved laboratory which requires further investigation as provided by the *International Standard for Laboratories* or related *Technical Documents* prior to the determination of an *Adverse Analytical Finding*.

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

**CAS:** The Court of Arbitration for Sport.

**Code:** The World Anti-Doping Code.

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

**Consequences of Anti-Doping Rule Violations (“Consequences”):** An *Athlete’s* or other *Person’s* violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the *Athlete’s* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) Ineligibility means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14.1; (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

[运动员的释义：参加体育运动的个人可以属于以下五类中的一种：（1）国际级运动员，（2）国家级运动员，（3）非国际级或国家级运动员，但国际单项体育联合会或国家反兴奋剂组织选择对其行使权力的个人，（4）大众运动员，以及（5）任何国际单项体育联合会或国家反兴奋剂组织没有管辖权或均未选择对其行使管辖权的个人。所有国际级和国家级运动员都应当遵守《条例》的反兴奋剂规则，国际级和国家级运动员的确切定义将在国际单项体育联合会和国家反兴奋剂组织的反兴奋剂规则中予以规定。]

**运动员生物护照：**依照《检查和调查国际标准》以及《实验室国际标准》，收集和整理数据的项目和方法。

**企图：**有目的地参与从兴奋剂违规划策到实施过程中构成实质性步骤的行为。但是，如果当事人在被卷入该企图的第三方发现之前放弃了该企图，则不应构成兴奋剂违规。

**非典型性结果：**WADA 认可的实验室或其他 WADA 批准的实验室依照《实验室国际标准》或相关技术文件的规定出具的，要求在确定阳性检测结果前开展进一步调查的报告。

**非典型性生物护照结果：**适用的国际标准所述的非典型性生物护照结果的报告。

**CAS:** 国际体育仲裁院。

**《条例》：**《世界反兴奋剂条例》。

**比赛：**单一的竞赛、比赛或单场体育竞技，例如一场篮球比赛或奥运会田径 100 米跑决赛。对于每日或其他间隔颁奖的分段赛和其他体育比赛而言，比赛和赛事的区别将以相关国际单项体育联合会的规定为准。

**兴奋剂违规的后果（“后果”）：**运动员或其他当事人的兴奋剂违规可能导致以下一种或多种后果：（a）取消比赛成绩，即运动员在某一特定比赛或赛事中的成绩无效，由此产生的所有后果包括取消所有奖牌、积分和奖金；（b）禁赛，即运动员或其他当事人由于兴奋剂违规而在特定时间内禁止参加条款 10.14 规定的任何比赛、其他活动或资助；（c）临时停赛，即在第 8 条规定的听证会作出最终决定前，运动员或其他当事人暂时被禁止参加任何比赛或活动；（d）经济后果，即因兴奋剂违规而受到的经济处罚或偿付与兴奋剂违规有关的费用；以及（e）公开披露，即向公众或依照第 14 条有权提前得到通知的当事人以外的人员传递或发布信息。集体项目中的运动队还可能面临第 11 条规定的后果。

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

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

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

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

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

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

**In-Competition:** The period commencing at 11:59 p.m. on the day before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.

*[Comment to In-Competition: Having a universally accepted definition for In-Competition provides greater harmonization among Athletes across all sports, eliminates or reduces confusion among Athletes about the relevant timeframe for In-Competition Testing, avoids inadvertent Adverse Analytical Findings in between Competitions during an Event and assists in preventing any potential performance enhancement benefits from substances prohibited Out-of-Competition being carried over to the Competition period.]*

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

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

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

**受污染产品：**含有禁用物质但在产品标签中未注明，或通过适当的网络搜索未发现该信息的产品。

**受委托的第三方：**受反兴奋剂组织委托、承担兴奋剂管制或反兴奋剂教育项目的任何方面工作的任何当事人，包括但不限于为反兴奋剂组织进行样本采集或其他兴奋剂管制服务或反兴奋剂教育项目的第三方或其他反兴奋剂组织，或作为独立承包人为反兴奋剂组织提供兴奋剂管制服务的个人（例如非雇员的兴奋剂检查官或陪护员）。该定义不包括 CAS。

**取消比赛成绩：**参见上述“兴奋剂违规的后果”。

**兴奋剂管制：**从兴奋剂检查计划的制定直到最终处理上诉和执行后果的全部步骤和过程，包括但不限于中间阶段的全部步骤和过程，例如检查、调查、行踪信息、TUE、样本采集和处理、实验室检测、结果管理以及与违反条款 10.14（禁赛期或临时停赛期的身份）有关的调查和程序。

**赛事：**由一个管理机构同时主办的一系列单项比赛的组合（例如奥运会、国际单项体育联合会举办的世界锦标赛或泛美运动会）。

**经济处罚：**参见上述“兴奋剂违规的后果”。

**赛内：**从运动员参赛的前一天晚 11:59 开始，直至该比赛和与之相关的样本采集程序结束为止的一段时间。但是，如果国际单项体育联合会提供令人信服的理由，认为对其运动项目有必要采用不同的定义，则 WADA 可为某一特定运动项目批准一个替代定义；经 WADA 批准后，该运动项目的所有重大赛事组织机构都应当遵循该替代定义。

[赛内的释义：为赛内检查制定一个普遍接受的定义，可以为所有运动项目的运动员提供更大程度的一致性，消除或减少运动员对赛内检查相关时间范围的困惑，避免在赛事的比赛之间因疏忽而出现阳性检测结果，并有助于防止赛外禁用的物质在比赛期间产生提高运动能力的作用。]

**禁赛：**参见上述“兴奋剂违规的后果”。

**机构独立性：**上诉听证小组应当在机构上完全独立于负责结果管理的反兴奋剂组织。因此，上诉听证小组不得以任何方式由负责结果管理的反兴奋剂组织对其进行管理，也不得与负责结果管理的反兴奋剂组织有任何关联关系或受其制约。

**国际赛事：**由国际奥委会、国际残奥委会、国际单项体育联合会、重大赛事组织机构或其他国际体育组织作为赛事的管理机构，或为其任命技术官员的赛事或比赛。

**International-Level Athlete:** *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*.

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

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

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

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

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

**National Anti-Doping Organization:** The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, manage test results and conduct *Results Management* at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

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

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



**国际级运动员：**与《检查和调查国际标准》一致，由各国国际单项体育联合会规定的参加国际赛事的运动员。

[国际级运动员的释义：与《检查和调查国际标准》一致，国际单项体育联合会可自由确定划分国际级运动员的标准，例如，按照排名、参加特定的国际赛事、注册类型等。但是，这些标准必须以清晰准确的形式公布，以便运动员能够快速方便地确定他们将要成为国际级运动员。例如，如果标准包括参加某些国际赛事，则国际单项体育联合会必须公布这些国际赛事的清单。]

**国际标准：**WADA 为支持《条例》而制定的标准。遵守国际标准（而不是其他可替代的标准、实践或程序）意味着该国际标准规定的程序得到了适当的执行。国际标准应当包括依照该国际标准发布的任何技术文件。

**重大赛事组织机构：**由国家奥委会和其他国际综合性体育组织组成，担任洲际赛事、地区性赛事或其他国际赛事管理机构的洲际联合会。

**标记物：**显示使用了禁用物质或禁用方法的化合物、复合化合物或生物变量。

**未成年人：**未年满十八周岁的自然人。

**国家反兴奋剂组织：**由各国指定的、具有在国家层面制定和实施反兴奋剂规则、指导样本采集、管理检查结果和实施结果管理的主要权力和职责的实体。如果政府主管机构尚未指定该实体，则该实体应当为该国的国家奥委会或其指定人员。

**国家级运动员：**符合《检查和调查国际标准》、由各国家反兴奋剂组织确定的，参加国家级比赛的运动员。

**运行独立性：**这意味着（1）负责结果管理的反兴奋剂组织或其关联机构（例如成员协会或联合会）的理事会成员、工作人员、委员会成员、顾问和官员，以及参与事件调查和预审的任何人员不得被任命为负责结果管理的反兴奋剂组织听证小组的成员和 / 或记录员（如果该记录员参与审议过程和 / 或决定的起草）；以及（2）听证小组应当能够在不受反兴奋剂组织或任何第三方干涉的情况下进行听证和决策过程。运行独立性旨在确保听证小组成员或以其他方式参与作出听证会结论的个人不参与案件的调查或推动案件进程的决定。

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

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

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

*[Comment to Possession: Under this definition, anabolic steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the anabolic steroids were in the cabinet and that the Athlete intended to exercise control over them. The act of purchasing a Prohibited Substance alone constitutes Possession, even where, for example, the product does not arrive, is received by someone else, or is sent to a third-party address.]*

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

**Prohibited Method:** Any method so described on the *Prohibited List*.

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

**Provisional Hearing:** For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 10 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

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

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

**赛外：**任何非赛内的时间段。

**当事人：**自然人、组织或其他实体。

**持有：**实际的、实质的持有，或推定持有（只有在该当事人对禁用物质或禁用方法或对存在禁用物质或禁用方法的处所具有排他性控制或拟行使控制时才应当认定为推定持有）。但是，如果该当事人对禁用物质或禁用方法或对存在禁用物质或禁用方法的处所不具有排他性控制，则只有在该当事人知道存在禁用物质或禁用方法并打算对其实施控制的情况下，才可认定为推定持有。但是，如果该当事人在收到兴奋剂违规通知前，已采取实际行动表明自己从未打算持有禁用物质或禁用方法，并明确向反兴奋剂组织宣布放弃持有，则不得仅以持有为由判定其兴奋剂违规。尽管本定义中有任何相反的规定，但购买（包括以任何电子方式或其他方式）禁用物质或禁用方法即构成购买者的持有。

[持有的释义：根据本定义，在运动员的汽车内发现合成代谢类固醇即构成违规，除非该运动员证明他人曾使用过这辆车。在这种情况下，反兴奋剂组织必须证明，尽管该运动员对该车没有排他性控制，但运动员知道合成代谢类固醇的存在并打算对其进行控制。同样，在运动员及其配偶共同控制的家用药箱中发现合成代谢类固醇，反兴奋剂组织必须证明，该运动员知道合成代谢类固醇在药箱中并且打算对其进行控制。仅购买禁用物质的行为即构成持有，甚至即使产品尚未送达，由他人接收或送到第三方地址也构成持有。]

**禁用清单：**确定禁用物质和禁用方法的清单。

**禁用方法：**《禁用清单》上所述的任何方法。

**禁用物质：**《禁用清单》上所述的任何物质或物质类别。

**临时听证会：**依照条款 7.4.3 的规定，在第 8 条规定的听证会之前举行的快速简短的听证会，向运动员发出通知并以书面或口头形式提供听证机会。

[临时听证会的释义：临时听证会只是一个初步程序，可能不涉及对案件事实的全面审核。临时听证会之后，运动员仍有权就案件的案情召开随后的全面听证会。相比之下，条款 7.4.3 中使用的“快速听证”是指在快速的时间安排下对案件事实进行的充分听证。]

**临时停赛：**参见上述“兴奋剂违规的后果”。

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

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

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

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

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

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

**Specified Method:** See Article 4.2.2.

**Specified Substance:** See Article 4.2.2.

**Substance of Abuse:** See Article 4.2.3.

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

**Tampering:** Intentional conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

**公开披露：**参见上述“兴奋剂违规的后果”。

**注册检查库：**分别由国际单项体育联合会建立的国际级和国家反兴奋剂组织建立的国家级的最为优先监管的运动员库。作为该国际单项体育联合会或国家反兴奋剂组织检查计划的一部分，注册检查库运动员必须重点接受赛内和赛外检查，因此这些运动员应当依照《条例》条款 5.5 和《检查和调查国际标准》的规定提供行踪信息。

**结果管理：**从依照《结果管理国际标准》第 5 条的规定发出通知，或在某些情况下（例如非典型性结果、运动员生物护照、违反行踪信息管理规定）从《结果管理国际标准》第 5 条明确规定的预通知步骤，再到指控，直到最终解决问题，包括初审或上诉（如果提起上诉）听证程序结束的全过程的时间范围。

**样本或标本：**为进行兴奋剂管制而采集的任何生物材料。

[样本或标本的释义：有时有人声称采集血样违反某些宗教教义或文化团体的信条。现已确定这种说法毫无依据。]

**签约方：**依照第 23 条的规定，承认《条例》并同意执行《条例》的实体。

**特定方法：**参见条款 4.2.2。

**特定物质：**参见条款 4.2.2。

**滥用物质：**参见条款 4.2.3。

**切实协助：**为了条款 10.7.1 的目的，提供切实协助的当事人必须：（1）在有署名的书面声明或录音访谈中充分披露其所掌握的与兴奋剂违规或条款 10.7.1.1 所述其他程序有关的所有信息；以及（2）充分配合与该信息有关的任何案件或事项的调查和裁决，例如包括在反兴奋剂组织或听证小组的要求下，在听证会上作证。此外，提供的信息必须可信，必须是已经启动的案件或程序的重要组成部分。或者，如果案件或程序尚未启动，则提供的信息必须提供能够提起该案件或程序的充分依据。

**篡改：**破坏兴奋剂管制过程，但不属于禁用方法定义范畴的故意行为。篡改应当包括但不限于：收受贿赂以实施或不实施某种行为，阻止样本采集，影响样本检测或使样本检测无法进行，伪造提交给反兴奋剂组织或 TUE 委员会或听证小组的文件，获取证人的虚假证词，对反兴奋剂组织或听证机构实施其他欺诈行为以影响结果管理或实施后果，以及其他类似的故意干扰或企图干扰兴奋剂管制任何方面的行为。

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

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

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

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

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

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

**WADA:** The World Anti-Doping Agency.

### 3.2 Defined Terms from the *International Standard for Testing and Investigations*

**Doping Control Officer (or DCO):** An official who has been trained and authorized by the *Sample Collection Authority* to carry out the responsibilities given to *DCOs* in the *International Standard for Testing and Investigations*.

**Sample Collection Authority:** The organization that is responsible for the collection of *Samples* in compliance with the requirements of the *International Standard for Testing and Investigations*, whether (1) the *Testing Authority* itself; or (2) a *Delegated Third Party* to whom the authority to conduct *Testing* has been granted or sub-contracted. The *Testing Authority* always remains ultimately responsible under the *Code* for compliance with the requirements of the *International Standard for Testing and Investigations* relating to collection of *Samples*.

**Sample Collection Session:** All of the sequential activities that directly involve the Athlete from the point that initial contact is made until the Athlete leaves the *Doping Control Station* after having provided their *Sample(s)*.

[篡改的释义：例如，本条款禁止在检查过程中涂改兴奋剂检查记录单上的识别号码、在 B 样本检测时打碎 B 瓶、向样本中添加异物而改变样本、或恐吓或企图恐吓潜在证人或已在兴奋剂管制过程中提供证词或情报的证人。篡改包括在结果管理过程中发生的不当行为（见条款 10.9.3.3）。但是，当事人在对兴奋剂违规指控所做的合法抗辩中采取的行动不应当视为篡改。对兴奋剂检查官或参与兴奋剂管制的其他人员的攻击性行为不构成篡改，应当依照体育组织的纪律规定予以处理。]

**目标检查：**依照《检查和调查国际标准》规定的标准挑选特定运动员实施检查。

**技术文件：**WADA 不定期制定并发布的，包括国际标准中规定的对特定反兴奋剂领域的强制性技术要求的文件。

**检查：**兴奋剂管制过程的组成部分，包括制定检查计划、样本采集、样本收存，以及将样本传送至实验室。

**治疗用药豁免（TUE）：**治疗用药豁免允许运动员有医疗需求时使用禁用物质或禁用方法，但必须满足条款 4.4 和《治疗用药豁免国际标准》中规定的条件。

**使用：**以任何方式使用、应用、摄入、注射或消耗的任何禁用物质或禁用方法。

**WADA：**世界反兴奋剂机构。

### 3.2 引自《检查和调查国际标准》的术语

**兴奋剂检查官（DCO）：**经样本采集机构培训并授权，执行《检查和调查国际标准》赋予 DCO 职责的官员。

**样本采集机构：**负责依照《检查和调查国际标准》的要求采集样本的机构，无论是（1）检查机构自身；还是（2）被授权或外包实施检查的受委托的第三方。检查机构始终依照《条例》对遵守《检查和调查国际标准》中有关样本采集的要求承担最终责任。

**样本采集环节：**自运动员最初得到检查通知，直到其提供样本后离开兴奋剂检查站，在此过程中直接涉及运动员的所有连续活动。

**Testing Authority**: The *Anti-Doping Organization* that authorizes *Testing* on *Athletes* it has authority over. It may authorize a *Delegated Third Party* to conduct *Testing* pursuant to the authority of and in accordance with the rules of the *Anti-Doping Organization*. Such authorization shall be documented. The *Anti-Doping Organization* authorizing *Testing* remains the Testing Authority and ultimately responsible under the *Code* to ensure the *Delegated Third Party* conducting the *Testing* does so in compliance with the requirements of the *International Standard for Testing and Investigations*.

**Unsuccessful Attempt Report**: A detailed report of an unsuccessful attempt to collect a *Sample* from an *Athlete* in a *Registered Testing Pool* or *Testing* pool setting out the date of the attempt, the location visited, the exact arrival and departure times at the location, the steps taken at the location to try to find the *Athlete* (including details of any contact made with third parties), and any other relevant details about the attempt.

**Whereabouts Filing**: Information provided by or on behalf of an *Athlete* in a *Registered Testing Pool* (or *Testing* pool if applicable) that sets out the *Athlete's* whereabouts during the following quarter, in accordance with Article 4.8.

### 3.3 Defined Terms from the *International Standard for Laboratories*

**Athlete Passport Management Unit (APMU)**: A unit composed of a *Person* or *Persons* that is responsible for the timely management of *Athlete Biological Passports* in *ADAMS* on behalf of the Passport Custodian.

**Confirmation Procedure (CP)**: An Analytical Testing Procedure that has the purpose of confirming the presence and/or, when applicable, confirming the concentration/ratio/score and/or establishing the origin (exogenous or endogenous) of one or more specific *Prohibited Substances*, *Metabolite(s)* of a *Prohibited Substance*, or *Marker(s)* of the *Use* of a *Prohibited Substance* or *Prohibited Method* in a *Sample*.

**Independent Witness**: A *Person*, invited by the Testing Authority, the Laboratory or *WADA* to witness parts of the Analytical Testing process. The Independent Witness shall be independent of the *Athlete* and his/her representative(s), the Laboratory, the Sample Collection Authority, the Testing Authority / Results Management Authority or *WADA*, as applicable. The Independent Witness may be indemnified for his/her service.

**Laboratory(ies)**: (A) *WADA*-accredited Laboratory(ies) applying Test Methods and processes to provide evidentiary data for the detection and/or identification of *Prohibited Substances* or *Prohibited Methods* on the *Prohibited List* and, if applicable, quantification of a Threshold Substance in *Samples* of urine and other biological matrices in the context of *Doping Control* activities.

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



**检查机构：**授权对其管辖下的运动员实施检查的反兴奋剂组织。检查机构可以授权受委托的第三方根据反兴奋剂组织的授权并根据其规则实施检查。此类授权应当记录在案。授权检查的反兴奋剂组织仍为检查机构，并依照《条例》承担最终责任，以确保受委托的第三方在实施检查时遵守《检查和调查国际标准》的要求。

**未查到报告：**一份详细说明未能成功采集到注册检查库或检查库运动员样本的报告。报告应当明确列出试图检查的时间、地点、确切的抵达时间和离开时间、在该地点试图寻找运动员而采取的步骤（包括与第三方联系的细节），以及与此试图检查相关的任何其他细节。

**行踪信息申报：**依照条款 4.8 的规定，由注册检查库（或检查库，如适用）运动员或其代表提供的该运动员在下一个季度的行踪信息。

### 3.3 引自《实验室国际标准》的术语

**运动员生物护照管理团队（APMU）：**由一名或多名人员组成的，代表护照监管方及时管理 ADAMS 中的运动员生物护照的团队。

**确证程序（CP）：**一种旨在确定样本中是否含有一种或多种特定禁用物质、禁用物质的代谢物、或使用禁用物质或禁用方法的标记物，和 / 或在适用的情况下确定其浓度 / 比率 / 分数和 / 或证明其来源（外源或内源）的分析检测程序。

**独立证人：**受检查机构、实验室或 WADA 的邀请，见证部分分析检测程序的人员。在可能的情况下，独立证人应独立于运动员及其代表、实验室、样本采集机构、检查机构 / 结果管理机构或 WADA。独立证人可因其工作而获得补偿。

**实验室：**WADA 认可的实验室利用检测方法和程序，为发现和 / 或识别《禁用清单》上的禁用物质或禁用方法提供证据性数据，并在可能的情况下，对兴奋剂管制活动中的尿样和其他生物基质的阈值物质的量化提供证据性数据。

**实验室数据包：**实验室为支持检测结果，例如 WADA《实验室数据包技术文件》（TD LDOC）中规定的阳性检测结果而制作的材料。

**Limit of Quantification (LOQ):** Analytical parameter of assay technical performance. Lowest concentration of an Analyte in a Sample that can be quantitatively determined with acceptable precision and accuracy (i.e. acceptable Measurement Uncertainty) under the stated test conditions

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

### 3.4 Defined Term from the *International Standard for Therapeutic Use Exemptions*

**Therapeutic:** Of or relating to the treatment of a medical condition by remedial agents or methods; or providing or assisting in a cure.

### 3.5 Defined Term from the *International Standard for Protection of Privacy and Personal Information*

**Personal Information:** Information, including without limitation Sensitive Personal Information, relating to an identified or identifiable *Participant* or relating to other *Person* whose information is Processed solely in the context of an *Anti-Doping Organization's Anti-Doping Activities*.

*[Comment to Personal Information: It is understood that Personal Information includes, but is not limited to, information relating to an Athlete's name, date of birth, contact details and sporting affiliations, whereabouts, designated TUEs (if any), anti-doping test results, and Results Management (including disciplinary hearings, appeals and sanctions). Personal Information also includes personal details and contact information relating to other Persons, such as medical professionals and other Persons working with, treating or assisting an Athlete in the context of Anti-Doping Activities. Such information remains Personal Information and is regulated by this International Standard for the entire duration of its Processing, irrespective of whether the relevant individual remains involved in organized sport.]*

### 3.6 Defined Terms Specific to the *International Standard for Results Management*

**Adaptive Model:** A mathematical model designed to identify unusual longitudinal results from *Athletes*. The model calculates the probability of a longitudinal profile of *Marker* values assuming that the *Athlete* has a normal physiological condition.

**Athlete Biological Passport Documentation Package:** The material compiled by the Athlete Passport Management Unit to support an *Adverse Passport Finding* such as, but not limited to, analytical data, Expert Panel comments, evidence of confounding factors as well as other relevant supporting information.

**定量限 (LOQ)：**检测方法技术性能的检测参数。在给定的检测条件下，能以可接受的精密度和准确度（即可接受的测量不确定度）定量测定样本中检测物的最低浓度。

**阈物质：**外源性或内源性禁用物质、代谢物或禁用物质的标记物的识别和量化测定（例如浓度、比率、分数）超过预先确定的判定限，或在适用的情况下证明外源性来源，即构成阳性检测结果。《判定限技术文件》（TD DL）照此规定了阈物质。

### 3.4 引自《治疗用药豁免国际标准》的术语

**治疗的：**用治疗药物或方法治疗某种身体状况的，或与之相关的治疗；或提供或协助治疗。

### 3.5 引自《隐私和个人信息保护国际标准》的术语

**个人信息：**与已确定或可确定的参赛者或其他当事人有关的信息，包括但不限于敏感的个人信息。该信息仅在反兴奋剂组织的反兴奋剂活动中处理。

[个人信息的释义：个人信息包括但不限于运动员的姓名、出生日期、联系方式和隶属的体育组织、行踪信息、指定的治疗用药豁免（如有）、兴奋剂检查结果和结果管理（包括纪律听证会、上诉和处罚）。个人信息还包括与其他当事人有关的个人详细信息和联系方式，例如在反兴奋剂活动中与运动员合作、为其治疗或提供协助的医疗专业人员和其他人员。此类信息始终为个人信息，并在整个处理过程中受本国际标准的监管，无论相关个人是否仍参与有组织的体育活动。]

### 3.6 《结果管理国际标准》中的专用术语

**自适应模型：**用于识别运动员异常纵向结果的数学模型。该模型在假定运动员生理状态正常的情况下，计算标记物值纵向档案的异常概率。

**运动员生物护照数据包：**运动员生物护照管理团队为支持阳性检测结果而汇编的材料，包括但不限于检测数据、专家组意见、干扰因素证据以及其他相关支撑材料。

**Athlete Passport Management Unit Report:** A report maintained by the Athlete Passport Management Unit, available in the *Athlete's Passport* in *ADAMS*, that provides a comprehensive summary of the Expert(s) review(s) and recommendations for effective and appropriate follow-up *Testing* by the Passport Custodian.

**Expert:** The Expert(s) and/or Expert Panel, with knowledge in the concerned field, chosen by the *Anti-Doping Organization* and/or *Athlete Passport Management Unit*, are responsible for providing an evaluation of the Passport. The Expert must be external to the *Anti-Doping Organization*.

**Failure to Comply:** A term used to describe anti-doping rule violations under *Code* Articles 2.3 and/or 2.5.

**Filing Failure:** A failure by the *Athlete* (or by a third party to whom the *Athlete* has delegated the task) to make an accurate and complete Whereabouts Filing that enables the *Athlete* to be located for *Testing* at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the *International Standard for Testing and Investigations* and Annex B.2 of the *International Standard for Results Management*.

**Hearing Process:** The process encompassing the timeframe between the referral of a matter to a hearing panel or tribunal until the issuance and notification of a decision by the hearing panel (whether at first instance or on appeal).

**Missed Test:** A failure by the *Athlete* to be available for *Testing* at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the *International Standard for Testing and Investigations* and Annex B.2 of the *International Standard for Results Management*.

**Passport:** A collation of all relevant data unique to an individual *Athlete* that may include longitudinal profiles of *Markers*, heterogeneous factors unique to that particular *Athlete* and other relevant information that may help in the evaluation of *Markers*.

**Passport Custodian:** The *Anti-Doping Organization* responsible for *Result Management* of the *Athlete's Passport* and for sharing any relevant information associated to that *Athlete's Passport* with other *Anti-Doping Organization(s)*.

**Results Management Authority:** The *Anti-Doping Organization* responsible for conducting *Results Management* in a given case.

**Whereabouts Failure:** A Filing Failure or a Missed Test.

### 3.7 Interpretation

**3.7.1** The official text of the *International Standard for Results Management* shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

**3.7.2** Like the *Code*, the *International Standard for Results Management* has been drafted giving consideration to the principles of proportionality, human rights, and other applicable legal principles. It shall be interpreted and applied in that light.

**运动员生物护照管理团队报告：**由运动员生物护照管理团队维护、可在 ADAMS 的运动员生物护照中查阅的报告。该报告全面总结专家审核意见，并为护照监管方实施有效、适当的后续检查提供建议。

**专家：**由反兴奋剂组织和 / 或运动员生物护照管理团队遴选、具备相关领域知识，负责评估护照信息的专家和 / 或专家组。专家必须是反兴奋剂组织外部的人员。

**不正当行为：**用于描述《条例》条款 2.3 和 / 或条款 2.5 的兴奋剂违规。

**填报失败：**运动员（或受运动员委托的第三方）未能依照《检查和调查国际标准》条款 4.8 和《结果管理国际标准》附件 B.2 的规定，进行准确、完整的行踪信息申报，致使无法在其行踪信息所确定的时间和地点对其实施兴奋剂检查，或运动员（或受运动员委托的第三方）未能在必要时更新行踪信息申报以确保其行踪信息准确完整。

**听证程序：**包含从将某一事项提交给听证小组或仲裁庭，直到听证小组发布决定并通知该决定（无论是初审听证还是上诉）这一时间段内的过程。

**错过检查：**运动员未能依照《检查和调查国际标准》条款 4.8 和《结果管理国际标准》附件 B.2 的规定，在其当日行踪信息申报的 60 分钟建议检查时间段内在指定的时间和地点接受兴奋剂检查。

**护照：**对运动员个人独有的所有相关数据，其中可能包括标记物的纵向档案、该运动员特有的异质性因素以及有助于评估标记物的其他相关信息的整合。

**护照监管方：**负责对运动员生物护照实施结果管理，并与其他反兴奋剂组织共享与该运动员生物护照相关的任何信息的反兴奋剂组织。

**结果管理机构：**负责对特定案件实施结果管理的反兴奋剂组织。

**违反行踪信息管理规定：**填报失败或错过检查。

### 3.7 解释

**3.7.1** 《结果管理国际标准》的正式文本应当以英文和法文公布。如果英文版和法文版之间出现任何冲突，应当以英文版本为准。

**3.7.2** 与《条例》一样，《结果管理国际标准》在制定时权衡了比例原则、人权原则和其他适用的法律原则。应当据此解释和适用本国际标准。

- 3.7.3** The comments annotating various provisions of the *International Standard for Results Management* shall be used to guide its interpretation.
- 3.7.4** Unless otherwise specified, references to Sections and Articles are references to Sections and Articles of the *International Standard for Results Management*.
- 3.7.5** Where the term “days” is used in the *International Standard for Results Management*, it shall mean calendar days unless otherwise specified.
- 3.7.6** The Annexes to the *International Standard for Results Management* have the same mandatory status as the rest of the *International Standard*.

- 3.7.3 《结果管理国际标准》各项规定的释义应当用于解释本国际标准。
- 3.7.4 除非另有说明，本文件中提及的章节和条款均指《结果管理国际标准》中的章节和条款。
- 3.7.5 除非另有说明，《结果管理国际标准》中使用的“天数”均为日历日。
- 3.7.6 《结果管理国际标准》的附件与本国际标准的其他部分一样，具有同等的强制性地位。

## PART TWO: RESULTS MANAGEMENT—GENERAL PRINCIPLES

### 4.0 General Principles

#### 4.1 Confidentiality of Results Management

Save for disclosures, including *Public Disclosure*, that are required or permitted under *Code Article 14* or this *International Standard*, all processes and procedures related to *Results Management* are confidential.

#### 4.2 Timeliness

In the interest of fair and effective sport justice, anti-doping rule violations should be prosecuted in a timely manner. Irrespective of the type of anti-doping rule violation involved, and save for cases involving complex issues or delays not in the control of the *Anti-Doping Organization* (e.g., delays attributable to the *Athlete* or other *Person*), *Anti-Doping Organizations* should be able to conclude *Results Management* (including the Hearing Process at first instance) within six (6) months from the notification as per Article 5 below.

*[Comment to Article 4.2: The six (6) months' period is a guideline, which may lead to consequences in terms of compliance for the Results Management Authority only in case of severe and/or repeated failure(s).]*



## 第二部分 结果管理的一般原则

### 4.0 一般原则

#### 4.1 结果管理的保密性

除《条例》第 14 条或本国际标准要求或允许的披露（包括公开披露）外，与结果管理有关的所有过程和程序均属保密。

#### 4.2 时效性

为了公平有效地实现体育公正，应当及时起诉兴奋剂违规。不论涉及何种类型的兴奋剂违规，除涉及复杂问题或非反兴奋剂组织控制范围内的延误（例如，可归责于运动员或其他当事人的延误）外，反兴奋剂组织应当依照下文第 5 条的规定，自发出通知后 6 个月内完成结果管理（包括初审听证程序）。

[条款 4.2 的释义：6 个月的期限是一个参考。只有在严重和 / 或反复违反规定的情况下，才可能导致结果管理机构实施的不遵守本国际标准的后果。]

## PART THREE: RESULTS MANAGEMENT—PRE-ADJUDICATION

### 5.0 First Results Management Phase

This Article 5 sets out the procedures applicable for the first *Results Management* phase as follows: *Adverse Analytical Findings* (Article 5.1), *Atypical Findings* (Article 5.2) and other matters (Article 5.3), which include potential *Failures to Comply* (Article 5.3.1.1), *Whereabouts Failures* (Article 5.3.1.2) and *Athlete Biological Passport* cases (Article 5.3.1.3). The notification requirements in respect of matters falling under the scope of Article 5.3 are described under Article 5.3.2.

*[Comment to Article 5: Where the anti-doping rules of a Major Event Organization provide for an expedited resolution of the limited Results Management, the anti-doping rules of the Major Event Organization may provide that there will be only one notification to the Athlete or other Person. The content of the notification letter should reflect the provisions of Article 5 mutatis mutandis.]*

#### 5.1 Adverse Analytical Findings

##### 5.1.1 Initial Review

Upon receipt of an *Adverse Analytical Finding*, the *Results Management Authority* shall conduct a review to determine whether (a) an applicable *TUE* has been granted or will be granted as provided in the *International Standard for Therapeutic Use Exemptions* (Article 5.1.1.1), (b) there is any apparent departure from the *International Standard for Testing and Investigations* or *International Standard for Laboratories* that caused the *Adverse Analytical Finding* (Article 5.1.1.2) and/or (c) it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route (Article 5.1.1.3).

##### 5.1.1.1 Therapeutic Use Exemption

5.1.1.1.1 The *Results Management Authority* shall consult the *Athlete's* records in *ADAMS* and with other *Anti-Doping Organizations* that might have approved a *TUE* for the *Athlete* (e.g., the *National Anti-Doping Organization* or the *International Federation*) to determine whether a *TUE* exists.

*[Comment to Article 5.1.1.1.1: As per the Prohibited List and the Technical Document for Decision Limits for the Confirmatory Quantification of Threshold Substances, the detection in an Athlete's Sample at all times or In-Competition, as applicable, of any quantity of certain Threshold Substances (identified in the Prohibited List), in conjunction with a diuretic or masking agent, will be considered as an Adverse Analytical Finding unless the Athlete has an approved TUE for that substance in addition to the one granted for the diuretic or masking agent. Therefore, in the event of such detection, the Results Management Authority shall also determine whether the Athlete has an approved TUE for the detected Threshold Substance.]*

## 第三部分 结果管理——预审

### 5.0 结果管理的第一阶段

第 5 条规定了适用于结果管理第一阶段的程序，如下所示：阳性检测结果（条款 5.1）、非典型性结果（条款 5.2）和其他事项（条款 5.3），其中包括可能存在的不正当行为（条款 5.3.1.1）、违反行踪信息管理规定（条款 5.3.1.2）和运动员生物护照案件（条款 5.3.1.3）。条款 5.3 范围内事项的通知要求参见条款 5.3.2 的规定。

[第 5 条的释义：如果重大赛事组织机构的反兴奋剂规则规定了有限结果管理的快速解决方案，则可以只向运动员或其他当事人发出一次通知。通知的内容应当比照适用第 5 条的规定。]

#### 5.1 阳性检测结果

##### 5.1.1 初审

收到阳性检测结果后，结果管理机构应当进行审核，以确定是否存在以下情况：（a）是否依照《治疗用药豁免国际标准》的规定（条款 5.1.1.1）已批准或将要批准适用的治疗用药豁免（TUE）；（b）是否明显偏离《检查和调查国际标准》或《实验室国际标准》从而导致阳性检测结果（条款 5.1.1.2）和 / 或（c）阳性检测结果明显是由通过允许途径摄入相关禁用物质所致（条款 5.1.1.3）。

##### 5.1.1.1 治疗用药豁免

**5.1.1.1.1** 结果管理机构应当在 ADAMS 上查询运动员的记录，并咨询其他可能已经为运动员批准 TUE 的反兴奋剂组织（例如，国家反兴奋剂组织或国际单项体育联合会），以确定是否存在 TUE。

[条款 5.1.1.1 的释义：依照《禁用清单》和《阈值物质确认量化的判定限技术文件》，在任何时候或赛内（如适用），在运动员的样本中发现任何数量的某些阈值物质（在《禁用清单》中确定）与利尿剂或掩蔽剂一起使用，将被视为阳性检测结果，除非运动员获得批准使用该物质的 TUE 以及批准使用利尿剂或掩蔽剂的 TUE。因此，一旦发现此类物质，结果管理机构还应当确定运动员是否已获得被发现的阈物质的 TUE。]

**5.1.1.1.2** If the initial review reveals that the *Athlete* has an applicable *TUE*, then the Results Management Authority shall conduct such follow up review as necessary to determine if the specific requirements of the *TUE* have been complied with.

**5.1.1.2** Apparent Departure from *International Standard for Testing and Investigations* and/or *International Standard for Laboratories*

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

**5.1.1.3** Apparent Ingestion through Permitted Route

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

*[Comment to Article 5.1.1.3: For the sake of clarity, the outcome of the initial review shall not prevent an Athlete from arguing that his Use of the Prohibited Substance came from a permitted route at a later stage of Results Management.]*

**5.1.2** Notification

**5.1.2.1** If the review of the *Adverse Analytical Finding* does not reveal an applicable *TUE* or entitlement to the same as provided in the *International Standard for Therapeutic Use Exemptions*, a departure from the *International Standard for Testing and Investigations* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding* or that it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through an authorized route, the Results Management Authority shall promptly notify the *Athlete* of:

a) The *Adverse Analytical Finding*;

*[Comment to Article 5.1.2.1 a): In the event that the Adverse Analytical Finding relates to salbutamol, formoterol, human chorionic gonadotrophin or another Prohibited Substance subject to specific Results Management requirements in a Technical Document, the Results Management Authority shall in addition comply with Article 5.1.2.2. The Athlete shall be provided with any relevant documentation, including a copy of the Doping Control form and the Laboratory results.]*

**5.1.1.1.2** 如果初审发现运动员有适用的 TUE，则结果管理机构应当进行必要的后续审核，以确定是否符合 TUE 的特定要求。

**5.1.1.2** 明显偏离《检查和调查国际标准》和 / 或《实验室国际标准》

结果管理机构必须审核阳性检测结果，以确定是否偏离《检查和调查国际标准》和 / 或《实验室国际标准》。这可能包括审核实验室制作的实验室数据包以支持阳性检测结果（如审核时可用）以及相关兴奋剂检查记录单和检查文件。

**5.1.1.3** 明显通过允许途径摄入

如果阳性检测结果涉及依照《禁用清单》的特定途径允许使用的禁用物质，结果管理机构应当查阅现有相关文件（例如，兴奋剂检查记录单），以确定该禁用物质是否通过允许途径施用。如果是，则应当咨询专家，以确定该阳性检测结果是否与明显摄入途径一致。

[条款 5.1.1.3 的释义：为明确起见，初审的结果不应当妨碍运动员在结果管理后面的阶段中辩其禁用物质的使用是通过允许途径进行的。]

**5.1.2** 通知

**5.1.2.1** 如果对阳性检测结果的审核未发现适用的 TUE 或依照《治疗用药豁免国际标准》有权获得相同的 TUE，或偏离了《检查和调查国际标准》或《实验室国际标准》从而导致阳性检测结果，或阳性检测结果明显是通过允许途径摄入相关禁用物质所致，则结果管理机构应当及时通知运动员以下事项：

**a)** 阳性检测结果；

[条款 5.1.2.1 a) 的释义：如果阳性检测结果涉及沙丁胺醇、福莫特罗、人绒毛膜促性腺激素或技术文件规定的符合特定结果管理要求的其他禁用物质，则结果管理机构还应当遵守条款 5.1.2.2 的规定。运动员应当获得相关文件，包括兴奋剂检查记录单和实验室结果的文件副本。]

- b) The fact that the *Adverse Analytical Finding* may result in an anti-doping rule violation of *Code* Article 2.1 and/or Article 2.2 and the applicable *Consequences*;
- [Comment to Article 5.1.2.1 b): The Results Management Authority should always refer to both Code Articles 2.1 and 2.2 in the notification and charge letter (Article 7) to an Athlete if the matter relates to an Adverse Analytical Finding. The Results Management Authority shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the applicable Consequences.]*
- c) The Athlete's right to request the analysis of the "B" Sample or, failing such request, that the "B" Sample analysis may be deemed irrevocably waived;
- [Comment to Article 5.1.2.1 c): The Results Management Authority may still request the "B" Sample analysis even if the Athlete does not request the "B" Sample analysis or expressly or impliedly waives their right to analysis of the "B" Sample. The Results Management Authority may provide in its anti-doping rules that the costs of the "B" Sample analysis shall be covered by the Athlete.]*
- d) The opportunity for the Athlete and/or the Athlete's representative to attend the "B" Sample opening and analysis in accordance with the *International Standard for Laboratories*;
- e) The Athlete's right to request copies of the "A" Sample Laboratory Documentation Package which includes information as required by the *International Standard for Laboratories*;
- [Comment to Article 5.1.2.1 e): This request shall be made to the Results Management Authority and not the Laboratory directly.*
- The Results Management Authority may provide in its anti-doping rules that the costs relating to the issuance of the Laboratory Documentation Package(s) shall be covered by the Athlete.]*
- f) The opportunity for the Athlete to provide an explanation within a short deadline;
- g) The opportunity for the Athlete to provide *Substantial Assistance* as set out under *Code* Article 10.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility* under *Code* Article 10.8.1 (if applicable) or to seek to enter into a case resolution agreement under *Code* Article 10.8.2; and
- h) Any matters relating to *Provisional Suspension* (including the possibility for the Athlete to accept a voluntary *Provisional Suspension*) as per Article 6 (if applicable).

- b) 阳性检测结果可能导致《条例》条款 2.1 的兴奋剂违规和 / 或条款 2.2 的兴奋剂违规以及适用后果；

[条款 5.1.2.1 b) 的释义：如果涉及阳性检测结果，结果管理机构应当在向运动员发出的通知书和指控书（第 7 条）中始终提及《条例》条款 2.1 和 2.2。结果管理机构应当检索 ADAMS 并与 WADA 和其他相关反兴奋剂组织联系，确定运动员是否有兴奋剂违规前科，并在确定适用的后果时对这些信息予以考虑。]

- c) 运动员有权要求检测 B 样本。如果未提出此要求，即视为放弃 B 样本检测。该决定不可撤销；

[条款 5.1.2.1 c) 的释义：即使运动员不要求进行 B 样本检测，或明示或暗示地放弃 B 样本检测，结果管理机构仍可要求进行 B 样本检测。结果管理机构可在其反兴奋剂规则中规定，B 样本检测的费用应当由运动员承担。]

- d) 运动员和 / 或运动员代表可依照《实验室国际标准》出席 B 样本开启和检测；

- e) 运动员有权要求得到 A 样本实验室数据包副本，其中包括《实验室国际标准》要求的信息；

[条款 5.1.2.1 e) 的释义：此要求应当直接向结果管理机构提出，而不是向实验室提出。

结果管理机构可在其反兴奋剂规则中规定，发出实验室数据包的相关费用应当由运动员承担。]

- f) 运动员有机会在短时间内作出解释；

- g) 运动员可依照《条例》条款 10.7.1 的规定提供切实协助，承认兴奋剂违规从而有机会依照《条例》条款 10.8.1 的规定缩减一年禁赛期（如适用），或依照《条例》条款 10.8.2 的规定签订案件解决协议；以及

- h) 与第 6 条临时停赛有关的任何事项（包括运动员自愿接受临时停赛的可能性）（如适用）。

- 5.1.2.2** In addition, in the event that the *Adverse Analytical Finding* relates to the *Prohibited Substances* set out below, the *Results Management Authority* shall:
- a) Salbutamol or Formoterol: draw the attention of the *Athlete* in the notification letter that the *Athlete* can prove, through a controlled pharmacokinetic study, that the *Adverse Analytical Finding* was the consequence of a Therapeutic dose by inhalation up to the maximum dose indicated under class S3 of the *Prohibited List*. The *Athlete's* attention shall in addition be drawn to the key guiding principles for a controlled pharmacokinetic study and they shall be provided with a list of Laboratories, which could perform the controlled pharmacokinetic study. The *Athlete* shall be granted a deadline of seven (7) days to indicate whether they intend to undertake a controlled pharmacokinetic study, failing which the *Results Management Authority* may proceed with the *Results Management*;
  - b) Urinary human chorionic gonadotrophin: follow the procedures set out at Article 6 of the 2019 *Technical Document* for the Reporting & Management of Urinary Human Chorionic Gonadotrophin (hCG) and Luteinizing Hormone (LH) Findings in Male *Athletes* (TD2019CG/LH) or any subsequent version of the *Technical Document*;
  - c) Other *Prohibited Substance* subject to specific *Results Management* requirements in a *Technical Document* or other document issued by WADA: follow the procedures set out in the relevant *Technical Document* or other document issued by WADA.

- 5.1.2.3** The *Results Management Authority* shall also indicate the scheduled date, time and place for the "B" *Sample* analysis for the eventuality that the *Athlete* or *Results Management Authority* chooses to request an analysis of the "B" *Sample*; it shall do so either in the notification letter described in Article 5.1.2.1 or in a subsequent letter promptly after the *Athlete* (or the *Results Management Authority*) has requested the "B" *Sample* analysis.

*[Comment to Article 5.1.2.3: As per Article 5.3.6.2.3 of the International Standard for Laboratories, the "B" Sample confirmation should be performed as soon as possible following the reporting of the "A" Sample Adverse Analytical Finding.*

*The timing of the "B" Sample confirmation analysis may be strictly fixed in the short term with no postponement possible, when circumstances so justify it. This can notably and without limitation be the case in the context of Testing during or immediately before or after Major Events, or when the further postponement of the "B" Sample analysis could significantly increase the risk of Sample degradation.]*



**5.1.2.2** 此外，如果阳性检测结果与下列禁用物质有关，结果管理机构应当：

- a) 沙丁胺醇或福莫特罗：在通知中提请运动员注意，运动员可以通过受控药代动力学研究证明，阳性检测结果是吸入《禁用清单》S3 类下最大剂量的治疗药剂的结果。此外，还应当提请运动员注意受控药代动力学研究的主要指导原则，并向运动员提供可以进行受控药代动力学研究的实验室名单。运动员应当在 7 天内决定是否打算进行受控药代动力学研究，否则结果管理机构可继续进行结果管理；
- b) 尿人绒毛膜促性腺激素：依照 2019 版《男运动员尿人绒毛膜促性腺激素（hCG）和促黄体生成素（LH）》第 6 条或技术文件的后续版本规定的程序；
- c) WADA 发布的技术文件或其他文件中符合特定结果管理要求的其他禁用物质：遵循 WADA 发布的相关技术文件或其他文件中规定的程序。

**5.1.2.3** 如果运动员或结果管理机构决定对 B 样本进行检测，结果管理机构还应当指定 B 样本检测的预定日期、时间和地点。上述内容应当在条款 5.1.2.1 所述的通知中，或在运动员（或结果管理机构）提出 B 样本检测的要求后在随后的信函中及时说明。

[条款 5.1.2.3 的释义：依照《实验室国际标准》条款 5.3.6.2.3，B 样本确证应当在报告 A 样本阳性检测结果后尽快进行。]

如果情况允许，B 样本确证检测的时间可在短期内严格确定，不得延迟。对于在重大赛事期间或重大赛事前后进行的检查，或进一步推迟 B 样本检测可能会大大增加样本降解风险的情况下，这种情况尤为明显，但不限于此。]

- 5.1.2.4** If the *Athlete* requests the “B” *Sample* analysis but claims that they and/or their representative is not available on the scheduled date indicated by the Results Management Authority, the Results Management Authority shall liaise with the Laboratory and propose (at least) two (2) alternative dates.

*[Comment to Article 5.1.2.4: The alternative dates should take into account: (1) the reasons for the Athlete’s unavailability; and (2) the need to avoid any degradation of the Sample and ensure timely Results Management.]*

- 5.1.2.5** If the *Athlete* and their representative claim not to be available on the alternative dates proposed, the Results Management Authority shall instruct the Laboratory to proceed regardless and appoint an Independent Witness to verify that the “B” *Sample* container shows no signs of *Tampering* and that the identifying numbers match that on the collection documentation.

*[Comment to Article 5.1.2.5: An Independent Witness may be appointed even if the Athlete has indicated that they will be present and/or represented.]*

- 5.1.2.6** If the results of the “B” *Sample* analysis confirm the results of the “A” *Sample* analysis, the Results Management Authority shall promptly notify the *Athlete* of such results and shall grant the *Athlete* a short deadline to provide or supplement their explanations. The *Athlete* shall also be afforded the possibility to admit the anti-doping rule violation to potentially benefit from a one-year reduction in the period of *Ineligibility* under *Code* Article 10.8.1, if applicable, and/or to voluntarily accept a *Provisional Suspension* as per *Code* Article 7.4.4.

- 5.1.2.7** Upon receipt of any explanation from an *Athlete*, the Results Management Authority may, without limitation, request further information and/or documents from the *Athlete* within a set deadline or liaise with third parties in order to assess the validity of the explanation.

*[Comment to Article 5.1.2.7: If the positive finding involves a Prohibited Substance subject to a permitted route (e.g. by inhalation, by transdermal or by ophthalmic Use) and the Athlete alleged that the positive finding came from the permitted route, the Results Management Authority should assess the credibility of the explanation by contacting third parties (including scientific Experts) before deciding not to move forward with Results Management.]*

- 5.1.2.8** Any communication provided to the *Athlete* under this Article 5.1.2 shall simultaneously be provided by the Results Management Authority to the *Athlete’s National Anti-Doping Organization(s)*, International Federation and WADA and shall promptly be reported into ADAMS.

5.1.2.4 如果运动员要求 B 样本检测，但声称其和 / 或其代表在结果管理机构规定的日期无法出席 B 样本检测，结果管理机构应当与实验室联系，提出（至少）两个备选日期。

[条款 5.1.2.4 的释义：备选日期应当考虑以下因素：（1）运动员无法出席的原因；以及（2）避免样本降解和确保及时的结果管理的需要。]

5.1.2.5 如果运动员及其代表声称无法在提议的备选日期出席 B 样本检测，结果管理机构应当通知实验室无论如何应当继续进行 B 样本检测，并指定一名独立证人核实 B 样本容器没有被篡改的痕迹，而且识别号码与收样文件上的一致。

[条款 5.1.2.5 的释义：即使运动员表示其和 / 或其代表可以出席 B 样本检测，仍可指定独立证人。]

5.1.2.6 如果 B 样本检测结果证实 A 样本检测结果，结果管理机构应当及时通知运动员，并给运动员一个短期内提供或补充解释的机会。还应当允许运动员承认兴奋剂违规，从而有机会依照《条例》条款 10.8.1 的规定缩减一年禁赛期（如适用），和 / 或依照《条例》条款 7.4.4 自愿接受临时停赛。

5.1.2.7 收到运动员的解释后，结果管理机构可以要求运动员在规定的期限内提供进一步的信息和 / 或文件，或联系第三方以评审解释的有效性，但不限于此。

[条款 5.1.2.7 的释义：如果阳性检测结果涉及经允许途径（例如通过吸入、透皮或眼用）进入体内的禁用物质，且运动员声称阳性结果来自允许途径，结果管理机构应当联系第三方（包括科学界专家），评审该解释的可信度，再决定是否对该结果进行结果管理。]

5.1.2.8 依照条款 5.1.2 向运动员提供的任何通知，应当由结果管理机构同时提交给运动员所属国家反兴奋剂组织、国际单项体育联合会和 WADA，并及时在 ADAMS 中报告。

*[Comment to Article 5.1.2.8: To the extent not already set out in the communication to the Athlete, this notification shall include the following information (if applicable): the Athlete's name, country, sport and discipline within the sport, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations.]*

## 5.2 **Atypical Findings**

5.2.1 Upon receipt of an *Atypical Finding*, the Results Management Authority shall conduct a review to determine whether: (a) an applicable *TUE* has been granted or will be granted as provided in the *International Standard for Therapeutic Use Exemptions* (see Article 5.1.1.1 by analogy); (b) there is any apparent departure from the *International Standard for Testing and Investigations* or *International Standard for Laboratories* that caused the *Atypical Finding* (see Article 5.1.1.2 by analogy) and/or (c) it is apparent that the ingestion of the *Prohibited Substance* was through a permitted route (see Article 5.1.1.3 by analogy). If that review does not reveal an applicable *TUE*, an apparent departure that caused the *Atypical Finding* or an ingestion through a permitted route, the Results Management Authority shall conduct the required investigation.

*[Comment to Article 5.2.1 : If the Prohibited Substance involved is subject to specific Results Management requirements in a Technical Document, the Results Management Authority shall also follow the procedures set out therein.*

*In addition, the Results Management Authority may contact WADA to determine which investigative steps should be undertaken. These investigative steps may be provided for by WADA in a specific notice or other document.]*

5.2.2 The Results Management Authority need not provide notice of an *Atypical Finding* until it has completed its investigation and decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

- a) If the Results Management Authority determines that the "B" *Sample* should be analyzed prior to the conclusion of its investigation, the Results Management Authority may conduct the "B" *Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 5.1.2.1 c) to e) and Article 5.1.2.3;
- b) If the Results Management Authority receives a request, either from a *Major Event Organization* shortly before one of its *International Events* or from a sport organization responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *Major Event Organization* or sport organization has a pending *Atypical Finding*, the Results Management Authority shall identify any *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*; or

[条款 5.1.2.8 的释义：如果在给运动员的通知中未列出下列信息，本通知应当包括（如适用）：运动员的姓名、国籍、运动项目和小项、检查类型（赛内检查或赛外检查）、样本采集日期、实验室报告的检测结果以及《检查和调查国际标准》所需的其他信息。]

## 5.2 非典型性结果

- 5.2.1 收到非典型性结果后，结果管理机构应当进行审核，以确定：（a）是否依照治疗用药豁免国际标准的规定已批准或将要批准适用的治疗用药豁免（参见条款 5.1.1.1 以此类推）；（b）是否明显偏离《检查和调查国际标准》或《实验室国际标准》，从而导致阳性检测结果的产生（参见条款 5.1.1.2 以此类推）和 / 或（c）显然是通过允许的途径摄入了禁用物质（参见条款 5.1.1.3 以此类推）。如果审核未发现适用的 TUE、明显偏离国际标准导致非典型性结果，或通过允许途径吸入，则结果管理机构应当进行必要的调查。

[条款 5.2.1 的释义：如果所涉及的禁用物质符合技术文件中规定的特定结果管理要求，则结果管理机构还应当遵循其中规定的程序。

此外，结果管理机构可联系 WADA，确定应当采取哪些调查措施。WADA 可以在特定的通知或其他文件中对这些调查措施加以规定。]

- 5.2.2 结果管理机构在完成调查并决定是否将非典型性结果作为阳性检测结果处理之前，无需提供非典型性结果的通知，除非存在下列情况之一：
- a) 如果结果管理机构决定在调查结束前对 B 样本进行检测，则结果管理机构可在通知运动员后检测 B 样本。通知应当包括对非典型性结果的描述以及条款 5.1.2.1 c) 至 e) 和条款 5.1.2.3 中所述信息；
  - b) 如果结果管理机构收到重大赛事组织机构在其举办的国际赛事前不久发出的请求，或收到负责为某国际赛事挑选运动员的体育组织在截止日期前发出的请求，要求披露在重大赛事组织机构或体育组织提交的运动员名单中是否有未决的非典型性结果，结果管理机构应当先将非典型性结果通知运动员，再向上述组织提供这些运动员的身份；或者

- c) If the *Atypical Finding* is, in the opinion of qualified medical or Expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.

5.2.3 If after the investigation is completed the *Results Management Authority* decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, then the procedure shall follow the provisions of Article 5.1 mutatis mutandis.

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

#### 5.3.1 Specific cases

##### 5.3.1.1 Report of a potential *Failure to Comply*

The pre-adjudication phase of *Results Management* of a possible *Failure to Comply* shall take place as provided in Annex A – Review of a Possible *Failure to Comply*.

##### 5.3.1.2 *Whereabouts Failures*

The pre-adjudication phase of *Results Management* of potential *Whereabouts Failures* shall take place as provided in Annex B – *Results Management* for *Whereabouts Failures*.

##### 5.3.1.3 *Athlete Biological Passport Cases*

The pre-adjudication phase of *Results Management* of *Atypical Passport Findings* or *Passports* submitted to an *Expert* by the *Athlete Passport Management Unit* when there is no *Atypical Passport Finding* shall take place as provided in Annex C – *Results Management* Requirements and Procedures for the *Athlete Biological Passport*.

#### 5.3.2 Notification for specific cases and other anti-doping rule violations under Article 5.3

5.3.2.1 At such time as the *Results Management Authority* considers that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s), the *Results Management Authority* shall promptly notify the *Athlete* of:

- a) The relevant anti-doping rule violation(s) and the applicable *Consequences*;
- b) The relevant factual circumstances upon which the allegations are based;
- c) The relevant evidence in support of those facts that the *Results Management Authority* considers demonstrate that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s);
- d) The *Athlete* or other *Person*'s right to provide an explanation within a reasonable deadline;

c) 如果有资质的医务人员或专家认为非典型性结果可能与急需医疗救治的严重病理有关。

**5.2.3** 如果调查结束后，结果管理机构决定将非典型性结果作为阳性检测结果处理，则该程序应当比照适用条款 5.1 的规定。

**5.3** 不涉及阳性检测结果或非典型性结果的事项

**5.3.1** 具体情况

**5.3.1.1** 报告可能存在的不正当行为

对可能的不正当行为进行结果管理的预审阶段应当依附件 A（审核可能的不正当行为）的规定进行。

**5.3.1.2** 违反行踪信息管理规定

对可能的违反行踪信息管理规定进行结果管理的预审阶段应当依附件 B（违反行踪信息管理规定结果管理）的规定进行。

**5.3.1.3** 运动员生物护照案件

对非典型性生物护照结果进行结果管理的预审阶段，或如果未发现非典型性生物护照结果，由运动员生物护照管理团队将护照提交给专家进行结果管理的预审阶段，应当依附件 C（运动员生物护照结果管理要求和程序）的规定进行。

**5.3.2** 依照条款 5.3 对具体情况和其他兴奋剂违规发出的通知

**5.3.2.1** 如果结果管理机构认为运动员或其他当事人可能已构成兴奋剂违规，结果管理机构应当及时将以下事项通知运动员：

a) 相关兴奋剂违规及适用后果；

b) 指控所依据的相关事实情况；

c) 结果管理机构认定支持运动员或其他当事人可能已构成兴奋剂违规的相关证据；

d) 运动员或其他当事人有权在合理期限内作出解释；

- e) The opportunity for the *Athlete* or other *Person* to provide *Substantial Assistance* as set out in *Code* Article 10.7.1, to admit the anti-doping rule violation and potentially benefit from a one-year reduction in the period of *Ineligibility* in *Code* Article 10.8.1 (if applicable) or seek to enter into a case resolution agreement in *Code* Article 10.8.2; and
- f) Any matters relating to *Provisional Suspension* (including the possibility for the *Athlete* or other *Person* to accept a voluntary *Provisional Suspension*) as per Article 6 (if applicable).

**5.3.2.2** Upon receipt of the *Athlete's* or other *Person's* explanation, the Results Management Authority may, without limitation, request further information and/or documents from the *Athlete* or other *Person* within a set deadline or liaise with third parties in order to assess the validity of the explanation.

**5.3.2.3** The communication provided to the *Athlete* or other *Person* shall simultaneously be provided by the Results Management Authority to the *Athlete's* or other *Person's* *National Anti-Doping Organization(s)*, International Federation and WADA and shall promptly be reported into ADAMS.

*[Comment to Article 5.3.2.3: To the extent not already set out in the communication to the Athlete or other Person, this notification shall include the following information (if applicable): the Athlete's or other Person's name, country, sport and discipline within the sport.]*

## 5.4 Decision Not to Move Forward

If at any point during *Results Management* up until the charge under Article 7, the Results Management Authority decides not to move forward with a matter, it must notify the *Athlete* or other *Person* (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*) and give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3.

## 6.0 Provisional Suspensions

### 6.1 Scope

- 6.1.1 In principle, a *Provisional Suspension* means that an *Athlete* or other *Person* is barred temporarily from participating in any capacity in any *Competition* or activity as per *Code* Article 10.14.1 prior to the final decision at a hearing pursuant to Article 8.
- 6.1.2 Where the Results Management Authority is the ruling body of an *Event* or is responsible for team selection, the rules of such Results Management Authority shall provide that the *Provisional Suspension* is limited to the scope of the *Event*, respectively team selection. Upon notification under Article 5, the International Federation of the *Athlete* or other *Person* shall be responsible for *Provisional Suspension* beyond the scope of the *Event*.



- e) 运动员或其他当事人可提供《条例》条款 10.7.1 所述的切实协助、承认兴奋剂违规，从而有机会依照《条例》条款 10.8.1 的规定缩减一年禁赛期（如适用），或依照《条例》条款 10.8.2 的规定签订案件解决协议；以及
- f) 与第 6 条临时停赛有关的任何事项（包括运动员或其他当事人自愿接受临时停赛的可能性）（如适用）。

**5.3.2.2** 收到运动员或其他当事人的解释后，结果管理机构可以要求运动员或其他当事人在规定的期限内提供进一步的信息和/或文件，或联系第三方以评审解释的有效性，但不限于此。

**5.3.2.3** 结果管理机构向运动员或其他当事人提供的通知应当同时提供给运动员或其他当事人所属的国家反兴奋剂组织、国际单项体育联合会和 WADA，并及时在 ADAMS 中报告。

*[条款 5.3.2.3 的释义：如果在给运动员或其他当事人的通知中未列出下列信息，本通知应当包括（如适用）：运动员或其他当事人的姓名、国籍、运动项目和小项。]*

#### **5.4 不进一步处理的决定**

从结果管理的任何阶段至依照第 7 条提出指控的期间内，如果结果管理机构决定不继续处理某一事项，则必须通知运动员或其他当事人（前提是运动员或其他当事人已经获悉结果管理正在进行中），并通知依照《条例》条款 13.2.3 有上诉权的反兴奋剂组织（说明理由）。

## **6.0 临时停赛**

### **6.1 范围**

**6.1.1** 原则上，临时停赛是指在依照第 8 条举行的听证会作出最终决定前，依照《条例》条款 10.14.1 的规定，暂时禁止运动员或其他当事人以任何身份参加任何比赛或活动。

**6.1.2** 如果结果管理机构是赛事的主管机构或负责运动队挑选，则结果管理机构应当在其规则中规定，临时停赛仅分别限于该项赛事和运动队挑选的范围。收到依照第 5 条发出的通知后，运动员或其他当事人所属的国际单项体育联合会应当负责赛事范围以外的临时停赛。

## 6.2 Imposition of a *Provisional Suspension*

### 6.2.1 Mandatory *Provisional Suspension*

**6.2.1.1** As per *Code Article 7.4.1*, *Signatories* identified in the provision shall adopt rules providing that when an *Adverse Analytical Finding* or *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* review process) is received for a *Prohibited Substance* or a *Prohibited Method* other than a *Specified Substance* or *Specified Method*, a *Provisional Suspension* shall be imposed promptly upon or after the review and notification required by *Code Article 7.2*.

*[Comment to Article 6.2.1.1: The review and notification required by Code Article 7.2 is set out in Article 5.]*

**6.2.1.2** A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to the hearing panel that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under *Code Article 10.2.4.1*. A hearing body's decision not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

### 6.2.2 Optional *Provisional Suspension*

As per *Code Article 7.4.2*, a *Signatory* may adopt rules, applicable to any *Event* for which the *Signatory* is the ruling body or to any team selection process for which the *Signatory* is responsible or where the *Signatory* is the applicable International Federation or has *Results Management Authority* over the alleged anti-doping rule violation, permitting *Provisional Suspensions* to be imposed for anti-doping rule violations not covered by *Code Article 7.4.1* prior to analysis of the *Athlete's* "B" Sample or final hearing as described in *Code Article 8*. The optional *Provisional Suspension* may also be lifted at the discretion of the *Results Management Authority* at any time prior to the hearing panel decision under *Article 8*, unless provided otherwise.

*[Comment to Article 6.2.2: Whether or not to impose an optional Provisional Suspension is a matter for the Results Management Authority to decide in its discretion, taking into account all the facts and evidence. The Results Management Authority should keep in mind that if an Athlete continues to compete after being notified and/or charged in respect of an anti-doping rule violation and is subsequently found to have committed an anti-doping rule violation, any results, prizes and titles achieved and awarded in that timeframe may be subject to Disqualification and forfeited.]*

*Nothing in this provision prevents provisional measures (including a lifting of the Provisional Suspension upon request of the Athlete or other Person) being ordered by the hearing panel.]*

## 6.2 实施临时停赛

### 6.2.1 强制性临时停赛

**6.2.1.1** 依照《条例》条款 7.4.1，本规定所指的签约方应当采用规则，规定在收到非特定物质或非特定方法的阳性检测结果或生物护照阳性结果（完成生物护照阳性结果审核程序后）后，并且在依照《条例》条款 7.2 要求进行审核和通知时或通知后，应当及时实施临时停赛。

[条款 6.2.1.1 的释义：《条例》条款 7.2 要求的审核和通知载于第 5 条。]

**6.2.1.2** 在以下情况中，强制性临时停赛可以取消：（i）运动员向听证小组证明该违规可能涉及受污染产品，或（ii）违规涉及滥用物质，并且运动员证明有权依照《条例》条款 10.2.4.1 的规定缩减禁赛期。对于运动员提出的涉及受污染产品的主张，如果听证机构作出不取消强制性临时停赛的决定，该决定不得上诉。

### 6.2.2 选择性临时停赛

依照《条例》条款 7.4.2，签约方可采用相关规则，在检测运动员的 B 样本或召开第 8 条所述的最终听证会之前，允许对《条例》条款 7.4.1 未涵盖的兴奋剂违规实施临时停赛。这些规则适用于签约方作为管理机构的赛事，或签约方负责运动队挑选程序，或签约方为相关国际单项体育联合会，或签约方对涉嫌兴奋剂违规有结果管理权。除非另有规定，结果管理机构还可以在听证小组依照第 8 条作出决定前，随时取消选择性临时停赛。

[条款 6.2.2 的释义：是否实施选择性临时停赛，是结果管理机构在考虑所有事实和证据后酌情决定的问题。结果管理机构应当注意，如果运动员在被告知和 / 或被指控兴奋剂违规后继续参赛，并随后被发现已构成兴奋剂违规，则该运动员在此期间所获得的任何成绩、奖金和称号都可能被取消。

本规定的任何内容均不妨碍听证小组采取临时措施（包括应运动员或其他当事人的要求取消临时停赛）。]

### 6.2.3 General Provisions

- 6.2.3.1** Notwithstanding Articles 6.2.1 and 6.2.2, a *Provisional Suspension* may not be imposed unless the rules of the *Anti-Doping Organization* provide the *Athlete* or other *Person* with: (a) an opportunity for a *Provisional Hearing*, either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with *Code* Article 8 on a timely basis after imposition of a *Provisional Suspension*. The rules of the *Anti-Doping Organization* shall also provide for an opportunity for an expedited appeal against the imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, in accordance with *Code* Article 13.
- 6.2.3.2** A *Provisional Suspension* shall start on the date on which it is notified (or deemed to be notified) by the *Results Management Authority* to the *Athlete* or other *Person*.
- 6.2.3.3** The period of *Provisional Suspension* shall end with the final decision of the hearing panel conducted under Article 8, unless earlier lifted in accordance with this Article 6. However, the period of *Provisional Suspension* shall not exceed the maximum length of the period of *Ineligibility* that may be imposed on the *Athlete* or other *Person* based on the relevant anti-doping rule violation(s).
- 6.2.3.4** If a *Provisional Suspension* is imposed based on an “A” *Sample Adverse Analytical Finding* and a subsequent “B” *Sample* analysis does not confirm the “A” *Sample* analysis result, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of *Code* Article 2.1.
- [Comment to Article 6.2.3.4: The Results Management Authority may nonetheless decide to maintain and/or reimpose a *Provisional Suspension* on the *Athlete* based on another anti-doping rule violation notified to the *Athlete*, e.g. a violation of *Code* Article 2.2.]*
- 6.2.3.5** In circumstances where the *Athlete* (or the *Athlete’s* team as may be provided in the rules of the applicable *Major Event Organization* or International Federation) has been removed from an *Event* based on a violation of *Code* Article 2.1 and the subsequent “B” *Sample* analysis does not confirm the “A” *Sample* finding, if, without otherwise affecting the *Event*, it is still possible for the *Athlete* or team to be reinstated, the *Athlete* or team may continue to take part in the *Event*.

## 6.2.3 一般规定

- 6.2.3.1** 尽管有条款 6.2.1 和 6.2.2 的规定，除非反兴奋剂组织的规则为运动员或其他当事人提供以下机会，否则不得实施临时停赛：（a）在临时停赛之前或之后，一次及时召开临时听证会的机会；或（b）临时停赛后，依照《条例》第 8 条，一次及时召开快速听证会的机会。依照《条例》第 13 条，反兴奋剂组织的规则还应当提供对实施临时停赛或不实施临时停赛的决定提起快速上诉的机会。
- 6.2.3.2** 临时停赛应当自结果管理机构通知（或视为通知）运动员或其他当事人之日起开始执行。
- 6.2.3.3** 临时停赛期应当在听证小组依照第 8 条作出最终决定后结束，除非依照第 6 条提前取消临时停赛。但是，临时停赛期不得超过因运动员或其他当事人兴奋剂违规而可能对其实施的禁赛期的最长期限。
- 6.2.3.4** 如果基于 A 样本的阳性检测结果而实施临时停赛，而随后的 B 样本检测无法证实 A 样本的检测结果，则不应当以《条例》条款 2.1 的违规为由给予运动员任何进一步的临时停赛。
- [条款 6.2.3.4 的释义：尽管如此，结果管理机构仍可决定根据已通知运动员的另一项兴奋剂违规，例如《条例》条款 2.2 的违规，维持和 / 或重新对运动员实施临时停赛。]
- 6.2.3.5** 如果以《条例》条款 2.1 的违规为由取消了运动员（或其所在的运动队，根据相关重大赛事组织机构或国际单项体育联合会的规定）的参赛资格，而随后的 B 样本检测不能证实 A 样本的检测结果，在对赛事无其他影响的情况下，如果该运动员或其运动队仍有可能被重新安排参赛，则该运动员或运动队可以继续参加该赛事。

### 6.3 Voluntary Provisional Suspension

6.3.1 As per *Code* Article 7.4.4, *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten (10) days from the report of the “B” *Sample* (or waiver of the “B” *Sample*) or ten (10) days from notification of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notification. Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within ten (10) days from notification of the anti-doping rule violation. Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 6.2.1 or 6.2.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

### 6.4 Notification

6.4.1 Unless already notified under another provision of this *International Standard*, any imposition of a *Provisional Suspension* notified to the *Athlete* or other *Person* or voluntary acceptance of a *Provisional Suspension*, or lifting of either, shall promptly be notified by the Results Management Authority to the *Athlete’s* or other *Person’s* *National Anti-Doping Organization(s)*, International Federation and WADA and shall promptly be reported into ADAMS.

*[Comment to Article 6.4.1: To the extent not already set out in the communication to the Athlete or other Person, this notification shall include the following information (if applicable): the Athlete’s or other Person’s name, country, sport and discipline within the sport.]*

### 7.0 Charge

7.1 If, after receipt of the *Athlete* or other *Person’s* explanation or expiry of the deadline to provide such explanation, the Results Management Authority is (still) satisfied that the *Athlete* or other *Person* has committed (an) anti-doping rule violation(s), the Results Management Authority shall promptly charge the *Athlete* or other *Person* with the anti-doping rule violation(s) they are asserted to have breached. In this letter of charge, the Results Management Authority:

- a) Shall set out the provision(s) of its anti-doping rules asserted to have been violated by the *Athlete* or other *Person*;

*[Comment to Article 7.1 a): The Results Management Authority is not limited by the anti-doping rules violation(s) set out in the notification under Article 5. In its discretion, the Results Management Authority may decide to assert further anti-doping rule violation(s) in its notice of charge.*

*Notwithstanding the above, whereas it is a Results Management Authority’s duty to set out all and any asserted anti-doping rule violations against an Athlete or other Person in the notice of charge, a failure to formally charge an Athlete with an anti-doping rule violation that is, in*

## 6.3 自愿接受临时停赛

**6.3.1** 依照《条例》条款 7.4.4，运动员可以主动在下列较晚发生的时间前，自愿接受临时停赛：（i）自收到 B 样本报告（或放弃 B 样本）起 10 天内或自收到任何其他兴奋剂违规通知起 10 天内，或（ii）运动员在收到该报告或通知后首次参加比赛之日。其他当事人可在主动收到兴奋剂违规通知之日起 10 天内自愿接受临时停赛。自愿接受临时停赛后，临时停赛应当具有完全的效力，并与依照条款 6.2.1 或 6.2.2 实施的临时停赛以相同的方式处理。但是，自愿接受临时停赛后的任何时候，运动员或其他当事人可撤回接受的临时停赛。在这种情况下，运动员或其他当事人已执行的临时停赛不应当获得任何折抵。

## 6.4 通知

**6.4.1** 除非已依照本国际标准的另一条规定发出通知，无论是对运动员或其他当事人通知临时停赛，或自愿接受临时停赛，或取消二者之一，结果管理机构都应当及时通知运动员或其他当事人所属的国家反兴奋剂组织、国际单项体育联合会和 WADA，并应当及时在 ADAMS 中报告。

[条款 6.4.1 的释义：如果在给运动员或其他当事人的通知中未列出下列信息，本通知应当包括（如适用）：运动员或其他当事人的姓名、国籍、运动项目和小项。]

## 7.0 指控

**7.1** 在收到运动员或其他当事人的解释或解释期限届满后，如果结果管理机构（仍）确信运动员或其他当事人已构成兴奋剂违规，应当及时对其认定违规的运动员或其他当事人提出指控。在指控书中，结果管理机构应当：

a) 列出运动员或其他当事人被指控违反的反兴奋剂规则；

[条款 7.1 a) 的释义：结果管理机构不受第 5 条规定的通知中所列的兴奋剂违规的限制。结果管理机构可适当在其指控通知中指控更多的兴奋剂违规。

尽管有上述规定，尽管结果管理机构有责任在通知中列出针对运动员或其他当事人的所有被指控的兴奋剂违规，但未正式指控运动员的某一兴奋剂违规，而该违规在原则上是更具体的（被指控的）兴奋剂违规的组成部分（例如，运动员使用某种禁用物质或禁用方法的违规（《条

*principle, an integral part of a more specific (asserted) anti-doping rule violation (e.g. a Use violation (Code Article 2.2) as part of a Presence violation (Code Article 2.1), or a Possession violation (Code Article 2.6) as part of an asserted Administration violation (Code Article 2.8)) shall not prevent a hearing panel from finding that the Athlete or other Person committed a violation of the subsidiary anti-doping rule violation in the event that they are not found to have committed the explicitly asserted anti-doping rule violation.]*

- b) Shall provide a detailed summary of the relevant facts upon which the assertion is based, enclosing any additional underlying evidence not already provided in the notification under Article 5;

*[Comment to Article 7.1 b): The Results Management Authority shall, however, not be prevented from relying on other facts and/or adducing further evidence not contained in either the notification letter under Article 5 or the charge letter under Article 7 during the Hearing Process at first instance and/or on appeal.]*

- c) Shall indicate the specific *Consequences* being sought in the event that the asserted anti-doping rule violation(s) is/are upheld and that such *Consequences* shall have binding effect on all *Signatories* in all sports and countries as per Code Article 15;

*[Comment to Article 7.1 c): The *Consequences* of an anti-doping rule violation set out in the letter of charge shall include as a minimum the relevant period of Ineligibility and Disqualification. The Results Management Authority shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists and take such information into account in determining the relevant *Consequences*. The proposed *Consequences* shall in all circumstances be compatible with the provisions of the Code and shall be appropriate based on the explanations given by the Athlete or other Person or the facts as established by the Results Management Authority. For these purposes, it is expected that the Results Management Authority will review the explanations given by the Athlete or other Person and assess their credibility (for example, by checking the authenticity of documentary evidence and the plausibility of the explanation from a scientific perspective) before proposing any *Consequences*. If the Results Management phase is substantially delayed by the review, the Results Management Authority shall inform WADA, setting out the reasons for the substantial delay.]*

- d) Shall grant a deadline of not more than twenty (20) days from receipt of the letter of charge (which may be extended only in exceptional cases) to the Athlete or other Person to admit the anti-doping rule violation asserted and to accept the proposed *Consequences* by signing, dating and returning an acceptance of *Consequences* form, which shall be enclosed with the letter;



例》条款 2.2) 是发现禁用物质或其代谢物或标记物 (《条例》条款 2.1) 的一部分, 或持有某种禁用物质或禁用方法的违规 (《条例》条款 2.6) 被认定是施用禁用物质或禁用方法的违规 (《条例》条款 2.8) 的一部分), 并不妨碍听证小组认定运动员或其他当事人在未被发现构成明确指控的兴奋剂违规的情况下, 构成了连带的兴奋剂违规。]

- b) 对指控所依据的相关事实提供详细的摘要, 并附上依照第 5 条发出的通知中未提供的任何可能存在的补充证据;

[条款 7.1 b) 的释义: 但是, 不得阻止结果管理机构在初审和 / 或上诉听证程序中, 依据其他事实和 / 或援引不包含在第 5 条通知或第 7 条指控书中的其它证据。]

- c) 应当说明在被指控的兴奋剂违规得到支持的情况下所导致的具体后果, 并说明依照《条例》第 15 条, 该后果应当对所有运动项目和所有国家的所有签约方都具有约束力;

[条款 7.1 c) 的释义: 指控书列出的兴奋剂违规后果应当至少包括相关禁赛期和取消比赛成绩。结果管理机构应当检索 ADAMS, 并联系 WADA 和其他相关反兴奋剂组织, 以确认是否有任何兴奋剂违规前科, 并在确定相关后果时考虑这些信息。在任何情况下, 所建议的后果应当与《条例》的规定一致, 并且根据运动员或其他当事人所作的解释或结果管理机构认定的事实而提出适当的后果。为此, 结果管理机构应当在提出任何结果前, 审核运动员或其他当事人所作的解释, 并评审其可信度 (例如, 从科学的角度审核文件证据的真实性及解释的合理性)。如果审核严重延误了结果管理阶段, 结果管理机构应当通知 WADA, 说明严重延误的原因。]

- d) 规定运动员或其他当事人在收到指控书的 20 天 (只可在特殊情况下延长) 内, 承认被指控的兴奋剂违规, 并在指控书所附的“接受后果表”上签名、注明日期、交回该表格, 以示接受所建议的后果。

- e) For the eventuality that the *Athlete* or other *Person* does not accept the proposed *Consequences*, shall already grant to the *Athlete* or other *Person* a deadline provided for in the Results Management Authority's anti-doping rules (which shall not be of more than twenty (20) days from receipt of the letter of charge and may be extended only in exceptional cases) to challenge in writing the Results Management Authority's assertion of an anti-doping rule violation and/or proposed *Consequences*, and/or make a written request for a hearing before the relevant hearing panel;
  - f) Shall indicate that if the *Athlete* or other *Person* does not challenge the Results Management Authority's assertion of an anti-doping rule violation or proposed *Consequences* nor request a hearing within the prescribed deadline, the Results Management Authority shall be entitled to deem that the *Athlete* or other *Person* has waived their right to a hearing and admitted the anti-doping rule violation as well as accepted the *Consequences* set out by the Results Management Authority in the letter of charge;
  - g) Shall indicate that the *Athlete* or other *Person* may be able to obtain a suspension of *Consequences* if they provide *Substantial Assistance* under *Code* Article 10.7.1, may admit the anti-doping rule violation(s) within twenty (20) days from receipt of the letter of charge and potentially benefit from a one-year reduction in the period of *Ineligibility* under *Code* Article 10.8.1 (if applicable) and/or seek to enter into a case resolution agreement by admitting the anti-doping rule violation(s) under *Code* Article 10.8.2; and
  - h) Shall set out any matters relating to *Provisional Suspension* as per Article 6 (if applicable).
- 7.2** The notice of charge notified to the *Athlete* or other *Person* shall simultaneously be notified by the Results Management Authority to the *Athlete's National Anti-Doping Organization(s)*, International Federation and WADA and shall promptly be reported into ADAMS.
- [Comment to Article 7.2: To the extent not already set out in the notice of charge, this notification shall contain the following information (wherever applicable): Athlete's or other Person's name, country, sport and discipline within the sport, and, for a violation of Code Article 2.1, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the Laboratory and other information as required by the International Standard for Testing and Investigations, and, for any other anti-doping rule violation, the anti-doping rule(s) violated and the basis for the asserted violation(s).]*
- 7.3** In the event that the *Athlete* or other *Person* either (i) admits the anti-doping rule violation and accepts the proposed *Consequences* or (ii) is deemed to have admitted the violation and accepted the *Consequences* as per Article 7.1 f), the Results Management Authority shall promptly issue the decision and notify it in accordance with Article 9.

- e) 如果运动员或其他当事人不接受所建议的后果，则应当有机会在结果管理机构反兴奋剂规则规定的最后期限内（自收到指控书 20 天内，只可在特殊情况下延长），以书面形式质疑结果管理机构的兴奋剂违规指控和 / 或所建议的后果，和 / 或在相关听证小组举行听证的书面要求；
- f) 应当说明，如果运动员或其他当事人未对结果管理机构的兴奋剂违规指控或所建议的后果提出质疑，也未在规定期限内要求听证，则结果管理机构有权认为该运动员或其他当事人已放弃听证的权利，承认兴奋剂违规的事实，并接受结果管理机构在指控书中规定的后果；
- g) 应当说明，如果运动员或其他当事人依照《条例》条款 10.7.1 的规定提供切实协助，则可以暂缓后果；可以在收到指控书后 20 天内承认兴奋剂违规，从而有机会根据《条例》条款 10.8.1 的规定缩减一年禁赛期（如适用），和 / 或依照《条例》条款 10.8.2 的规定通过承认兴奋剂违规而签订案件解决协议；以及
- h) 应当规定与第 6 条临时停赛有关的任何事项（如适用）。

**7.2** 结果管理机构向运动员或其他当事人发出的指控通知，应当同时通知运动员所属的国家反兴奋剂组织、国际单项体育联合会和 WADA，并及时在 ADAMS 中报告。

[ 条款 7.2 的释义：如果在指控通知中未载明下列信息，本通知应当包含（在适用的情况下）：运动员或其他当事人的姓名、国籍、运动项目和小项、《条例》条款 2.1 的违规、赛内或赛外检查、样本采集日期、实验室报告的检测结果及《检查和调查国际标准》要求的其他信息，以及对于任何其他兴奋剂违规，还应当包括违反的规则和指控违规的依据。]

**7.3** 如果运动员或其他当事人（i）承认兴奋剂违规并接受所建议的后果，或（ii）被视为已承认违规并接受了条款 7.1 f）所述的后果，则结果管理机构应当依照第 9 条的规定，及时发布决定并予以通知。

- 7.4** If, after the *Athlete* or other *Person* has been charged, the Results Management Authority decides to withdraw the charge, it must notify the *Athlete* or other *Person* and give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under *Code* Article 13.2.3.
- 7.5** Subject to Article 7.6, in the event that the *Athlete* or other *Person* requests a hearing, the matter shall be referred to the Results Management Authority's hearing panel and be dealt with pursuant to Article 8.

*[Comment to Article 7.5: Where a Results Management Authority has delegated the adjudication part of Results Management to a Delegated Third Party, the matter shall be referred to the Delegated Third Party.]*

**7.6 Single hearing before CAS**

**7.6.1** Pursuant to *Code* Article 8.5, anti-doping rule violations asserted against *International-Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, the Results Management Authority and WADA, be heard in a single hearing directly at CAS under CAS appellate procedures, with no requirement for a prior hearing, or as otherwise agreed by the parties.

**7.6.2** If the *Athlete* or other *Person* and the Results Management Authority agree to proceed with a single hearing before CAS, it shall be the responsibility of the Results Management Authority to liaise in writing with WADA to determine whether it agrees to the proposal. Should WADA not agree (in its entire discretion), then the case shall be heard by the Results Management Authority's hearing panel at first instance.

*[Comment to Article 7.6.2: In the event that all relevant parties agree to refer the case to the CAS as a single instance, the Results Management Authority shall promptly notify any other Anti-Doping Organization with a right of appeal upon initiating the proceedings so that the latter may seek to intervene in the proceedings (if they wish to). The final decision rendered by the CAS shall not be subject to any appeal, save to the Swiss Federal Tribunal.]*

**7.4** 如果对运动员或其他当事人提出指控后，结果管理机构决定撤回该指控，则必须通知运动员或其他当事人，以及依照《条例》条款 13.2.3 有上诉权的反兴奋剂组织（说明理由）。

**7.5** 在遵守条款 7.6 的前提下，如果运动员或其他当事人要求召开听证会，则该事项应当交由结果管理机构听证小组依照第 8 条的规定处理。

[条款 7.5 的释义：如果结果管理机构已将结果管理的裁决部分委托给受委托的第三方，则该事项应当交由受委托的第三方办理。]

**7.6** 直接在 CAS 举行一次听证

**7.6.1** 依照《条例》条款 8.5 的规定，经运动员或其他当事人、结果管理机构和 WADA 的一致同意，对国际级运动员、国家级运动员或其他当事人提出的兴奋剂违规指控可以依照 CAS 上诉程序，直接在 CAS 举行一次听证，无需事先听证，或各当事方另有约定。

**7.6.2** 如果运动员或其他当事人和结果管理机构同意直接在 CAS 举行一次听证，则结果管理机构负责与 WADA 进行书面联系，以确定其是否同意此项提议。如果 WADA 不同意（由其全权决定），则该案件应当由结果管理机构听证小组举行初审听证。

[条款 7.6.2 的释义：如果所有相关方同意将案件作为单一案件提交 CAS，则结果管理机构应当在启动程序后及时通知有上诉权的其他反兴奋剂组织，以便后者（在愿意的情况下）可以加入程序。除向瑞士联邦法院提起上诉外，CAS 作出的最后裁决不得上诉。]

## PART FOUR: RESULTS MANAGEMENT-ADJUDICATION

### 8.0 Hearing Process

- 8.1** The rules of the *Results Management Authority* shall confer jurisdiction on hearing panels to hear and determine whether an *Athlete* or other *Person* subject to its anti-doping rules has committed an anti-doping rule violation and, if applicable, to impose the relevant *Consequences*. The *Results Management Authority* (or a *Delegated Third Party* upon delegation under *Code Article 20*) shall bring forward the charge before the hearing panel.

*[Comment to Article 8.1: Results Management Authorities may also delegate the adjudication part of Results Management to Delegated Third Parties.*

*It is not a Code requirement that a hearing should take place in person. Hearings may also take place remotely by the participants joining together using technology. There are no restrictions as to the technology that can or should be used, but include means such as conference calling, video conferencing technology or other online communication tools. Depending on the circumstances of a case, it may also be fair or necessary – for example, where all the facts are agreed and the only issue is as to the Consequences – to conduct a hearing “in writing”, based on written materials without an oral hearing.]*

- 8.2** For the purposes of Article 8.1, a wider pool of hearing panel members shall be established, from which the hearing panels for specific cases shall be nominated. Appointment to the pool must be made based on anti-doping experience, including legal, sports, medical and/or scientific Expertise. All members of the pool shall be appointed for a period of no less than two (2) years (which may be renewable).

*[Comment to Article 8.2: The number of potential hearing panel members appointed to the wider pool depends on the number of affiliates and the anti-doping history (including the number of anti-doping rule violations committed in the past years) of the Anti-Doping Organization. At the very least, the number of potential hearing panel members shall be sufficient to ensure that Hearing Processes are timely conducted and provide for replacement possibilities in the event of a conflict of interest.]*

- 8.3** The applicable rules shall provide for an independent person or body to determine in their discretion the size and composition of a particular hearing panel to adjudicate an individual case. At least one appointed hearing panel member must have a legal background.

*[Comment to Article 8.3: For example, the independent person may be a designated chairperson of the pool. The relevant rules should also provide for a mechanism for the event that the independent person or body has a conflict of interest (e.g. the chairperson may be replaced by a designated vice-chairperson in the event of a conflict of interest, or by the most senior hearing panel member with no conflict of interest, where there is no vice-chairperson or both the chairperson and vice-chairperson are in a situation of conflict).]*

## 第四部分 结果管理——裁决

### 8.0 听证程序

- 8.1** 结果管理机构的规则应当向听证小组授予管辖权，以听证并确定受其反兴奋剂规则约束的运动员或其他当事人是否构成兴奋剂违规，并在适当的情况下实施相关后果。结果管理机构（或依照《条例》第 20 条的受委托的第三方）应当向听证小组提交指控。

[条款 8.1 的释义：结果管理机构也可将结果管理的裁决部分委托给受委托的第三方。]

《条例》并不要求亲自参加听证会。参与者也可以使用技术手段远程听证。对于可以或应当使用的技术没有任何限制，可以包括电话会议、视频会议技术或其他在线沟通工具。如果对后果以外的所有事实达成了一致意见，根据案件的具体情况，不进行口头听证，而根据书面材料进行“书面”听证也可能是公平或必要的。]

- 8.2** 为了条款 8.1 的目的，应当建立一个更广泛的听证小组成员库，从中提名特定案件的听证小组成员。成员库的任命必须基于反兴奋剂经验，包括法律、体育、医学和/或科学等专业知识。成员库中所有成员的任期不得少于两年（可连任）。

[条款 8.2 的释义：任命到更广泛的成员库的潜在听证小组的人数应当根据反兴奋剂组织关联结构的数量和反兴奋剂历史情况（包括过去几年的兴奋剂违规次数）而定。潜在听证小组成员人数至少应当足以确保及时进行听证程序，并保证在出现利益冲突时有替补人员的可能。]

- 8.3** 相关规则应当规定，由一名独立人士或一个独立机构自行决定负责裁决个案的特定听证小组的人数和组成。指定的听证小组中至少有一名成员须具备法律背景。

[条款 8.3 的释义：例如，可以指定一名独立人士担任成员库主席。在该独立人士或独立机构发生利益冲突的情况下，相关规则还应当规定一个处理机制（例如，发生利益冲突时，指定的副主席可以替代主席；在没有副主席或主席或副主席均出现冲突的情况下，则可由无利益冲突的听证小组的最高级成员替代主席。)

*The size and composition of the hearing panel may vary depending on the nature of the charge and the evidence put forward. The hearing panel may be composed of a single adjudicator. The chairperson of the pool can be appointed (or appoint themselves if applicable) to sit as single adjudicator or hearing panel member. If a single adjudicator is appointed, they shall have a legal background.]*

- 8.4** Upon appointment to a hearing panel, each hearing panel member shall sign a declaration that there are no facts or circumstances known to him/her which might call into question their impartiality in the eyes of any of the parties, other than any circumstances disclosed in the declaration. If such facts or circumstances arise at a later stage of the Hearing Process, the relevant hearing panel member shall promptly disclose them to the parties.

*[Comment to Article 8.4: For example, any member who is in any way connected with the case and/or the parties – such as family or close personal/professional ties and/or an interest in the outcome of the case and/or having expressed an opinion as to the outcome of the particular case – must openly disclose on the declaration all circumstances that might interfere with the impartial performance of their functions. To assess whether a hearing panel member is impartial, the Results Management Authority may take into account the principles set out in the IBA Guidelines on Conflicts of Interest in International Arbitration as updated from time to time available at <https://www.ibanet.org>.]*

- 8.5** The parties shall be notified of the identity of the hearing panel members appointed to hear and determine the matter and be provided with their declaration at the outset of the Hearing Process. The parties shall be informed of their right to challenge the appointment of any hearing panel member if there are grounds for potential conflicts of interest within seven (7) days from the ground for the challenge having become known. Any challenge shall be decided upon by an independent person from the wider pool of hearing panel members or by an independent institution.

*[Comment to Article 8.5: For example, the independent person may be a designated chairperson of the pool. The relevant rules should also provide for a mechanism for the event that the independent person is the person subject to the challenge or is one of the other members of that particular hearing panel (e.g. the designated independent person may be replaced in these circumstances by a vice-chairperson or other designated senior hearing panel member).]*

- 8.6** The rules governing the activities of the Results Management Authority shall guarantee the *Operational Independence* of hearing panel members.

*[Comment to Article 8.6: As per the Code definition, *Operational Independence* means that (1) board members, staff members, commission members, consultants and officials of the Results Management Authority or its affiliates (e.g. member federation or confederation), as well as any person involved in the investigation and pre-adjudication of the matter, cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels*



根据指控的性质和提交的证据不同，听证小组的组成人数和构成情况也会有所不同。听证小组可由一名听证员组成。可任命成员库主席（或在适用情况下自行委任）担任独任听证员或听证小组成员。所任命的独任听证员应当具有法律背景。]

- 8.4** 一经任命，听证小组成员必须签署声明，保证除声明中披露的情况外，其本人不知晓任何可能使各当事方怀疑其公正性的事实或情况。如果在听证程序后面的阶段出现此类事实或情况，听证小组的相关成员应当及时向当事方披露。

[条款 8.4 的释义：例如，以任何方式与案件和 / 或各当事方有关联的任何成员，例如家庭成员或关系密切的私人关系或职业关系和 / 或对案件结果有利害关系和 / 或对特定案件的结果发表过意见的成员，必须在声明中公开披露一切可能妨碍其公正履行职责的情况。为评估听证小组成员是否公正，结果管理机构可以参考国际律师协会（IBA）在《国际仲裁利益冲突指南》中规定的原则。该《指南》不时更新，可查阅 <https://www.ibanet.org>。]

- 8.5** 听证程序开始时，应当告知各当事方被指定审理和裁定该事项的听证小组成员的身份，并提供其签署的声明。如果有理由表明存在潜在的利益冲突，则应当告知各当事方，其有权在知晓回避理由的 7 天内对任何听证小组成员的任命提出回避申请。任何回避均应由从更广泛的听证小组成员库中选出的独立人士或独立机构作出决定。

[条款 8.5 的释义：例如，可以指定一名独立人士为成员库主席。相关规则还应当规定一种处理机制，以应对该独立人士被申请回避或为该听证小组其他成员（例如，在上述情况下，指定的独立人士由一名副主席或所指定的其他听证小组高级成员替代）的情况。]

- 8.6** 结果管理机构活动的规则应当保证听证小组成员的运行独立性。

[条款 8.6 的释义：依照《条例》定义，运行独立性是指：（1）结果管理机构或其关联结构（例如成员协会或联合会）的理事会成员、工作人员、委员会成员、顾问和官员，以及参与事件调查和预审的任何人员不得被任命为结果管理机构听证小组的成员和 / 或记录员（只要该记录员参与审议过程

of that Results Management Authority and (2) that hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the Results Management Authority or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.]

- 8.7** Anti-Doping Organizations shall provide adequate resources to ensure that hearing panels are able to fulfil their tasks efficiently and independently and otherwise in accordance with this Article 8.

*[Comment to Article 8.7: All agreed fees and reasonable expenses of the hearing panels shall be timely paid by the Results Management Authority.]*

- 8.8** The Hearing Process shall respect, at a minimum, all of the following principles:

a) The hearing panel must remain fair, impartial and *Operationally Independent* at all times;

b) The Hearing Process shall be accessible and affordable;

*[Comment to Article 8.8 b): Procedural fees, if any, shall be set at a level that does not prevent the accused Person from accessing the hearing. When necessary, the Results Management Authority and/or the relevant hearing panel should consider establishing a legal aid mechanism in order to ensure such access.]*

c) The Hearing Process shall be conducted within a reasonable time;

*[Comment to Article 8.8 c): All decisions shall be issued and notified promptly after the hearing in person or, if no hearing in person is requested, after the parties have filed their written submissions. Save in complex matters, this timeframe should not exceed two (2) months.]*

d) The right to be informed in a fair and timely manner of the asserted anti-doping rule violation(s), the right to be represented by counsel at the *Athlete* or other *Person's* own expense, the right of access to and to present relevant evidence, the right to submit written and oral submissions, the right to call and examine witnesses, and the right to an interpreter at the hearing at the *Athlete* or other *Person's* own expense; and

*[Comment to Article 8.8 d): In principle, where the hearing is in person, it should be composed of an opening phase, where the parties are given an opportunity to briefly present their case, an evidentiary phase, where the evidence is assessed and witnesses and Experts (if any) are heard, and a closing phase, where all parties are given an opportunity to present their final arguments in light of the evidence.]*

e) The right for the *Athlete* or the other *Person* to request a public hearing. The Results Management Authority may also request a public hearing provided that the *Athlete* or the other *Person* has provided his/her written consent to the same.

和 / 或决定的起草)；以及 (2) 听证小组应当能够在不受结果管理机构或任何第三方干涉的情况下进行听证和决策过程。运行独立性旨在确保听证小组成员或以其他方式参与作出听证会结论的个人不参与案件的调查或推动案件进程的决定。]

- 8.7** 反兴奋剂组织应当提供充足的资源，以确保听证小组能够高效、独立或以其他方式依照第 8 条的规定完成其任务。

[条款 8.7 的释义：结果管理机构应当及时向听证小组支付所有约定的费用和合理的开支。]

- 8.8** 听证程序应当至少遵循以下原则：

- a) 听证小组必须始终保持公平、公正、运行独立；
- b) 听证程序应当便于参与、费用合理；

[条款 8.8 b) 的释义]：程序费用（如有）不应当妨碍被告人参加听证会。必要时，结果管理机构和 / 或相关的听证小组应当考虑设立法律援助机制，以确保当事人获得此类法律援助。]

- c) 听证程序应当在合理时间内进行；

[条款 8.8 c) 的释义：所有决定应当在当面听证后及时作出并通知；或者，如果不要求当面听证，则应当在各当事方提交书面陈述后立即作出决定并通知。除复杂事项外，这一时限不得超过 2 个月。]

- d) 以公平、及时的方式获知被指控的兴奋剂违规的权利、运动员或其他当事人自费聘请代理律师的权利、获得并提供相关证据的权利、提交书面和口头陈述的权利、传唤和询问证人的权利，以及运动员或其他当事人自费在听证会上获得口译服务的权利；以及

[条款 8.8 d) 的释义：原则上，如果是当面听证，应当包括开庭阶段（给予当事方简要陈述案情的机会）、证据阶段（评审证据并听取证人和专家（如有）的证词）和结束阶段（给予当事方根据证据提出最后论点的机会）。]

- e) 运动员或其他当事人有权要求公开听证。如果运动员或其他当事人已提交书面同意，结果管理机构也可要求公开听证。

*[Comment to Article 8.8 e): However, the request may be denied by the hearing panel in the interest of morals, public order, national security, where the interests of Minors or the protection of the private life of the parties so require, where publicity would prejudice the interests of justice or where the proceedings are exclusively related to questions of law.]*

- 8.9** Hearing Processes held in connection with *Events* may be conducted by an expedited process as permitted by the rules of the relevant *Anti-Doping Organization* and the hearing panel.

## 9.0 Decisions

### 9.1 Content

**9.1.1** *Results Management* decisions or adjudications by *Anti-Doping Organizations* must not purport to be limited to a particular geographic area or sport and shall address and determine the following issues:

- a) Jurisdictional basis and applicable rules;
- b) Detailed factual background;

*[Comment to Article 9.1.1 b): For instance, where the violation is based on an Adverse Analytical Finding, the decision shall set out inter alia the date and place of the Sample Collection Session, the type of Sample collection (blood or urine), whether the control was Out-of-Competition or In-Competition, the Prohibited Substance detected, the WADA-accredited Laboratory that performed the analysis, if the "B" Sample analysis was requested and/or performed as well as the results of the analysis. For any other violation, a full and detailed description of the facts shall be made.]*

- c) Anti-doping rule violation(s) committed;

*[Comment to Article 9.1.1 c): Where the violation is based on an Adverse Analytical Finding, the decision shall inter alia set out that there was no departure from the International Standards, or that the alleged departure(s) did or did not cause the Adverse Analytical Finding and demonstrate that the violation of Code Article 2 is made out (see Code Article 2.1.2). For any other violation, the hearing panel shall assess the evidence presented and explain why it considers that the evidence presented by the Results Management Authority meets or does not meet the required standard of proof. In case the hearing panel considers that the anti-doping rule violation(s) is/are established, it shall expressly indicate the anti-doping rule(s) violated.]*

- d) Applicable *Consequences*; and

*[Comment to Article 9.1.1 d): The decision shall identify the specific provisions on which the sanction, including any reduction or suspension, is based and provide reasons justifying the imposition of the relevant *Consequences*. In particular, where the applicable rules grant discretion to the hearing panel (e.g. for *Specified Substances* or *Specified Methods* or *Contaminated Products* under Code Article 10.6.1.1 and 10.6.1.2), the decision shall explain why the period of *Ineligibility* imposed is appropriate. The decision*

[条款 8.8 e) 的释义：但是，如果有保护未成年人利益或保护当事方的隐私的要求，如果公开披露损害司法利益，或程序仅涉及法律问题时，听证小组可以出于道德、公共秩序、国家安全等方面的利益拒绝这一要求。]

**8.9** 在相关反兴奋剂组织和听证小组规则允许的情况下，与赛事相关的听证程序可以通过快速程序进行。

## 9.0 决定

### 9.1 内容

**9.1.1** 反兴奋剂组织作出的结果管理决定或裁决不应当仅限于某一特定地域或某一运动项目，而应当处理和确定以下问题：

a) 管辖权依据和适用规则；

b) 详细的事实背景；

[条款 9.1.1 b) 的释义：例如，如果兴奋剂违规是基于阳性检测结果，则决定应当特别包括样本采集的日期和地点、样本采集类型（血样或尿样）、赛外或赛内检查、发现的禁用物质、进行检测的 WADA 认可的实验室，是否要求进行 B 样本检测和 / 或检测结果。对于任何其他违规，应当全面、详细地描述事实。]

c) 兴奋剂违规；

[条款 9.1.1 c) 的释义：如果兴奋剂违规是基于阳性检测结果，则决定应当特别包括未偏离国际标准，或涉嫌偏离国际标准导致或未导致阳性检测结果，并证明《条例》第 2 条违规成立（见《条例》条款 2.1.2）。对于任何其他违规，听证小组应当评审所提交的证据，并解释为什么认为结果管理机构提交的证据符合或不符合规定的证明标准。如果听证小组认为兴奋剂违规成立，应当明确指出违反的规则。]

d) 适用后果；及

[条款 9.1.1 d) 的释义：决定应当确定处罚（包括减轻处罚和暂缓处罚）所依据的具体规定，并说明实施相关后果的理由。特别是，如果适用的规则赋予听证小组自由裁量权（例如，《条例》条款 10.6.1.1 和 10.6.1.2 规定的特定物质或特定方法或受污染产品），则决定应当解释为什么实施的禁赛期是适当的。决定还应当明确禁赛期的起算日（如有），并且如果禁赛期的起算日早

shall also indicate the start date of the period of Ineligibility (if any) and provide justifications in the event that this date is earlier than the date of the decision (see Code Article 10.13.1). The decision shall also indicate the period of Disqualification, with justification in the event that certain results are not Disqualified for reasons of fairness (Code Article 10.10 of the Code), and any forfeiture of medals or prizes. The decision shall also set if (and to what extent) any period of Provisional Suspension is credited against any period of Ineligibility ultimately imposed, and set out any other relevant Consequences based on the applicable rules, including Financial Consequences. As per Code Article 7.5.1, Major Event Organizations shall, however, not be required to determine Ineligibility or Financial Consequences beyond the scope of their Event.]

- e) Appeal routes and deadline to appeal for the Athlete or other Person.

[Comment to Article 9.1.1 e): The decision shall indicate whether the Athlete is an International-Level Athlete for the purposes of the appeal route under Code Article 13. If this information is not available to the hearing panel, the hearing panel shall request the Results Management Authority to liaise with the relevant Anti-Doping Organization (e.g. the International Federation of the Athlete). The decision shall then set out the appropriate appeal route (including the address to which any appeal should be sent to) and the deadline to appeal.]

[Comment to Article 9.1.1: Results Management decisions include Provisional Suspension, save that a Results Management decision on Provisional Suspension shall not be required to determine whether an anti-doping rule violation was committed.]

- 9.1.2** A Results Management decision or adjudication by a Major Event Organization in connection with one of its Events may be limited in its scope but shall address and determine, at a minimum, the following issues: (i) whether an anti-doping rule violation was committed, the factual basis for such determination, and the specific Code Articles violated, and (ii) applicable Disqualifications under Code Articles 9 and 10.1, with any resulting forfeiture of medals, points and prizes.

[Comment to Article 9.1.2: With the exception of Results Management decisions by Major Event Organizations, each decision by an Anti-Doping Organization should address whether an anti-doping rule violation was committed and all Consequences flowing from the violation, including any Disqualifications other than Disqualification under Code Article 10.1 (which is left to the ruling body for an Event). Pursuant to Code Article 15, such decision and its imposition of Consequences shall have automatic effect in every sport in every country. For example, for a determination that an Athlete committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the Athlete's results obtained in

于决定日期，说明其理由（见《条例》条款 10.13.1）。决定还应当明确取消比赛成绩（或资格）的期限。如果某些比赛成绩（或资格）由于公平原因而不被取消，应当说明理由（《条例》条款 10.10），并说明奖牌、奖金的取消情况。决定还应当规定临时停赛是否（以及在何种程度上）折抵最终实施的禁赛期，以及依照适用规则规定任何其他相关后果，包括经济后果。但是，依照《条例》条款 7.5.1 的规定，无需要求重大赛事组织机构确定其赛事范围之外的禁赛期或经济后果。]

**e) 运动员或其他当事人的上诉途径和截止日期**

[条款 9.1.1 e) 的释义：决定应当说明运动员是否属于《条例》第 13 条规定的上诉途径的国际级运动员。如果听证小组无法得到这个信息，应当要求结果管理机构与相关反兴奋剂组织（例如，运动员所属国际单项体育联合会）联系。然后，决定应当规定适当的上诉途径（包括上诉应当送达的地址）和上诉截止日期。]

[条款 9.1.1 的释义：结果管理决定包括临时停赛，但不要求在临时停赛的结果管理决定中确定兴奋剂违规是否成立。]

**9.1.2 重大赛事组织机构就其某项赛事作出的结果管理决定或裁决可能在其范围内受限，但至少应当解决和确定下列问题：（i）兴奋剂违规是否成立，确定的事实依据以及违反的《条例》具体条款，及（ii）适用《条例》第 9 条和条款 10.1 规定的取消比赛成绩，以及由此导致的取消奖牌、积分和奖金。**

[条款 9.1.2 的释义：除重大赛事组织机构作出的结果管理决定外，反兴奋剂组织作出的每项决定都应当说明兴奋剂违规是否成立以及违规产生的所有后果，包括《条例》条款 10.1 规定的取消比赛成绩以外的其他形式的取消成绩或资格（由赛事主管机构决定）。依照《条例》第 15 条的规定，该决定及实施的后果应当在每个国家的每个运动项目中自动生效。例如，如果根据赛内采集的样本的阳性检测结果确定运动员兴奋剂违规，则将依照第 9 条的规定取消该运动员在

*the Competition would be Disqualified under Code Article 9 and all other competitive results obtained by the Athlete from the date the Sample was collected through the duration of the period of Ineligibility are also Disqualified under Code Article 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the Major Event Organization's responsibility to decide whether the Athlete's other individual results in the Event prior to Sample collection are also Disqualified under Code Article 10.1.]*

## 9.2 Notification

Decisions shall be promptly notified by the Results Management Authority to the Athlete or other Person and to other Anti-Doping Organizations with a right of appeal under Code Article 13.2.3 and shall promptly be reported into ADAMS. Where the decision is not in English or French, the Results Management Authority shall provide an English or French summary of the decision and of the supporting reasons as well as a searchable version of the decision.

**9.2.1** An Athlete or other Person subject to a period of *Ineligibility* shall be made aware by the Results Management Authority of their status during *Ineligibility*, including the *Consequences* of a violation of the prohibition of participation during *Ineligibility*, pursuant to Code Article 10.14. The Results Management Authority shall ensure that the period of *Ineligibility* is duly respected within its sphere of competence. The Athlete or other Person should also be made aware that they may still provide *Substantial Assistance*.

**9.2.2** An Athlete subject to a period of *Ineligibility* should also be made aware by the Results Management Authority that they remain subject to *Testing* during the period of *Ineligibility*.

**9.2.3** Where, further to notification of the decision, an *Anti-Doping Organization* with a right of appeal requests a copy of the full case file pertaining to the decision, it shall be provided promptly by the Results Management Authority.

*[Comment to Article 9.2.3: The case file shall contain all documents relating to the case. For an analytical case, it shall include at a minimum the Doping Control form, Laboratory results and/or Laboratory Documentation Package(s) (if issued), any submissions and exhibits and/or correspondence of the parties and all other documents relied upon by the hearing body. The case file should be sent by email in an organized manner with a table of contents.]*

**9.2.4** If the decision concerns an *Adverse Analytical Finding* or *Atypical Finding*, and after any deadline to appeal has elapsed and no appeal has been filed against the decision, the Results Management Authority shall promptly notify the relevant Laboratory that the matter has been finally disposed of.



该比赛中所获得的成绩，并依照《条例》条款 10.10 的规定，取消该运动员自样本采集之日起至禁赛期间所获得的所有其他比赛成绩。如果阳性检测结果来自赛事检查，则重大赛事组织机构有责任决定是否依照《条例》条款 10.1 的规定，取消运动员在样本采集前的赛事中所获得的其他个人成绩。]

## 9.2 通知

结果管理机构应当及时将决定通知运动员或其他当事人，以及依照《条例》条款 13.2.3 有上诉权的其他反兴奋剂组织，并及时在 ADAMS 中报告。如果该决定不是以英文或法文作出，则结果管理机构应当提供该决定及支持该决定的理由的英文或法文摘要以及决定的可检索版本。

- 9.2.1 结果管理机构应当告知禁赛期间的运动员或其他当事人的禁赛状态，包括违反《条例》条款 10.14 规定的禁赛期间禁止参赛的后果。结果管理机构应当在其职权范围内确保禁赛期的规定得到适当遵守。运动员或其他当事人也应当知晓他们仍可提供切实协助。
- 9.2.2 结果管理机构还应当通知禁赛期间的运动员在此期间仍需接受兴奋剂检查。
- 9.2.3 结果管理机构通知决定后，如果有上诉权的反兴奋剂组织要求得到与该决定有关的完整案卷的副本，结果管理机构应当及时提供。

[条款 9.2.3 的释义：案卷应当包括与案件有关的所有文件。就检测案件而言，至少应当包括兴奋剂检查记录单、实验室结果和 / 或实验室数据包（如已出具）、当事方提交的材料和物证和 / 或往来函件以及听证机构依据的所有其他文件。案卷应当通过电子邮件有序发送，并附有目录。]

- 9.2.4 如果决定涉及阳性检测结果或非典型性结果，且上诉期满后未对该决定提起上诉，则结果管理机构应当及时通知相关实验室该事项已得到最终处理。

## 10.0 Appeals

**10.1** The rules governing appeal rights and avenues are set out at *Code* Article 13.

**10.2** With respect to national appellate instances within the meaning of *Code* Article 13.2.2:

a) The appointment of hearing panel members and the Hearing Process on appeal are governed by Article 8 mutatis mutandis. In addition to being fair, impartial and *Operationally Independent*, a hearing panel on appeal shall also be *Institutionally Independent*;

*[Comment to Article 10.2 a): For the purposes of this provision, hearing panels on appeal shall be fully Institutionally Independent from the Results Management Authority. They must therefore not in any way be administered by, connected or subject to the Results Management Authority.]*

b) The appeal decision rendered by an appeal body shall comply with the requirements of Article 9.1;

c) The appeal decision shall promptly be notified by the Results Management Authority to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal the prior instance decision under *Code* Article 13.2.3;

d) The further notification requirements at Article 9.2 shall apply mutatis mutandis.

**10.3** With respect to appeals before *CAS*:

a) The appeal procedure shall be governed by the Code of Sports-related Arbitration;

b) All parties to any *CAS* appeal must ensure that *WADA* and any other party, which would have had a right of appeal and is not a party to the *CAS* appeal, has been given timely notice of the appeal;

c) No settlement embodied in an arbitral award rendered by consent of the parties as per R56 of the Code of Sports-related Arbitration shall be entered into by an *Anti-Doping Organization* without *WADA*'s written approval. Where the parties to the *CAS* proceedings are envisaging settling the matter by way of a settlement embodied in an arbitral award rendered by consent of the parties, the *Anti-Doping Organization* that is a party to the proceedings shall immediately notify *WADA* and provide it with all necessary information in this respect;

d) Any *Anti-Doping Organization* that is a party to an appeal before *CAS* shall promptly provide the *CAS* award to the other *Anti-Doping Organizations* that would have been entitled to appeal under *Code* Article 13.2.3; and

e) The requirements of Articles 9.2.2 to 9.2.4 shall apply mutatis mutandis.

## 10.0 上诉

10.1 《条例》第 13 条规定了上诉权和上诉途径的规则。

10.2 《条例》条款 13.2.2 意义上的国家级上诉案件：

a) 听证小组成员的任命和上诉听证程序比照适用第 8 条。除公平、公正和运行独立外，上诉听证小组还应当在机构上保持独立；

[条款 10.2 a) 的释义：就本规定而言，上诉听证小组应当在机构上完全独立于结果管理机构，因此上诉听证小组不得以任何方式由结果管理机构对其进行管理，也不得与结果管理机构有任何关联关系或受其制约。]

b) 上诉机构作出的上诉决定应当符合条款 9.1 的要求；

c) 结果管理机构应当及时将上诉决定通知运动员或其他当事人，以及依照《条例》条款 13.2.3 的规定有权对先前的决定提起上诉的其他反兴奋剂组织；

d) 条款 9.2 规定的更多的通知要求应当比照适用。

10.3 向 CAS 提起的上诉：

a) 上诉程序应当遵守《体育仲裁条例》的规定；

b) 向 CAS 上诉的所有当事方必须确保及时向 WADA 和任何本有上诉权但不是 CAS 上诉当事方发出上诉通知；

c) 未经 WADA 书面批准，反兴奋剂组织不得根据《体育仲裁条例》第 R56 条的规定，在经各方当事人同意的仲裁裁决中达成和解。如果在 CAS 的仲裁程序中，拟通过将和解体现在经各方当事人同意的仲裁裁决中以解决这一案件，则作为该程序一方当事人的反兴奋剂组织应当立即通知 WADA，并提供该方面的所有需要的信息；

d) 作为向 CAS 提起上诉的当事方的反兴奋剂组织，应当及时将 CAS 的裁决提供给依照《条例》条款 13.2.3 本有权提起上诉的其他反兴奋剂组织；以及

e) 条款 9.2.2 至 9.2.4 的要求应当比照适用。

## 11.0 Violation of the Prohibition Against Participation During *Ineligibility*

**11.1** In the event that an *Athlete* or other *Person* is suspected to have violated the prohibition against participation during *Ineligibility* pursuant to *Code* Article 10.14, the *Results Management* relating to this potential violation shall comply with the principles of this *International Standard* mutatis mutandis.

*[Comment to Article 11.1: In particular, the Athlete or other Person shall receive a notification letter in accordance with Article 5.3.2 mutatis mutandis, a letter of charge in accordance with Article 7 mutatis mutandis and be afforded the right to a hearing as per Article 8.]*

## 11.0 违反禁赛期间禁止参赛的规定

**11.1** 如果运动员或其他当事人涉嫌违反《条例》条款 10.14 关于在禁赛期间禁止参赛的规定，对该可能存在的违规的结果管理应当比照本国际标准的原则执行。

[条款 11.1 的释义：具体而言，运动员或其他当事人应当收到一封比照条款 5.3.2 的通知、一封比照第 7 条的指控书，并获得第 8 条规定的听证权。]

## ANNEX A-REVIEW OF A POSSIBLE FAILURE TO COMPLY

### A.1 Responsibility

**A.1.1** The Results Management Authority or Testing Authority (as applicable) is responsible for ensuring that:

- a) When the possible Failure to Comply comes to its attention, it notifies *WADA*, and instigates review of the possible Failure to Comply based on all relevant information and documentation;
- b) The *Athlete* or other *Person* is informed of the possible Failure to Comply in writing and has the opportunity to respond in accordance with Article 5.3.2 of the *International Standard for Results Management*;
- c) The review is conducted without unnecessary delay and the evaluation process is documented; and
- d) If it decides not to move forward with the matter, its decision is notified in accordance with Article 5.4 of the *International Standard for Results Management*.

**A.1.2** The DCO is responsible for providing a detailed written report of any possible Failure to Comply.

### A.2 Requirements

**A.2.1** Any potential Failure to Comply shall be reported by the DCO to the Results Management Authority (or Testing Authority as applicable) and/or followed up by the Testing Authority and reported to the Results Management Authority as soon as practicable.

**A.2.2** If the Results Management Authority determines that there has been a potential Failure to Comply, the *Athlete* or other *Person* shall be promptly notified in accordance with Article 5.3.2 of the *International Standard for Results Management* and further *Results Management* shall be conducted as per Article 5 *et seq.* of the *International Standard for Results Management*.

**A.2.3** Any additional necessary information about the potential Failure to Comply shall be obtained from all relevant sources (including the *Athlete* or other *Person*) as soon as possible and recorded.

**A.2.4** The Results Management Authority (and Testing Authority as applicable) shall establish a system for ensuring that the outcomes of its reviews into potential Failures to Comply are considered for *Results Management* action and, if applicable, for further planning and *Target Testing*.

## 附件 A 审核可能的不正当行为

### A.1 职责

**A.1.1** 结果管理机构或检查机构（如适用）负责确保：

- a) 如果发现可能的不正当行为，应当通知 WADA，并根据所有相关信息和文件对可能的不正当行为进行审核；
- b) 书面通知运动员或其他当事人可能的不正当行为，并告知其有机会依照《结果管理国际标准》条款 5.3.2 作出回应；
- c) 立即进行审核，并记录评估过程；以及
- d) 如果决定不继续处理该事项，则依照《结果管理国际标准》条款 5.4 的规定通知其决定。

**A.1.2** DCO 负责就可能的不正当行为提供详细的书面报告。

### A.2 要求

**A.2.1** DCO 应当向结果管理机构（或检查机构，如适用）报告任何可能存在的不正当行为，和 / 或由检查机构采取后续行动，尽快报告给结果管理机构。

**A.2.2** 如果结果管理机构确定有可能存在的不正当行为，应当依照《结果管理国际标准》条款 5.3.2 的规定，及时通知运动员或其他当事人，并依照《结果管理国际标准》第 5 条及其后的规定实施结果管理。

**A.2.3** 应当尽快从所有相关来源（包括运动员或其他当事人）获取并记录关于可能存在的不正当行为的所有其他必要信息。

**A.2.4** 结果管理机构（和检查机构，如适用）应当建立一个体系，确保其对可能存在的不正当行为的审核结果用于实施结果管理，并在可行的情况下，用于今后的计划和目标检查。

## ANNEX B-RESULTS MANAGEMENT FOR WHEREABOUTS FAILURES

### B.1 Determining a Potential Whereabouts Failure

**B.1.1** Three (3) Whereabouts Failures by an *Athlete* within any 12-month period amount to an anti-doping rule violation under *Code Article 2.4*. The Whereabouts Failures may be any combination of Filing Failures and/or Missed Tests declared in accordance with Article B.3 and adding up to three (3) in total.

*[Comment to Article B.1.1: While a single Whereabouts Failure will not amount to an anti-doping rule violation under Code Article 2.4, depending on the facts, it could amount to an anti-doping rule violation under Code Article 2.3 (Evading Sample Collection) and/or Code Article 2.5 (Tampering or Attempted Tampering with Doping Control).]*

**B.1.2** The 12-month period referred to in *Code Article 2.4* starts to run on the date that an *Athlete* commits the first Whereabouts Failure being relied upon in support of the allegation of a violation of *Code Article 2.4*. If two (2) more Whereabouts Failures occur during the ensuing 12-month period, then *Code Article 2.4* anti-doping rule violation is committed, irrespective of any *Samples* successfully collected from the *Athlete* during that 12-month period. However, if an *Athlete* who has committed one (1) Whereabouts Failure does not go on to commit a further two (2) Whereabouts Failures within the 12-months, at the end of that 12-month period, the first Whereabouts Failure “expires” for purposes of *Code Article 2.4*, and a new 12-month period begins to run from the date of their next Whereabouts Failure.

**B.1.3** For purposes of determining whether a Whereabouts Failure has occurred within the 12-month period referred to in *Code Article 2.4*:

- a) A Filing Failure will be deemed to have occurred (i) where the *Athlete* fails to provide complete information in due time in advance of an upcoming quarter, on the first day of that quarter, and (ii) where any information provided by the *Athlete* (whether in advance of the quarter or by way of update) transpires to be inaccurate, on the (first) date on which such information can be shown to be inaccurate; and
- b) A Missed Test will be deemed to have occurred on the date that the Sample collection was unsuccessfully attempted.

**B.1.4** Whereabouts Failures committed by the *Athlete* prior to retirement as defined in Article 4.8.7.3 of the *International Standard for Testing and Investigations* may be combined, for purposes of *Code Article 2.4*, with Whereabouts Failures committed by the *Athlete* after the *Athlete* again becomes available for *Out-of-Competition Testing*.

*[Comment to Article B.1.4: For example, if an Athlete committed two (2) Whereabouts Failures in the six (6) months prior to their retirement, then if they commit another Whereabouts Failure in the first six (6) months in which they are again available for Out-of-Competition Testing, that amounts to a Code Article 2.4 anti-doping rule violation.]*



## 附件 B 对违反行踪信息管理规定的结果管理

### B.1 确定可能存在的违反行踪信息管理规定

**B.1.1** 运动员在 12 个月内累计 3 次出现违反行踪信息管理规定，即被认定为《条例》条款 2.4 的兴奋剂违规。依照条款 B.3 的规定，违反行踪信息管理规定可以是填报失败和/或错过检查的任意组合，累计 3 次。

[条款 B.1.1 的释义：单次违反行踪信息管理规定不构成《条例》条款 2.4 的兴奋剂违规，但是根据实际情况，可能构成《条例》条款 2.3（逃避样本采集）和/或《条例》条款 2.5（篡改或企图篡改兴奋剂管制环节）的兴奋剂违规。]

**B.1.2** 《条例》条款 2.4 所指的 12 个月期限从运动员第一次违反行踪信息管理规定并支持指控《条例》条款 2.4 的违规之日起算。如果在随后的 12 个月期限内发生 2 起以上的违反行踪信息管理规定，无论是否在这 12 个月的期限内成功地采集了运动员样本，都构成《条例》条款 2.4 的违规。但是，如果运动员在 12 个月的期限内已有一次违反行踪信息管理规定，但未发生另外两起违反行踪信息管理规定，则依照《条例》条款 2.4 的规定，第一次违反行踪信息管理规定“到期”，新的 12 个月期限将从其下一次违反行踪信息管理规定之日起算。

**B.1.3** 为确定在 12 个月期限内是否发生了《条例》条款 2.4 所述的违反行踪信息管理规定：

a) 如果运动员未能在新赛季开始前的适当时间提供完整的行踪信息，则视为在新季度的第一天发生行踪信息填报失败；以及 (ii) 如果运动员提供的行踪信息（无论是在新赛季之前还是在更新的过程中）显示不准确，则视为在此类信息显示不准确的（第一个）日期发生行踪信息填报失败；以及

b) 样本未成功采集的当天视为已发生错过检查。

**B.1.4** 就《条例》条款 2.4 而言，运动员在退役前发生的违反行踪信息管理规定（《检查和调查国际标准》条款 4.8.7.3 所载）可与运动员可再次接受赛外检查后发生的违反行踪信息管理规定合并处理。

[条款 B.1.4 的释义：例如，运动员退役前六个月发生过两起违反行踪信息管理规定，而该运动员在可再次接受赛外检查的前六个月内又发生一起违反行踪信息管理规定，则累计构成《条例》条款 2.4 的兴奋剂违规。]

## B.2 Requirements for a Potential Filing Failure or Missed Test

**B.2.1** An *Athlete* may only be declared to have committed a Filing Failure where the Results Management Authority establishes each of the following:

- a) That the *Athlete* was duly notified: (i) that they had been designated for inclusion in a Registered Testing Pool; (ii) of the consequent requirement to make Whereabouts Filing; and (iii) of the Consequences of any Failure to Comply with that requirement;
- b) That the *Athlete* failed to comply with that requirement by the applicable deadline;

*[Comment to Article B.2.1(b): An Athlete fails to comply with the requirement to make Whereabouts Filing (i) where they do not make any such filing, or where they fail to update the filing as required by Article 4.8.8.6 of the International Standard for Testing and Investigations; or (ii) where they make the filing or update but do not include all of the required information in that filing or update (e.g. they do not include the place where they will be staying overnight for each day in the following quarter, or for each day covered by the update, or omit to declare a regular activity that they will be pursuing during the quarter, or during the period covered by the update); or (iii) where they include information in the original filing or the update that is inaccurate (e.g., an address that does not exist) or insufficient to enable the Anti-Doping Organization to locate them for Testing (e.g., "running in the Black Forest").]*

- c) In the case of a second or third Filing Failure, that they were given notice, in accordance with Article B.3.2(d), of the previous Filing Failure, and (if that Filing Failure revealed deficiencies in the Whereabouts Filing that would lead to further Filing Failures if not rectified) was advised in the notice that in order to avoid a further Filing Failure they must file the required Whereabouts Filing (or update) by the deadline specified in the notice (which must be within 48 hours after receipt of the notice) and yet failed to rectify that Filing Failure by the deadline specified in the notice; and

*[Comment to Article B.2.1(c): All that is required is to give the Athlete notice of the first Filing Failure and an opportunity to avoid a subsequent one, before a subsequent Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Filing Failure before pursuing a second Filing Failure against the Athlete.]*

- d) That the *Athlete's* failure to file was at least negligent. For these purposes, the *Athlete* will be presumed to have committed the failure negligently upon proof that they were notified of the requirements yet did not comply with them. That presumption may only be rebutted by the *Athlete* establishing that no negligent behavior on their part caused or contributed to the failure.

## B.2 可能存在的填报失败或错过检查的要求

**B.2.1** 如果结果管理机构证明满足下列条件的，即可认定运动员行踪信息填报失败：

- a) 运动员被正式通知：（i）已被指定纳入注册检查库；（ii）随后要求进行行踪信息申报；以及（iii）不遵守该要求的不正当行为所致的后果；
- b) 运动员未能在相关截止日期前遵守这一要求；

[条款 B.2.1 (b) 的释义：如果出现下列情况，则视为运动员未遵守行踪信息申报的要求：（i）运动员未申报行踪信息，或未依照《检查和调查国际标准》条款 4.8.8.6 的规定更新其行踪信息；或（ii）运动员申报或更新的行踪信息未包含所有所需信息（例如，下一季度每天过夜的地点，或更新中未包含每天的行踪信息，或未申报或更新该季度的常规活动）；或（iii）最初申报或更新的行踪信息不准确（例如，地址不存在）或信息不足（例如，“在黑森林中跑步”），致使反兴奋剂组织无法找到该运动员实施检查。]

- c) 如果出现第二次或第三次填报失败，依照条款 B.3.2 (d)，通知运动员先前的填报失败，（该填报失败显示在行踪信息申报中存在失误，如果不改正，将导致下一次填报失败），且在通知中建议运动员必须在通知规定的截止日期前（即收到通知后的 48 小时内）进行所需的行踪信息申报（或更新），以防再次填报失败。但运动员仍未能在通知规定的截止日期前纠正填报失败；以及

[条款 B.2.1 (c) 的释义：只需在后续填报失败可能追究运动员之前，通知运动员第一次填报失败并给他们机会避免随后的填报失败即可。特别是，在对运动员的第二次填报失败进行追究前，无需完成第一次填报失败的结果管理程序。]

- d) 运动员未能申报行踪信息至少是由于疏忽。为此，只要证明运动员已被告知相关要求但未遵守这些要求，即可推定运动员是由于疏忽而导致违反行踪信息管理规定。只有运动员才能反驳这一推定，证明其疏忽行为不会导致或促成违反行踪信息管理规定。

**B.2.2** While *Code* Article 5.2 specifies that every *Athlete* must submit to *Testing* at any time and place upon request by an *Anti-Doping Organization* with Testing Authority over them, in addition, an *Athlete* in a *Registered Testing Pool* must specifically be present and available for *Testing* on any given day during the 60-minute time slot specified for that day in their Whereabouts Filing, at the location that the *Athlete* has specified for that time slot in such filing. Where this requirement is not met by the *Athlete*, it shall be pursued as an apparent Missed Test. If the *Athlete* is tested during such a time slot, the *Athlete* must remain with the DCO until the *Sample* collection has been completed, even if this takes longer than the 60-minute time slot. A failure to do so shall be pursued as an apparent violation of *Code* Article 2.3 (refusal or failure to submit to *Sample* collection).

**B.2.3** To ensure fairness to the *Athlete*, where an unsuccessful attempt has been made to test an *Athlete* during one of the 60-minute time slots specified in their Whereabouts Filing, any subsequent unsuccessful attempt to test that *Athlete* (by the same or any other *Anti-Doping Organization*) during one of the 60-minute time slots specified in their Whereabouts Filing may only be counted as a Missed Test (or, if the unsuccessful attempt was because the information filed was insufficient to find the *Athlete* during the time slot, as a Filing Failure) against that *Athlete* if that subsequent attempt takes place after the *Athlete* has received notice, in accordance with Article B.3.2(d), of the original unsuccessful attempt.

*[Comment to Article B.2.3: All that is required is to give the Athlete notice of one Missed Test or Filing Failure before a subsequent Missed Test or Filing Failure may be pursued against them. In particular, it is not necessary to complete the Results Management process with respect to the first Missed Test or Filing Failure before pursuing a second Missed Test or Filing Failure against the Athlete.]*

**B.2.4** An *Athlete* may only be declared to have committed a Missed Test where the Results Management Authority can establish each of the following:

- a) That when the *Athlete* was given notice that they had been designated for inclusion in a *Registered Testing Pool*, they were advised that they would be liable for a Missed Test if they were unavailable for *Testing* during the 60-minute time slot specified in their Whereabouts Filing at the location specified for that time slot;
- b) That a DCO attempted to test the *Athlete* on a given day in the quarter, during the 60-minute time slot specified in the *Athlete's* Whereabouts Filing for that day, by visiting the location specified for that time slot;
- c) That during that specified 60-minute time slot, the DCO did what was reasonable in the circumstances (i.e. given the nature of the specified location) to try to locate the *Athlete*, short of giving the *Athlete* any advance notice of the test;

**B.2.2** 《条例》条款 5.2 规定，所有运动员必须在对其有检查权的反兴奋剂组织的要求下，随时随地接受兴奋剂检查。此外，注册检查库运动员特别要在其行踪信息申报的每天 60 分钟建议检查时间段内出现在指定地点，确保能够接受兴奋剂检查。如果运动员不遵守这一要求，即被视为明显的错过检查。如果运动员在这一时段内接受兴奋剂检查，则必须与兴奋剂检查官在一起，直至样本采集结束，即使这个过程要长于一小时的建议检查时间段。未能做到这一点应当被认定为明显的《条例》条款 2.3 的违规（拒绝或未完成样本采集）。

**B.2.3** 为确保对运动员公平，如果在运动员行踪信息申报的 60 分钟建议检查时间段内未成功对运动员实施兴奋剂检查，依照条款 B.3.2（d）的规定，运动员收到先前未查到通知后，随后发生了第二次未查到事件，而（由同一个反兴奋剂组织或其他反兴奋剂组织实施的）在运动员行踪信息申报的 60 分钟建议检查时间段中第二次未查到事件则只可视为错过检查（或者，如果未查到是因为申报的信息量不足，无法在该时段内找到运动员，可视为填报失败）。

[条款 B.2.3 的释义：因随后的错过检查或填报失败而追究运动员之前，所需做的只是通知运动员已有一次错过检查或填报失败。特别是，在追究运动员第二次错过检查或填报失败之前，没有必要完成第一次错过检查或填报失败的结果管理程序。]

**B.2.4** 如果结果管理机构证明满足下列条件的，即可认定运动员错过检查：

- a) 运动员被正式通知其已被选定纳入注册检查库，且被告知如果不能在其申报的 60 分钟建议检查时间段内出现在指定地点接受兴奋剂检查，即被认定错过检查；
- b) 兴奋剂检查官试图根据运动员当天的行踪信息申报，在该季度某天的 60 分钟建议检查时间段在指定的地点对运动员实施兴奋剂检查；
- c) 在指定的 60 分钟建议检查时间段内，兴奋剂检查官在当时的情况下（例如，考虑到指定地点的特点）采取了合理措施，在事先无通知的情况下尽可能寻找运动员；

*[Comment to Article B.2.4(c): Due to the fact that the making of a telephone call is discretionary rather than mandatory, and is left entirely to the absolute discretion of the Sample Collection Authority, proof that a telephone call was made is not a requisite element of a Missed Test, and the lack of a telephone call does not give the Athlete a defense to the assertion of a Missed Test.]*

- d) That Article B.2.3 does not apply or (if it applies) was complied with; and
- e) That the Athlete's non-availability for *Testing* at the specified location during the specified 60-minute time slot was at least negligent. For these purposes, the Athlete will be presumed to have been negligent upon proof of the matters set out at sub-Articles B.2.4 (a) to (d). That presumption may only be rebutted by the Athlete establishing that no negligent behavior on their part caused or contributed to their failure (i) to be available for *Testing* at such location during such time slot, and (ii) to update their most recent Whereabouts Filing to give notice of a different location where they would instead be available for *Testing* during a specified 60-minute time slot on the relevant day.

### **B.3 Results Management for a Potential Whereabouts Failure**

- B.3.1** In accordance with Code Articles 7.1.6, the Results Management Authority in relation to potential Whereabouts Failures shall be the International Federation or the *National Anti-Doping Organization* with whom the Athlete in question files their whereabouts information.

*[Comment to Article B.3.1: If an Anti-Doping Organization that receives an Athlete's Whereabouts Filing (and so is their Results Management Authority for whereabouts purposes) removes the Athlete from its Registered Testing Pool after recording one or two Whereabouts Failures against them, then if the Athlete is put in another Anti-Doping Organization's Registered Testing Pool, and that other Anti-Doping Organization starts receiving their Whereabouts Filing, then, that other Anti-Doping Organization becomes the Results Management Authority in respect of all Whereabouts Failures by that Athlete, including those recorded by the first Anti-Doping Organization. In that case, the first Anti-Doping Organization shall provide the second Anti-Doping Organization with full information about the Whereabouts Failure(s) recorded by the first Anti-Doping Organization in the relevant period, so that if the second Anti-Doping Organization records any further Whereabouts Failure(s) against that Athlete, it has all the information it needs to bring proceedings against them, in accordance with Article B.3.4, for violation of Code Article 2.4.]*

- B.3.2** When a Whereabouts Failure appears to have occurred, *Results Management* shall proceed as follows:
- a) If the apparent Whereabouts Failure has been uncovered by an attempt to test the Athlete, the Testing Authority shall timely obtain an Unsuccessful Attempt Report from the DCO. If the Testing Authority is different from the Results Management Authority, it shall provide the Unsuccessful Attempt Report to the Results Management Authority without delay, and thereafter it shall assist the Results Management Authority as necessary in obtaining information from the DCO in relation to the apparent Whereabouts Failure.

[条款B.2.4(c)的释义:拨打电话是自行决定而非强制性的行为,完全由样本采集机构自行决定,因此,证明拨打电话不是错过检查的必要条件,而不打电话也不会为运动员错过检查的认定提供辩护。]

- d) 条款 B.2.3 不适用或已得到遵守(如适用); 以及
- e) 运动员不能在 60 分钟建议检查时间段在指定地点接受兴奋剂检查至少是疏忽的缘故。为此,只要证明条款 B.2.4(a)至(d)中列出的事项,即可推定运动员是由于疏忽的原因。只有运动员才能反驳这一推定,证明其疏忽行为不会导致或促成他们未能(i)在建议检查时间段内在指定地点接受兴奋剂检查,以及(ii)更新其最新的行踪信息申报,以便使兴奋剂检查官通知他们在当天指定的 60 分钟建议检查时间段在另一地点接受兴奋剂检查。

### B.3 可能存在的违反行踪信息管理规定的结果管理

- B.3.1 可能存在的违反行踪信息管理规定的结果管理依照《条例》条款 7.1.6,与可能存在的违反行踪信息管理规定的结果管理机构应当为要求相关运动员申报行踪信息的国际单项体育联合会或国家反兴奋剂组织。

[条款 B.3.1 的释义:如果接收运动员行踪信息申报的反兴奋剂组织(因而也是其负责行踪信息的结果管理机构)在记录了运动员的一次或两次违反行踪信息管理规定的情况后,将运动员从其注册检查库撤出。其后,如果运动员被纳入另一个反兴奋剂组织的注册检查库,并且该反兴奋剂组织开始接收运动员的行踪信息申报,则该反兴奋剂组织将成为该运动员所有违反行踪信息管理规定的结果管理机构,包括第一个反兴奋剂组织记录下的违反行踪信息管理规定的。在这种情况下,第一个反兴奋剂组织应当向第二个反兴奋剂组织提供其在相关期限内记录的违反行踪信息管理规定的的所有信息。这样,第二个反兴奋剂组织再记录该运动员此后的违反行踪信息管理规定的,就拥有了所有信息,可以依照条款 B.3.4,对该运动员违反《条例》条款 2.4 的违规提起程序。]

- B.3.2 如果有迹象表明发生了违反行踪信息管理规定的,结果管理应当以如下方式进行:
  - a) 试图对运动员实施兴奋剂检查时如发现明显的违反行踪信息管理规定的,检查机构应当及时从兴奋剂检查官处获取未查到报告。如果检查机构与结果管理机构不是同一机构,应当立即向结果管理机构提供未查到报告,并在必要时协助结果管理机构从兴奋剂检查官处获取有关明显违反行踪信息管理规定的信息。

- b) The *Results Management Authority* shall timely review the file (including any Unsuccessful Attempt Report filed by the DCO) to determine whether all of the Article B.2.1 requirements (in the case of a Filing Failure) or all of the Article B.2.4 requirements (in the case of a Missed Test) are met. It shall gather information as necessary from third parties (e.g., the DCO whose test attempt uncovered the Filing Failure or triggered the Missed Test) to assist it in this task.
- c) If the *Results Management Authority* concludes that any of the relevant requirements have not been met (so that no Whereabouts Failure should be declared), it shall so advise *WADA*, the International Federation or *National Anti-Doping Organization* (as applicable), and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.
- d) If the *Results Management Authority* concludes that all of the relevant requirements as set out in B.2.1 (Filing Failure) and B.2.4 (Missed Test) have been met, it should notify the *Athlete* within fourteen (14) days of the date of the apparent Whereabouts Failure. The notice shall include sufficient details of the apparent Whereabouts Failure to enable the *Athlete* to respond meaningfully, and shall give the *Athlete* a reasonable deadline to respond, advising whether they admit the Whereabouts Failure and, if they do not admit to the Whereabouts Failure, then an explanation as to why not. The notice should also advise the *Athlete* that three (3) Whereabouts Failures in any 12-month period is a *Code* Article 2.4 anti-doping rule violation, and should note whether they had any other Whereabouts Failures recorded against them in the previous twelve (12) months. In the case of a Filing Failure, the notice must also advise the *Athlete* that in order to avoid a further Filing Failure they must file the missing whereabouts information by the deadline specified in the notice, which must be within 48 hours after receipt of the notice.
- e) If the *Athlete* does not respond within the specified deadline, the *Results Management Authority* shall record the notified Whereabouts Failure against them.
- If the *Athlete* does respond within the deadline, the *Results Management Authority* shall consider whether their response changes its original decision that all of the requirements for recording a Whereabouts Failure have been met.
- i. If so, it shall so advise the *Athlete*, *WADA*, the International Federation or *National Anti-Doping Organization* (as applicable), and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13.



- b) 结果管理机构应当及时审核文档（包括兴奋剂检查官填写的未查到报告），以确定是否满足条款 B.2.1（填报失败）或条款 B.2.4（错过检查）的全部要求。必要时结果管理机构应当从第三方（例如，兴奋剂检查官在检查过程中发现填报失败或发生了错过检查）搜集的信息，协助其完成此项工作。
- c) 如果结果管理机构认为未能满足所有相关要求（由此不可认定违反行踪信息管理规定），应当告知 WADA、国际单项体育联合会或国家反兴奋剂组织（如适用），以及发现违反行踪信息管理规定的反兴奋剂组织，并说明决定的理由。上述各方均有权依照《条例》第 13 条的规定，对上述决定提起上诉。
- d) 如果结果管理机构认为已经满足条款 B.2.1（填报失败）和 B.2.4（错过检查）的所有相关要求，应当在明显违反行踪信息管理规定的之日起 14 天内通知运动员。通知应当包括明显违反行踪信息管理规定的详细资料，以便运动员能够作出有意义的回应，还应当询问运动员是否承认违反行踪信息管理规定，要求其在合理期限内作出回应。如果运动员不承认违反行踪信息管理规定，应当解释原因。该通知还应当告知运动员，在 12 个月内累计 3 次出现违反行踪信息管理规定即构成《条例》条款 2.4 的兴奋剂违规，并提请运动员注意在过去的 12 个月内是否还有其他违反行踪信息管理规定的记录。如果有填报失败的情况，通知还应当告知运动员，为了避免再次填报失败，必须在通知规定的期限（收到通知后的 48 小时）内，补报其缺失的行踪信息。
- e) 如果运动员未在规定期限内回应，结果管理机构应当记录对其通知的违反行踪信息管理规定。

如果运动员在截止期限内回应，结果管理机构应当考虑运动员的回应是否可以改变其原有决定，即已经满足记录违反行踪信息管理规定的要求。

- i. 如果改变原有决定，结果管理机构应当通知运动员、WADA、国际单项体育联合会或国家反兴奋剂组织（如适用），以及发现违反行踪信息管理规定的反兴奋剂组织，并说明其决定的理由。上述各方均有权依照《条例》第 13 条的规定，对上述决定提起上诉。

- ii. If not, it shall so advise the *Athlete* (with reasons) and specify a reasonable deadline by which they may request an administrative review of its decision. The Unsuccessful Attempt Report shall be provided to the *Athlete* at this point if it has not been provided to them earlier in the process.
- f) If the *Athlete* does not request an administrative review by the specified deadline, the Results Management Authority shall record the notified Whereabouts Failure against them. If the *Athlete* does request an administrative review before the deadline, it shall be carried out, based on the papers only, by one or more person not previously involved in the assessment of the apparent Whereabouts Failure. The purpose of the administrative review shall be to determine anew whether or not all of the relevant requirements for recording a Whereabouts Failure are met.
- g) If the conclusion following administrative review is that all of the requirements for recording a Whereabouts Failure are not met, the Results Management Authority shall so advise the *Athlete*, WADA, the International Federation or *National Anti-Doping Organization* (as applicable), and the *Anti-Doping Organization* that uncovered the Whereabouts Failure, giving reasons for its decision. Each of them shall have a right of appeal against that decision in accordance with *Code* Article 13. On the other hand, if the conclusion is that all of the requirements for recording a Whereabouts Failure are met, it shall notify the *Athlete* and shall record the notified Whereabouts Failure against them.

**B.3.3** The Results Management Authority shall promptly report a decision to record a Whereabouts Failure against an *Athlete* to WADA and all other relevant *Anti-Doping Organizations*, on a confidential basis, via ADAMS.

*[Comment to Article B.3.3: For the avoidance of doubt, the Results Management Authority is entitled to notify other relevant *Anti-Doping Organizations* (on a strictly confidential basis) of the apparent Whereabouts Failure at an earlier stage of the *Results Management process*, where it considers it appropriate (for test planning purposes or otherwise). In addition, an *Anti-Doping Organization* may publish a general statistical report of its activities that discloses in general terms the number of Whereabouts Failures that have been recorded in respect of *Athletes* under its jurisdiction during a particular period, provided that it does not publish any information that might reveal the identity of the *Athletes* involved. Prior to any proceedings under *Code* Article 2.4, an *Anti-Doping Organization* should not Publicly Disclose that a particular *Athlete* does (or does not) have any Whereabouts Failures recorded against them (or that a particular sport does, or does not, have *Athletes* with Whereabouts Failures recorded against them).]*

- ii. 如果不改变原有决定，结果管理机构应当告知运动员（说明理由），并规定一个合理的期限，在此期限届满前，运动员可要求对该决定进行复核。如果在此过程的较早阶段没有向运动员提供未查到报告，此时应当向运动员提供该报告。
- f) 如果运动员未在规定期限内提出复核的请求，结果管理机构应当记录对其通知的违反行踪信息管理规定的行为。如果运动员在规定期限内提出复核的请求，应当由一名或多名此前未参与评审该明显违反行踪信息管理规定的行为的人员仅根据书面文件进行复核。复核的目的是重新确认是否满足了记录违反行踪信息管理规定的行为的所有相关要求。
- g) 如果复核后认为未满足记录违反行踪信息管理规定的行为的所有要求，结果管理机构应当通知运动员、WADA、国际单项体育联合会或国家反兴奋剂组织（如适用），以及发现此次违反行踪信息管理规定的反兴奋剂组织，并说明作出决定的理由。上述各方均有权依照《条例》第 13 条的规定，对上述决定提起上诉。此外，如果认为满足了记录违反行踪信息管理规定的行为的所有要求，结果管理机构应当通知运动员，并记录已通知的违反行踪信息管理规定的行为。

**B.3.3** 结果管理机构应当通过 ADAMS，以保密方式及时向 WADA 和其他相关的反兴奋剂组织报告对运动员提出的违反行踪信息管理规定的行为决定。

[条款 B.3.3 的释义：为免生疑义，结果管理机构有权在其认为适当的情况下（出于兴奋剂检查计划的目的或其他目的），在结果管理前面的阶段（以严格保密的方式）向其他相关的反兴奋剂组织告知其对运动员提出的违反行踪信息管理规定的行为。此外，反兴奋剂组织可以公布一份全面反映其兴奋剂管制活动的统计报告，大致披露对其管辖下的运动员在某一特定时期内记录的违反行踪信息管理规定的行为次数，但不得公布任何可能泄露相关运动员身份的信息。在依照《条例》条款 2.4 进行的程序前，反兴奋剂组织不得公开披露某一运动员有过（或没有）违反行踪信息管理规定的行为记录（或某一运动项目有过或没有违反行踪信息管理规定的行为运动员）。]

- B.3.4** Where three (3) Whereabouts Failures are recorded against an *Athlete* within any 12-month period, the Results Management Authority shall notify the *Athlete* and other *Anti-Doping Organizations* in accordance with Article 5.3.2 of the *International Standard for Results Management* alleging violation of *Code* Article 2.4 and proceed with *Results Management* in accordance with Article 5 et seq. of the *International Standard for Results Management*. If the Results Management Authority fails to bring such proceedings against an *Athlete* within 30-days of *WADA* receiving notice of the recording of that *Athlete's* third Whereabouts Failure in any 12-month period, then the Results Management Authority shall be deemed to have decided that no anti-doping rule violation was committed, for purposes of triggering the appeal rights set out at *Code* Article 13.2.
- B.3.5** An *Athlete* asserted to have committed a *Code* Article 2.4 anti-doping rule violation shall have the right to have such assertion determined at a full evidentiary hearing in accordance with *Code* Article 8 and Articles 8 and 10 of the *International Standard for Results Management*. The hearing panel shall not be bound by any determination made during the *Results Management* process, whether as to the adequacy of any explanation offered for a Whereabouts Failure or otherwise. Instead, the burden shall be on the *Anti-Doping Organization* bringing the proceedings to establish all of the requisite elements of each alleged Whereabouts Failure to the comfortable satisfaction of the hearing panel. If the hearing panel decides that one (or two) Whereabouts Failure(s) have been established to the required standard, but that the other alleged Whereabouts Failure(s) has/have not, then no *Code* Article 2.4 anti-doping rule violation shall be found to have occurred. However, if the *Athlete* then commits one (or two, as applicable) further Whereabouts Failure(s) within the relevant 12-month period, new proceedings may be brought based on a combination of the Whereabouts Failure(s) established to the satisfaction of the hearing panel in the previous proceedings (in accordance with *Code* Article 3.2.3) and the Whereabouts Failure(s) subsequently committed by the *Athlete*.  
*[Comment to Article B.3.5: Nothing in Article B.3.5 is intended to prevent the Anti-Doping Organization challenging an argument raised on the Athlete's behalf at the hearing on the basis that it could have been but was not raised at an earlier stage of the Results Management process.]*
- B.3.6** A finding that an *Athlete* has committed a *Code* Article 2.4 anti-doping rule violation has the following *Consequences*: (a) imposition of a period of *Ineligibility* in accordance with *Code* Article 10.3.2 (first violation) or *Code* Article 10.9 (subsequent violation(s)); and (b) in accordance with *Code* Article 10.10 (*Disqualification*, unless fairness requires otherwise) of all individual results obtained by the *Athlete* from the date of the *Code* Article 2.4 anti-doping rule violation through to the date of commencement of any *Provisional Suspension* or *Ineligibility* period, with all of the resulting *Consequences*, including forfeiture of any medals, points and prizes. For these purposes, the anti-doping rule violation

**B.3.4** 如果运动员在 12 个月内违反行踪信息管理规定的记录累计达到 3 次，结果管理机构应当通知运动员和依照《结果管理国际标准》条款 5.3.2 的规定指控其构成《条例》条款 2.4 的违规的其他反兴奋剂组织，并依照《结果管理国际标准》第 5 条及以后的规定进行结果管理。如果结果管理机构在 WADA 收到该运动员 12 个月内第 3 次违反行踪信息管理规定的记录后的 30 天内未能对该运动员提起此类程序，则应当视为结果管理机构认定该运动员未构成任何兴奋剂违规，从而触发《条例》条款 13.2 规定的上诉权。

**B.3.5** 运动员被指控构成《条例》条款 2.4 的兴奋剂违规后，应当有权依照《条例》第 8 条和《结果管理国际标准》第 8 条和第 10 条的规定，在充分举证听证会上确定这一指控。听证小组不受结果管理过程中作出的任何决定的约束，无论该决定对违反行踪信息管理规定的解释是否充分。相反，提起程序的反兴奋剂组织应当有责任证明，每一起被指控的违反行踪信息管理规定要满足所有构成要件，从而使听证小组达到放心满意的程度。如果听证小组决定已证明一起（或两起）违反行踪信息管理规定的案件符合规定的标准，但另一起（或两起）被指控的违反行踪信息管理规定的案件尚未证明达到标准，则不能认定构成了《条例》条款 2.4 的违规。但是，如果运动员在这 12 个月的期限内又发生一起（或两起，如适用）违反行踪信息管理规定，已在先前程序中满足听证小组要求的违反行踪信息管理规定（依照《条例》条款 3.2.3）将与运动员随后发生的违反行踪信息管理规定合并处理，基于此可对其提起新的程序。

[条款 B.3.5 的释义：条款 B.3.5 不妨碍反兴奋剂组织在听证会上质疑运动员方提出的论点，其依据是该论点本可以在结果管理过程前面的阶段提出，但却并未提出。]

**B.3.6** 判定运动员构成《条例》条款 2.4 的兴奋剂违规会产生以下后果：（a）依照《条例》条款 10.3.2（第一次违规）或《条例》条款 10.9（随后发生的违规），实施禁赛期；以及（b）依照《条例》条款 10.10（取消比赛成绩，除非为公平起见另有要求），取消运动员自《条例》条款 2.4 兴奋剂违规之日起直至临时停赛或禁赛期起算日所取得的所有个人成绩，以及由此产生的所有后果，包括取消所有奖牌、积分和奖金。为此，兴奋剂违规应当视为发生在听证小组认定的第 3 次

shall be deemed to have occurred on the date of the third Whereabouts Failure found by the hearing panel to have occurred. The impact of any *Code* Article 2.4 anti-doping rule violation by an individual *Athlete* on the results of any team for which that *Athlete* has played during the relevant period shall be determined in accordance with *Code* Article 11.

违反行踪信息管理规定之日。运动员个人构成的《条例》条款 2.4 兴奋剂违规对相关时间段集体项目运动队的影响，应当依照《条例》第 11 条的规定确定。

## ANNEX C – RESULTS MANAGEMENT REQUIREMENTS AND PROCEDURES FOR THE ATHLETE BIOLOGICAL PASSPORT

### C.1 Administrative Management

**C.1.1** The requirements and procedures described in this Annex apply to all modules of the *Athlete Biological Passport* except where expressly stated or implied by the context.

**C.1.2** These processes shall be administered and managed by an Athlete Passport Management Unit on behalf of the Passport Custodian. The Athlete Passport Management Unit will initially review profiles to facilitate targeting recommendations for the Passport Custodian when appropriate or refer to the Experts as required. Management and communication of the biological data, Athlete Passport Management Unit reporting and Expert reviews shall be recorded in *ADAMS* and be shared by the Passport Custodian with other *Anti-Doping Organizations* with Testing Authority over the *Athlete* to coordinate further Passport Testing as appropriate. A key element for *Athlete Biological Passport* management and communication is the Athlete Passport Management Unit Report in *ADAMS*, which provides an overview of the current status of the *Athlete's Passport* including the latest targeting recommendations and a summary of the Expert reviews.

**C.1.3** This Annex describes a step-by-step approach to the review of an *Athlete's Passport*:

- a) The review begins with the application of the Adaptive Model.
- b) In case of an *Atypical Passport Finding* or when the Athlete Passport Management Unit considers that a review is otherwise justified, an Expert conducts an initial review and returns an evaluation based on the information available at that time.
- c) In case of a "Likely doping" initial review, the Passport is then subjected to a review by three (3) Experts including the Expert who conducted the initial review.
- d) In case of a "Likely doping" consensus of the three (3) Experts, the process continues with the creation of an Athlete Biological Passport Documentation Package.
- e) An *Adverse Passport Finding* is reported by the Athlete Passport Management Unit to the Passport Custodian if the Experts' opinion is maintained after review of all information available at that stage, including the Athlete Biological Passport Documentation Package.
- f) The *Athlete* is notified of the *Adverse Passport Finding* and offered the opportunity to provide explanations.
- g) If after review of the explanations provided by the *Athlete*, the Experts maintain their unanimous conclusion that it is highly likely that the *Athlete Used a Prohibited Substance* or a *Prohibited Method*, an anti-doping rule violation is asserted against the *Athlete* by the Passport Custodian.



## 附件 C 运动员生物护照结果管理的要求及程序

### C.1 运行管理

- C.1.1** 本附件所述的要求和程序适用于运动员生物护照的所有模块，上下文有明示或暗示的除外。
- C.1.2** 这些程序应当由运动员生物护照管理团队代表护照监管方实施运行管理。运动员生物护照管理团队将对护照档案进行初审，以便在适当的时候向护照监管方提出有针对性的建议，或在必要时提交给相关专家。生物数据的管理和通知、团队的报告和专家审核都应当记录在 ADAMS 中，由护照监管方与对运动员有检查权的其他反兴奋剂组织共享，以适当协调后续的生物护照检查。运动员生物护照管理和通知的一个关键因素是 ADAMS 中运动员生物护照管理团队的报告。该报告概述了运动员生物护照的现状，包括最新的有针对性的建议和专家审核的摘要。
- C.1.3** 本附件概述了逐步审核运动员生物护照的方法：
- a) 审核从自适应模型的应用开始。
  - b) 如果出现非典型性生物护照结果，或者运动员生物护照管理团队认为有正当理由进行审核，一名专家将进行初审，根据当时已有的信息进行评估并反馈。
  - c) 如果初审意见为“可能使用兴奋剂”，则将由包括进行初审的专家在内的三名专家对护照进行复审。
  - d) 如果三名专家达成“可能使用兴奋剂”的一致意见，将进入创建运动员生物护照数据包的程序。
  - e) 如果在复审该阶段的所有可用信息(包括运动员生物护照数据包)后专家们的意见保持不变，则运动员生物护照管理团队应当向护照监管方报告生物护照阳性结果。
  - f) 将生物护照阳性结果通知运动员，并为其提供作出解释的机会。
  - g) 如果在审核运动员作出的解释后，专家们一致保持该运动员极有可能使用了某种禁用物质或禁用方法的意见，护照监管方将指控运动员兴奋剂违规。

## C.2 Initial Review Phase

### C.2.1 Review by the Adaptive Model

**C.2.1.1** In ADAMS, the Adaptive Model automatically processes data on the biological *Markers* of the *Athlete Biological Passport*. These *Markers* include primary *Markers* that are defined as the most specific to doping and secondary *Markers* that provide supporting evidence of doping in isolation or in combination with other *Markers*. The Adaptive Model predicts for an individual an expected range within which a series of *Marker* values falls assuming a normal physiological condition. Outliers correspond to those values outside of the 99%-range, from a lower limit corresponding to the 0.5th percentile to an upper limit corresponding to the 99.5th percentile (1:100 chance or less that this result is due to normal physiological variation). A specificity of 99% is used to identify *Atypical Passport Findings*. In the case of sequence deviations (sequence *Atypical Passport Findings*), the applied specificity is 99.9% (1:1000 chance or less that this is due to normal physiological variation).

**C.2.1.2** An *Atypical Passport Finding* is a result generated by the Adaptive Model in ADAMS which identifies either:

- a) a primary *Marker(s)* value(s) as being outside the *Athlete's* intra-individual range, or,
- b) a longitudinal profile consisting of (up to) the last five (5) valid primary *Marker* values as deviating from expected ranges (sequence *Atypical Passport Findings*), assuming a normal physiological condition.

An *Atypical Passport Finding* requires further attention and review.

### C.2.1.3 Primary and Secondary *Markers*

**C.2.1.3.1** For the Haematological Module, the Adaptive Model automatically processes in ADAMS two primary *Markers*, haemoglobin concentration (HGB) and stimulation index OFF-score (OFFS), and two secondary *Markers*, the reticulocyte percentage (RET%) and the Abnormal Blood Profile Score (ABPS). HGB and RET% are *Markers* measured in blood ABP Samples while OFFS and ABPS are calculated using values of *Markers* measured in blood ABP Samples.

## C.2 初审阶段

### C.2.1 由自适应模型进行审核

**C.2.1.1** 在 ADAMS 中，自适应模型自动处理运动员生物护照的生物标记物数据。这些标记物包括被定义为对识别使用兴奋剂最具特异性的主要标记物和可以单独或与其他标记物组合使用而提供使用兴奋剂支持证据的次要标记物。自适应模型假设个体在生理条件正常的情况下，预测一系列标记物值的预期范围。异常值对应 99% 范围以外的值，从对应于 0.5 个百分位的下限到对应于 99.5 百分位的上限（1:100 或更少的几率表明该结果是正常的生理变化所致）。用于识别非典型性生物护照结果的特异性采用 99%。在序列偏差（序列非典型性生物护照结果）的情况下，应用的特异性是 99.9%（1:1000 或更少的几率表明该结果是正常的生理变化所致）。

**C.2.1.2** 非典型性生物护照结果是自适应模型在 ADAMS 中产生的结果，用于识别以下任一情况：

- a) 超出运动员个体自身范围的主要标记物值，或者
- b) 假设在生理条件正常的情况下，（最多）由最后 5 个偏离预期范围（一系列非典型性护照结果）的有效主要标记物值组成的纵向档案。

非典型性生物护照结果需要进一步关注和审核。

### C.2.1.3 主要标记物和次要标记物

**C.2.1.3.1** 对于血液模块，自适应模型在 ADAMS 中自动处理 2 个主要标记物，即血红蛋白浓度（HGB）和刺激指数 OFF 值（OFFS），以及 2 个次要标记物，即网织红细胞百分比（RET%）和异常血液类型评分（ABPS）。HGB 和 RET% 是在血液 ABP 样本中测量的标记物，而 OFFS 和 ABPS 则使用血液 ABP 样本中测量的标记物值计算。

- C.2.1.3.2** The Steroidal Module comprises steroid *Markers* measured in urine and/or blood (serum) *Samples*. For urine *Samples*, the Adaptive Model automatically processes in ADAMS one primary *Marker*, the Testosterone to Epitestosterone ratio (T/E), and four (4) secondary *Markers*: the Androsterone to Testosterone ratio (A/T), the Androsterone to Etiocholanolone ratio (A/Etio), the 5 $\alpha$ -Androstane-3 $\alpha$ ,17 $\beta$ -diol to 5 $\beta$ -Androstane-3 $\alpha$ ,17 $\beta$ -diol ratio (5 $\alpha$ Adiol/5 $\beta$ Adiol) and the 5 $\alpha$ -Androstane-3 $\alpha$ ,17 $\beta$ -diol to Epitestosterone ratio (5 $\alpha$ Adiol/E). For blood *Samples*, the Adaptive Model automatically processes in ADAMS one primary *Marker*, the Testosterone to Androstenedione ratio (T/A4).
- C.2.1.3.3** For the Endocrine Module, the Adaptive Model automatically processes in ADAMS one primary *Marker*, the GH-2000 score calculated using a formula including two (2) secondary *Markers*, insulin-like growthfactor-I (IGF-I) and N-terminal propeptide of type III collagen (P-III-NP) measured in blood (serum) *Samples*.
- C.2.1.4** Departure from WADA Athlete Biological Passport requirements
- C.2.1.4.1** If there is a departure from *WADA Athlete Biological Passport* requirements for *Sample* collection, transport and analysis, the biological *Marker* result obtained from this *Sample* affected by the non-conformity shall not be considered in the Adaptive Model calculations (for example, RET% can be affected but not HGB under certain transportation conditions).
- C.2.1.4.2** A *Marker* result which is not affected by the non-conformity can still be considered in the Adaptive Model calculations. In such case, the Athlete Passport Management Unit shall provide the specific explanations supporting the inclusion of the result(s). In all cases, the *Sample* shall remain recorded in the *Athlete's* Passport. The Experts may include all results in their review provided that their conclusions may be validly supported when taking into account the effects of the non-conformity.

**C.2.1.3.2** 类固醇模块包含在尿液样本和 / 或血液（血清）样本中测量的类固醇标记物。对于尿液样本，自适应模型在 ADAMS 中自动处理一个主要标记物，即睾酮与表睾酮的比值（T/E），以及 4 个次要标记物，即雄酮与睾酮的比值（A/T），雄酮与胆烷醇酮的比值（A/Etio），5 $\alpha$ -雄烷-3 $\alpha$ ,17 $\beta$ -二醇与 5 $\beta$ -雄烷-3 $\alpha$ ,17 $\beta$ -二醇的比值（5 $\alpha$  Adiol/5 $\beta$  Adiol）和 5 $\alpha$ -雄烷-3 $\alpha$ ,17 $\beta$ -二醇与表睾酮比值（5 $\alpha$  Adiol/E）。对于血液样本，自适应模型在 ADAMS 中自动处理一个主要标记物，即睾酮与雄烯二酮的比值（T/A4）。

**C.2.1.3.3** 对于内分泌模块，自适应模型在 ADAMS 中依据包含 2 个次要标记物（胰岛素样生长因子 -I（IGF-I）和 III 型胶原 N 端前肽（P-III-NP）在血液（血清）样本中的浓度）的公式，自动计算一个主要标记物即 GH-2000 的分值。

#### **C.2.1.4 偏离 WADA 运动员生物护照要求**

**C.2.1.4.1** 如果样本采集、传送和检测偏离了 WADA 运动员生物护照要求，则在自适应模型计算中，不应考虑从受不符合项影响的样本中获得的生物标记物结果（例如，在某些传送条件下，RET% 可能会受到影响，但 HGB 不会受到影响）。

**C.2.1.4.2** 在自适应模型计算中，仍可考虑受不符合项影响的标记物结果。在这种情况下，运动员生物护照管理团队应当提供支持采纳结果的具体说明。无论在哪种情况下，样本都应当记录在运动员的生物护照上。专家们可以将所有结果纳入其审核，但前提是在考虑不符合项的影响时，其结论可得到有效支持。

## C.2.2 The Initial Expert Review

**C.2.2.1** A Passport generating an *Atypical Passport Finding*, or for which a review is otherwise justified, shall be sent by the Athlete Passport Management Unit to an Expert for review in *ADAMS*. This should take place within seven (7) days following the generation of the *Atypical Passport Finding* in *ADAMS*. The review of the Passport shall be conducted based on the Passport and other basic information (e.g. *Competition* schedules), which may be available, such that the Expert is blinded to the identity of the *Athlete*. The Expert shall provide the individual report in *ADAMS* and this should take place within seven (7) days after receipt of the request.

**C.2.2.2** If a Passport has been recently reviewed by an Expert and the Passport Custodian is in the process of executing a specific *multi-Sample Testing* strategy on the *Athlete*, the Athlete Passport Management Unit may delay the review of a Passport generating an *Atypical Passport Finding* triggered by one of the *Samples* collected in this context until completion of the planned series of tests. In such situations, the Athlete Passport Management Unit shall clearly indicate the reason for delaying the review of the Passport in the Athlete Passport Management Unit Report.

**C.2.2.3** If the first and unique result in a Passport is flagged as an *Atypical Passport Finding* by the Adaptive Model, the Athlete Passport Management Unit may recommend the collection of an additional *Sample* before initiating the initial Expert review.

**C.2.2.4** Review in the absence of an *Atypical Passport Finding*

**C.2.2.4.1** A Passport may also be sent for Expert review in the absence of an *Atypical Passport Finding* where the Passport includes other elements otherwise justifying a review.

These elements may include, without limitation:

- a) Data not considered in the Adaptive Model;
- b) Any abnormal levels and/or variations of *Marker(s)*;
- c) Signs of hemodilution in the haematological Passport;
- d) *Marker* levels below the corresponding Limit of Quantification of the assay; or
- e) Intelligence in relation to the *Athlete* concerned.

## C.2.2 一名专家进行初审

**C.2.2.1** 对于产生非典型性生物护照结果的护照，或认为有正当理由需要进行审核的护照，应当由运动员生物护照管理团队在 ADAMS 中发送给一名专家进行审核。这项工作应当在产生非典型性生物护照结果后的 7 天内 ADAMS 中进行。护照审核应当根据护照和其他可能获得、但专家无法获取运动员身份的基本信息（例如比赛日程）进行。专家应当在收到请求后 7 天内 ADAMS 中提供个人报告。

**C.2.2.2** 如果护照近期已由专家审核，并且护照监管方正在对运动员实施特定的多次采样检查策略，则运动员生物护照管理团队可以在完成一系列计划检查前，推迟审核在这种情况下由采集的其中一个样本触发的、产生非典型性生物护照结果的护照。在这种情况下，运动员生物护照管理团队应当在运动员生物护照管理团队报告中明确说明推迟护照审核的原因。

**C.2.2.3** 如果护照中第一个且唯一一个结果被自适应模型标记为非典型性生物护照结果，则运动员生物护照管理团队可建议在启动专家初审前采集额外的样本。

**C.2.2.4** 在没有非典型性生物护照结果的情况下进行审核

**C.2.2.4.1** 在没有发现非典型性生物护照的情况下，如果护照包含需要进行审核的其他要素，也可将护照送交专家审核。

这些要素可以包括但不限于：

- a) 自适应模型未考虑的数据；
- b) 标记物的任何异常水平和 / 或变化；
- c) 血液护照中血液稀释的迹象；
- d) 标记物水平低于检测方法的相应定量限；或者
- e) 与该运动员相关的情报。

**C.2.2.4.2** An Expert review initiated in the above-mentioned situations may result in the same *Consequences* as an Expert review triggered by an *Atypical Passport Finding*.

**C.2.2.5** Expert Evaluation

**C.2.2.5.1** When evaluating a Passport, an Expert weighs the likelihood that the Passport is the result of the *Use of a Prohibited Substance or Prohibited Method* against the likelihood that the Passport is the result of a normal physiological or pathological condition in order to provide one of the following opinions: “Normal”, “Suspicious”, “Likely doping” or “Likely medical condition”. For a “Likely doping” opinion, the Expert shall come to the conclusion that the likelihood that the Passport is the result of the *Use of a Prohibited Substance or Prohibited Method* outweighs the likelihood that the Passport is the result of a normal physiological or pathological condition.

*[Comment to Article C.2.2.5.1: When evaluating competing propositions, the likelihood of each proposition is evaluated by the Expert based on the evidence available for that proposition. It is acknowledged that it is the relative likelihoods (i.e., likelihood ratio) of the competing propositions that ultimately determine the Expert's opinion. For example, where the Expert is of the view that a Passport is highly likely the result of the *Use of a Prohibited Substance or Prohibited Method*, it is necessary for a “Likely doping” evaluation that the Expert consider that it is unlikely that it may be the result of a normal physiological or pathological condition. Similarly, where the Expert is of the view that a Passport is likely the result of the *Use of a Prohibited Substance or Prohibited Method*, it is necessary for a “Likely doping” evaluation that the Expert consider that it is highly unlikely that it may be the result of a normal physiological or pathological condition.]*

**C.2.2.5.2** To reach a conclusion of “Likely doping” in the absence of an *Atypical Passport Finding*, the Expert shall come to the opinion that it is highly likely that the Passport is the result of the *Use of a Prohibited Substance or Prohibited Method* and that it is highly unlikely that the Passport is the result of a normal physiological or pathological condition.



**C.2.2.4.2** 在上述情况下启动的专家审核可能产生与非典型性生物护照结果触发的专家审核相同的后果。

**C.2.2.5 专家评估**

**C.2.2.5.1** 在评估护照时，专家要权衡护照是使用禁用物质或禁用方法所致可能性与护照是正常生理或病理状态所致可能性，从而提供下列一种意见：“正常”“可疑”“可能使用兴奋剂”或“可能是医疗状况”。对于“可能使用兴奋剂”的意见，专家应当得出结论，即护照是使用禁用物质或禁用方法所致可能性大于护照是正常生理或病理状态所致可能性。

[条款 C.2.2.5.1 的释义：在评估有争议的专家意见时，专家根据该意见现有证据评估每条意见的可能性。众所周知，最终决定专家意见的是有争议的意見的相对可能性（即似然比）。例如，如果专家认为某一护照极有可能是使用了禁用物质或禁用方法所致，则有必要进行“可能使用兴奋剂”的评估，即专家认为该护照不可能是由正常生理或病理情况所致。同样，如果专家认为护照有可能是使用了禁用物质或禁用方法所致，则有必要进行“可能使用兴奋剂”的评估，即专家认为这极不可能是正常的生理或病理状况所致。]

**C.2.2.5.2** 要在没有非典型性生物护照结果的情况下得出“可能使用兴奋剂”的结论，专家应当认为该护照极有可能是使用禁用物质或禁用方法所致，极不可能是正常生理或病理状态所致。

### C.2.3 Consequences of the Initial Review

Depending on the outcome of the initial review, the Athlete Passport Management Unit will take the following action:

<b>Expert Evaluation</b>	<b><u>Athlete Passport Management Unit</u> Action</b>
<b>“Normal”</b>	Continue normal <i>Testing</i> plan.
<b>“Suspicious”</b>	Provide recommendations to the <u>Passport Custodian</u> for <i>Target Testing</i> , <i>Sample</i> analysis and/or requesting further information as required.
<b>“Likely doping”</b>	Send to a panel of three (3) <u>Experts</u> , including the initial <u>Expert</u> , as per section C.2 of this Annex C.
<b>“Likely medical condition”</b>	If recommended by the <u>Expert</u> , inform the <i>Athlete</i> as soon as possible via the <u>Passport Custodian</u> (or send to other <u>Experts</u> ).

*[Comment to Article C.2.3: The Athlete Biological Passport is a tool to detect the possible Use of Prohibited Substance(s) or Prohibited Method(s) and it is not intended as a health check or for medical monitoring. It is important that the Passport Custodian educate the Athletes to ensure that they undergo regular health monitoring and not rely on the Athlete Biological Passport for this purpose. Nevertheless, the Passport Custodian should inform the Athlete in case the Passport indicates a likely pathology as determined by the Experts.]*

## C.3 Review by Three (3) Experts

**C.3.1** In the event that the opinion of the appointed Expert in the initial review, pending other explanation to be provided at a later stage, is that of “Likely doping”, the Passport shall then be sent by the Athlete Passport Management Unit to two (2) additional Experts for review. This should take place within seven (7) days after the reporting of the initial review. These additional reviews shall be conducted without knowledge of the initial review. These three (3) Experts now constitute the Expert Panel, composed of the Expert appointed in the initial review and these two (2) other Experts.

**C.3.2** The review by the three (3) Experts must follow the same procedure, where applicable, as presented in section C.2.2 of this Annex. The three (3) Experts shall each provide their individual reports in ADAMS. This should take place within seven (7) days after receipt of the request.

**C.3.3** The Athlete Passport Management Unit is responsible for liaising with the Experts and for advising the Passport Custodian of the subsequent Expert assessment. The Experts can request further information, as they deem relevant for their review, notably information related to medical conditions, *Competition* schedule and/or *Sample(s)* analysis results. Such requests are directed via the Athlete Passport Management Unit to the Passport Custodian.

### C.2.3 初审结果

根据初审的结果，运动员生物护照管理团队将采取以下措施：

专家评估意见	运动员生物护照管理团队采取的措施
“正常”	继续常规的检查计划。
“可疑”	向护照监管方提供关于进行目标检查、样本检测的建议和 / 或要求提供所需的进一步信息。
“可能使用兴奋剂”	依照本附件 C.2 节的规定，将护照送交三名专家组成的专家组，包括初审专家。
“可能是医疗状况”	如果专家提出此意见，尽快通过护照监管方通知运动员（或发送给其他专家）。

[条款 C.2.3 的释义：运动员生物护照是发现可能使用禁用物质或禁用方法的工具，不用于健康检查或医学监测。重要的是，护照监管方应当教育运动员定期接受健康监测，而不是依赖运动员生物护照达此目的。然而，如果专家确定生物护照显示可能有病理状况，护照监管方应当通知运动员。]

## C.3 三名专家进行复审

- C.3.1** 如果指定专家在初审时认为“可能使用兴奋剂”，则在稍后提供其他解释前，运动员生物护照管理团队应当将护照送交另外两名专家复审。这项工作应当在初审报告后 7 天内进行。此类进一步的复审应当在另外两名专家不知道进行过初审，或不知道初审结果的情况下进行。这三名专家组成专家组，包括初审中指定的专家和其他两名专家。
- C.3.2** 三名专家必须遵循本附件 C.2.2 节规定的相同程序（如适用）进行复审。三名专家应当在 ADAMS 中分别提交各自的报告。这项工作应当在收到请求后 7 天内进行。
- C.3.3** 运动员生物护照管理团队负责联系专家，并就随后的专家评审结果向护照监管方提出建议。专家可要求得到其认为与复审相关的进一步信息，特别是与医疗状况、比赛日程和 / 或样本检测结果的相关信息。此类请求应当由运动员生物护照管理团队向护照监管方提出。

**C.3.4** A unanimous opinion among the three (3) Experts is necessary in order to proceed further towards declaring an *Adverse Passport Finding*, which means that all three (3) Experts render an opinion of “Likely doping”. The conclusion of the Experts must be reached with the three (3) Experts assessing the *Athlete’s Passport* with the same data.

*[Comment to Article C.3.4: The three (3) Expert opinions cannot be accumulated over time based on different data.]*

**C.3.5** To reach a conclusion of “Likely doping” in the absence of an *Atypical Passport Finding*, the Expert Panel shall come to the unanimous opinion that it is highly likely that the Passport is the result of the *Use* of a *Prohibited Substance* or *Method* and that there is no reasonably conceivable hypothesis under which the Passport is the result of a normal physiological condition and highly unlikely that it is the result of pathological condition.

**C.3.6** In the case when two (2) Experts evaluate the Passport as “Likely doping” and the third Expert as “Suspicious”, the *Athlete Passport Management Unit* shall promptly confer with the Expert Panel before they finalize their opinion. The group can also seek advice from an appropriate outside Expert, although this must be done while maintaining strict confidentiality of the *Athlete’s Personal Information*.

**C.3.7** If no unanimity can be reached among the three (3) Experts, the *Athlete Passport Management Unit* shall promptly report the Passport as “Suspicious”, update the *Athlete Passport Management Unit Report*, and recommend that the Passport Custodian pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate.

#### **C.4 Conference Call, Compilation of the Athlete Biological Passport Documentation Package and Joint Expert Report**

**C.4.1** If a unanimous opinion of “Likely doping” is rendered by all three (3) Experts, the *Athlete Passport Management Unit* shall promptly declare a “Unanimous likely doping” evaluation in the *Athlete Passport Management Unit Report* in *ADAMS* and should organize a conference call with the Expert Panel to initiate the next steps for the case, including proceeding with the compilation of the *Athlete Biological Passport Documentation Package* (see *Technical Document for Athlete Passport Management Units*) and drafting of the joint Expert report. In preparation for this conference call, the *Athlete Passport Management Unit* should coordinate with the Passport Custodian to compile any potentially relevant information to share with the Experts (e.g. suspicious analytical findings, relevant intelligence and relevant pathophysiological information).

- C.3.4** 三位专家必须达成一致意见，才能进一步认定生物护照阳性结果，这意味着三名专家均提交“可能使用兴奋剂”的意见。三名专家必须使用相同的数据评审运动员的护照，进而得出专家结论。

[条款 C.3.4 的释义：三名专家的意见不能根据不同的数据长期积累得出。]

- C.3.5** 要在没有非典型性生物护照结果的情况下得出“可能使用兴奋剂”的结论，专家组应当一致认为，护照极有可能是使用禁用物质或禁用方法所致，并且不存在合理的可以想见的假设表明护照是正常生理状况所致，并且极不可能是病理状况的结果。
- C.3.6** 如果两名专家将护照评估为“可能使用兴奋剂”，而第三名专家评估为“可疑”，运动员生物护照管理团队应当在专家组达成最终意见前，及时与其进行协商。运动员生物护照管理团队还可适当地寻求外部专家的建议，但必须对运动员的个人信息严格保密。
- C.3.7** 如果三名专家无法达成一致意见，运动员生物护照管理团队应当及时将护照报告为“可疑”，更新运动员生物护照管理团队报告，并建议护照监管方适当地对运动员追加检查和 / 或收集情报（参见《信息收集和情报共享指南》）。

#### **C.4 电话会议、运动员生物护照数据包的汇编和专家联名报告**

- C.4.1** 如果三名专家就“可能使用兴奋剂”达成一致意见，则运动员生物护照管理团队应当及时在 ADAMS 中的运动员生物护照管理团队报告中认定“一致认为可能使用兴奋剂”的评估结果，并组织专家组召开电话会议，启动案件的后续工作，包括着手汇编运动员生物护照数据包（参见《运动员生物护照管理团队技术文件》），并起草专家联名报告。在筹备本次电话会议时，运动员生物护照管理团队应当协调护照监管方，汇编任何潜在相关信息（例如，可疑的检测结果、相关情报和相关病理生理学信息），以便与专家分享。

- C.4.2** Once completed, the *Athlete Biological Passport Documentation Package* shall be sent by the *Athlete Passport Management Unit* to the *Expert Panel*, who will review it and provide a joint *Expert* report to be signed by all three (3) *Experts*. The conclusion within the joint *Expert* report shall be reached without interference from the *Passport Custodian*. If necessary, the *Expert Panel* may request complementary information from the *Athlete Passport Management Unit*.
- C.4.3** At this stage, the identity of the *Athlete* is not mentioned but it is accepted that specific information provided may allow to identify the *Athlete*. This shall not affect the validity of the process.
- C.4.4** If after review of the *Athlete Biological Passport Documentation Package*, the *Expert Panel* is no longer unanimous in their opinion of “Likely doping”, the *Expert Panel* shall update their respective opinions in ADAMS and the *Athlete Passport Management Unit* shall update the *Athlete Passport Management Unit Report* accordingly.

## **C.5 Issuing an *Adverse Passport Finding***

- C.5.1** If the *Expert Panel* confirms their unanimous position of “Likely doping”, the *Athlete Passport Management Unit* shall promptly declare an *Adverse Passport Finding* in ADAMS that includes a written statement of the *Adverse Passport Finding*, the *Athlete Biological Passport Documentation Package* and the joint *Expert* report.
- C.5.2** After reviewing the *Athlete Biological Passport Documentation Package* and joint *Expert* report, the *Passport Custodian* shall:
- Notify the *Athlete* of the *Adverse Passport Finding* in accordance with Article 5.3.2;
  - Provide the *Athlete* the *Athlete Biological Passport Documentation Package* and the joint *Expert* report;
  - Invite the *Athlete* to provide their own explanation, in a timely manner, of the data provided to the *Passport Custodian*.

## **C.6 Review of Explanation from *Athlete* and Disciplinary Proceedings**

- C.6.1** Upon receipt of any explanation and supporting information from the *Athlete*, which should be received within the specified deadline, the *Athlete Passport Management Unit* shall forward it to the *Expert Panel* for review with any additional information that the *Expert Panel* considers necessary to render its opinion in coordination with both the *Passport Custodian* and the *Athlete Passport Management Unit*, and update their recommendation in ADAMS as “Athlete’s explanation provided to Expert panel”. At this stage, the review is no longer anonymous. The *Expert Panel* shall promptly reassess or reassert the case and reach one of the following conclusions:
- Unanimous opinion of “Likely doping” by the *Experts* based on the information in the *Passport* and any explanation provided by the *Athlete*; or
  - Based on the available information, the *Experts* are unable to reach a unanimous opinion of “Likely doping” set forth above.

- C.4.2 运动员生物护照数据包汇编完成后，运动员生物护照管理团队应当将该文件包发送给专家组。专家组将进行审核并提交一份由三名专家签名的专家联名报告。专家联名报告的结论不应当受到护照监管方的干涉。如有必要，专家组可以要求生物护照管理团队补充资料。
- C.4.3 此阶段不能提及运动员的身份，但允许提供某些可以识别运动员身份的具体信息。这不应当影响该程序的有效性。
- C.4.4 如果专家组在审核运动员生物护照数据包后，不再一致认为“可能使用兴奋剂”，专家组应当在 ADAMS 中更新各自意见，运动员生物护照管理团队应当更新相应的运动员生物护照管理团队报告。

## C.5 发出生物护照阳性结果

- C.5.1 如果专家组确认其一一致作出的“可能使用兴奋剂”的结论，运动员生物护照管理团队应当及时在 ADAMS 中发布生物护照阳性结果，其中包括生物护照阳性结果的书面意见、运动员生物护照数据包和专家联名报告。
- C.5.2 审核运动员生物护照数据包和专家联名报告后，护照监管方应当：
  - a) 依照条款 5.3.2 的规定，通知运动员生物护照阳性结果；
  - b) 向运动员提供运动员生物护照数据包和专家联名报告；
  - c) 要求运动员及时对提交给护照监管方的材料作出解释。

## C.6 审核运动员的解释和纪律程序

- C.6.1 在规定期限内收到运动员提供的解释和支撑材料后，运动员生物护照管理团队应当将上述材料，连同专家组与护照监管方和运动员生物护照管理团队协商后认为其提出意见所需要的任何补充资料，转交给专家组审核，并在 ADAMS 中将其建议更新为“已向专家组提供运动员解释”。在此阶段，不再实行匿名审核。专家组应当及时再次评审或重新审查案件，并得出以下结论：
  - a) 专家根据护照信息和任何运动员的解释，一致认为“可能使用兴奋剂”；或
  - b) 专家根据现有资料，无法就上述“可能使用兴奋剂”达成一致意见。

*[Comment to Article C.6.1: Such a reassessment shall also take place when the Athlete does not provide any explanation.]*

- C.6.2** If the Expert Panel expresses the opinion set forth in section C.6.1(a), then the *Athlete* Passport Management Unit shall promptly update their recommendation in *ADAMS* as “APF confirmed” and inform the Passport Custodian, who shall charge the *Athlete* in accordance with Article 7 above and continue with *Results Management* in accordance with this *International Standard*.
- C.6.3** If the Expert Panel expresses the opinion set forth in section C.6.1(b), the Expert Panel shall promptly update their respective opinions in *ADAMS* and the Athlete Passport Management Unit shall update the Athlete Passport Management Unit Report, accordingly, and recommend the Passport Custodian to pursue additional *Testing* and/or gather intelligence on the *Athlete* (refer to Information Gathering and Intelligence Sharing Guidelines), as appropriate. The Passport Custodian shall notify the *Athlete* and *WADA* of the outcome of the review.

## **C.7 Passport Re-setting**

- C.7.1** In the event the *Athlete* has been found to have committed an anti-doping rule violation based on the Passport, the *Athlete's* Passport shall be reset by the Passport Custodian at the start of the relevant period of *Ineligibility* and a new Biological Passport ID shall be assigned in *ADAMS*. This maintains the *Athlete's* anonymity for potential Athlete Passport Management Unit and Expert Panel reviews conducted in the future.
- C.7.2** When an *Athlete* is found to have committed an anti-doping rule violation on any basis other than the *Athlete Biological Passport*, the Passport will remain in effect, except in those cases where the *Prohibited Substance* or *Prohibited Method* may have altered Passport Markers (e.g. for an *AAF* reported for anabolic androgenic steroids, which may affect the *Markers* of the steroid profile, or for the *Use of Agents Affecting Erythropoiesis* or blood transfusions, which would alter the haematological *Markers*). The Passport Custodian shall consult with their Athlete Passport Management Unit following an *Adverse Analytical Finding* to determine whether a Passport reset is warranted. In such instances, the *Athlete's* profile(s) would be reset from the time of the beginning of the sanction.



[条款 C.6.1 的释义：即使运动员不提供任何解释，也应当重新进行此类评审。]

- C.6.2 如果专家组表达了 C.6.1 (a) 节所述的意见，运动员生物护照管理团队应当及时在 ADAMS 中将其建议更新为“已确认为生物护照阳性结果”，并通知护照监管方，由护照监管方依照正文第 7 条的规定向运动员提出指控，并依照本国际标准进行结果管理。
- C.6.3 如果专家组表达了 C.6.1 (b) 节所述的意见，专家组应当及时在 ADAMS 中更新各自意见，运动员生物护照管理团队应当更新相应的运动员生物护照管理团队报告，并建议护照监管方适当地对运动员追加检查和 / 或收集情报（参见《信息收集和情报共享指南》）。护照监管方应当将审核结果通知运动员和 WADA。

## C.7 重置护照

- C.7.1 如果已经根据护照发现运动员构成了兴奋剂违规，护照监管方应当在相关禁赛期开始时重置运动员生物护照，并在 ADAMS 中为运动员分配新的生物护照编号。这样可以在将来可能进行的运动员生物护照管理团队和专家组审核中保证运动员的匿名性。
- C.7.2 如果发现运动员构成运动员生物护照以外的兴奋剂违规，护照继续有效，除非在某些情况下禁用物质或禁用方法可能已改变护照标记物（例如，报告为蛋白同化雄性类固醇的阳性检测结果可能影响类固醇档案标记物，使用影响红细胞生成制剂或血液回输可能改变血液标记物）。护照监管方应当在发现阳性检测结果后与运动员生物护照管理团队协商，确定是否有必要重置护照。在这种情况下，运动员的档案将从处罚开始之日起重置。

