WORLD ANTI-DOPING CODE 2021

世界アンチ・ドーピング規程

2021年1月1日発効

公益財団法人 日本アンチ・ドーピング機構
World Anti-Doping Code

The World Anti-Doping Code was first adopted in 2003 and took effect in 2004. It was subsequently amended four times, the first time effective 1 January 2009, the second time effective 1 January 2015, the third time effective 1 April 2018 (compliance amendments) and the fourth time effective 1 June 2019 (reporting of certain endogenous substances as Atypical Findings). The revised 2021 World Anti-Doping Code is effective as of 1 January 2021.

Published by:
World Anti-Doping Agency
Stock Exchange Tower
800 Place Victoria (Suite 1700)
PO Box 120
Montreal, Quebec
Canada H4Z 1B7

URL: www.wada-ama.org
Tel: +1 514 904 9232
Fax: +1 514 904 8650
E-mail: code@wada-ama.org

World Anti-Doping Code 2021

世界アンチ・ドーピング規程

世界アンチ・ドーピング規程は、2003年に採択され、2004年に発効した。その後、4回改定された。一次目の改定は2009年1月1日に発効し、二次目の改定は2015年1月1日に発効し、三回目の改定は2018年4月1日に発効し（コンプライアンス改定）、四回目の改定は2019年6月1日に発効した（特定の内因性の物質の報告）。改定された2021年世界アンチ・ドーピング規程は、2021年1月1日に発効する。

発行者:
World Anti-Doping Agency
Stock Exchange Tower
800 Place Victoria (Suite 1700)
PO Box 120
Montreal, Quebec
Canada H4Z 1B7

URL: www.wada-ama.org
Tel: +1 514 904 9232
Fax: +1 514 904 8650
E-mail: code@wada-ama.org

世界アンチ・ドーピング規程 2021
Table of Contents
PURPOSE, SCOPE AND ORGANIZATION OF THE WORLD ANTI-DOPING PROGRAM AND THE CODE .................................................. 8
The Code ............................................................................................................. 8
The World Anti-Doping Program ........................................................................ 9
International Standards ...................................................................................... 9
Technical Documents ........................................................................................ 10
Models of Best Practice and Guidelines .......................................................... 10
FUNDAMENTAL RATIONAL FOR THE WORLD ANTI-DOPING CODE ....... 10
PART ONE DOPING CONTROL
INTRODUCTION .................................................................................................. 13
ARTICLE 1 DEFINITION OF DOPING ................................................................. 14
ARTICLE 2 ANTI-DOPING RULE VIOLATIONS .................................................. 15
  2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample ................................................................. 15
  2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method ........................................................................ 15
  2.3 Evading, Refusing or Failing to Submit to Sample Collection by an Athlete .......................................................................................... 16
  2.4 Whereabouts Failures by an Athlete .......................................................... 16
  2.5 Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person ................................................................. 17
  2.6 Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person .......................................................... 17
  2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person ............................. 17
  2.8 Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition ........................................... 18
  2.9 Complicity or Attempted Complicity by an Athlete or Other Person ........ 18
  2.10 Prohibited Association by an Athlete or Other Person ............................. 18
  2.11 Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities Where such conduct does not otherwise constitute a violation of Article 2.5: ......................................................... 20
ARTICLE 3 PROOF OF DOPING ........................................................................ 21
  3.1 Burdens and Standards of Proof .................................................................. 21
  3.2 Methods of Establishing Facts and Presumptions ..................................... 21
ARTICLE 4 THE PROHIBITED LIST ............................................................... 24
  4.1 Publication and Revision of the Prohibited List .......................................... 24

World Anti-Doping Code 2021

第1部 ドーピングの定義

第2条：アンチ・ドーピング規則違反

第3条：ドーピングの証明

第4条：禁止表
ARTICLE 4  RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS ......................................................... 40

7.1 Responsibility for Conducting Results Management .................................. 40
7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations .. 43
7.3 Identification of Prior Anti-Doping Rule Violations ...................................... 43
7.4 Principles Applicable to Provisional Suspensions ......................................... 43
7.5 Results Management Decisions ................................................................. 45
7.6 Notification of Results Management Decisions ........................................... 46
7.7 Retirement from Sport .................................................................................. 46

ARTICLE 8  RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION .................................................. 47

8.1 Fair Hearings ............................................................................................... 47
8.2 Event Hearings ............................................................................................. 47
8.3 Waiver of Hearing ......................................................................................... 47
8.4 Notice of Decisions ....................................................................................... 48
8.5 Single Hearing Before CAS ......................................................................... 48

ARTICLE 9  AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS .......... 48

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List .......................................................... 25
4.3 Criteria for Including Substances and Methods on the Prohibited List ...... 26
4.4 Therapeutic Use Exemptions ("TUEs") ......................................................... 27
4.5 Monitoring Program .................................................................................... 31

ARTICLE 5  TESTING AND INVESTIGATIONS ............................................... 32
5.1 Purpose of Testing and Investigations ......................................................... 32
5.2 Authority to Test .......................................................................................... 32
5.3 Event Testing ............................................................................................... 33
5.4 Testing Requirements .................................................................................. 34
5.5 Athlete Whereabouts Information ............................................................... 34
5.6 Retired Athletes Returning to Competition ................................................ 35
5.7 Investigations and Intelligence Gathering .................................................... 36

ARTICLE 6  ANALYSIS OF SAMPLES ............................................................ 36
6.1 Use of Accredited, Approved Laboratories and Other Laboratories ........ 36
6.2 Purpose of Analysis of Samples and Data .................................................... 37
6.3 Research on Samples and Data ..................................................................... 37
6.4 Standards for Sample Analysis and Reporting ............................................. 37
6.5 Further Analysis of a Sample Prior to or During Results Management ...... 38
6.6 Further Analysis of a Sample After it has been Reported as Negative or has Otherwise Not Resulted in an Anti-Doping Rule Violation Charge .......... 38
6.7 Split of A or B Sample .................................................................................. 39
6.8 WADA’s Right to Take Possession of Samples and Data .............................. 39

ARTICLE 7  TESTING AND INVESTIGATIONS ............................................... 32
5.1 Purpose of Testing and Investigations ......................................................... 32
5.2 Authority to Test .......................................................................................... 32
5.3 Event Testing ............................................................................................... 33
5.4 Testing Requirements .................................................................................. 34
5.5 Athlete Whereabouts Information ............................................................... 34
5.6 Retired Athletes Returning to Competition ................................................ 35
5.7 Investigations and Intelligence Gathering .................................................... 36
ARTICLE 10 SANCTIONS ON INDIVIDUALS ................................................................. 49
  10.1 Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs ........................................... 49
  10.2 Ineligibility for Presence, Use or Attempted Use or Possession of a Prohibited Substance or Prohibited Method .......................... 50
  10.3 Ineligibility for Other Anti-Doping Rule Violations .......................................................... 51
  10.4 Aggravating Circumstances which may Increase the Period of Ineligibility ......................................................... 53
  10.5 Elimination of the Period of Ineligibility where there is No Fault or Negligence .......................................................... 53
  10.6 Elimination, Reduction, or Suspension of Period of Ineligibility or Other Consequences for Reasons Other than Fault ........................................ 56
  10.7 Results Management Agreements ............................................................... 59
  10.8 Multiple Violations ...................................................................................... 61
  10.9 Forfeited Prize Money .................................................................................. 63
  10.10 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation .......................... 63
  10.11 Financial Consequences .............................................................................. 64
  10.12 Commencement of Ineligibility Period ............................................................ 64
  10.13 Status during Ineligibility or Provisional Suspension ........................................ 66
  10.14 Provisional Suspension .............................................................................. 68

ARTICLE 11 CONSEQUENCES TO TEAMS ................................................................. 68
  11.1 Testing of Team Sports ................................................................................... 68
  11.2 Consequences for Team Sports ....................................................................... 68
  11.3 Event Ruling Body or International Federation may Establish Stricter Consequences for Team Sports ........................................... 68

ARTICLE 12 SANCTIONS BY SIGNATORIES AGAINST OTHER SPORTING BODIES 69

ARTICLE 13 RESULTS MANAGEMENT: APPEALS .................................................. 69
  13.1 Decisions Subject to Appeal ............................................................................ 69
  13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority .................................................. 71
  13.3 Failure to Render a Timely Decision by an Anti-Doping Organization ................................. 74
  13.4 Appeals Relating to TUEs ............................................................................... 74
  13.5 Notification of Appeal Decisions ...................................................................... 75
  13.6 Appeals from Decisions under Article 24.1 ..................................................... 75
  13.7 Appeals from Decisions Suspending or Revoking Laboratory Accreditation ............................. 75

ARTICLE 14 CONFIDENTIALITY AND REPORTING .................................................. 75
  14.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and other Asserted Anti-Doping Rule Violations ......................... 75
  14.2 Notice of Anti-Doping Rule Violation or Violations of Ineligibility or Provisional Suspension Decisions and Request for Files ........................................ 76

第10条 個人に対する制裁措置 .......................................................... 49
  10.1 アンチ・ドーピング規則違反が発生した競技大会における成績の無効 ........................................ 49
  10.2 禁止物質及び禁止方法の存在、使用若しくは使用の企て又は保有に関する資格停止 ............................. 50
  10.3 その他のアンチ・ドーピング規則違反に関する資格停止 ........................................... 51
  10.4 資格停止期間を加重する可能性のある加重事情 .............................................. 53
  10.5 通訳又は通訳がない場合における資格停止期間の取消し ........................................ 53
  10.6 「重大な通訳又は通訳がないこと」に基づく資格停止期間の短縮 .............................. 54
  10.7 資格停止期間の取消し、短縮若しくは猶予又は猶予以外を理由とするその他の措置 ........................................... 56
  10.8 結果管理に関する合意 ................................................................................. 59
  10.9 複数の違反 ..................................................................................................... 61
  10.10 検体の採取又はアンチ・ドーピング規則違反後の競技会における成績の無効 ............................................. 63
  10.11 削奪された賞金 ............................................................................................ 63
  10.12 金銭的裁罰 ................................................................................................. 64
  10.13 資格停止期間の開始 .................................................................................... 64
  10.14 資格停止又は暫定的資格停止中の地位 ........................................................................ 66
  10.15 剰務損管の事前公開 .................................................................................... 68

第11条 チームに対する措置 ................................................................. 68
  11.1 チームスポーツの検査 ............................................................................... 68
  11.2 チームスポーツに対する措置 ..................................................................... 68
  11.3 競技大会の所轄組織又は国際競技連盟はチームスポーツに関してより厳格な措置を定めることができる ........................................ 68

第12条 他のスポーツ関係団体に対する署名当事者の制裁措置 ........................................ 69

第13条 結果管理: 不服申立て ............................................................. 69
  13.1 不服申立ての対象となる決定 .................................................................... 69
  13.2 アンチ・ドーピング規則違反、措置、暫定的資格停止、決定の実施、及び権限に関する決定に対する不服申立て ............................. 71
  13.3 アンチ・ドーピング規則による機会に従われた決定 ...................................... 74
  13.4 TUE に関連する不服申立て ................................................................... 74
  13.5 不服申立て決定の通知 ............................................................................. 75
  13.6 不服申立て決定の通知 ............................................................................. 75
  13.7 決定の認可を猶予し、又は、取り消す決定に対する不服申立て .................... 75

第14条 守秘義務及び報告 ................................................................. 75
  14.1 通訳又は通訳のない分析報告、非定型報告、その他の主張されたアンチ・ドーピング規則違反に関する情報 .................................... 75
  14.2 アンチ・ドーピング規則違反又は資格停止若しくは暫定的資格停止違反の決定の通知及びファイル要求に対する要求 ............................ 76

World Anti-Doping Code 2021

世界アンチ・ドーピング規程 2021
PART THREE ROLES AND RESPONSIBILITIES

ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF SIGNATORIES AND WADA

20.1 Roles and Responsibilities of the International Olympic Committee... 90
20.2 Roles and Responsibilities of the International Paralympic Committee... 92
20.3 Roles and Responsibilities of International Federations... 93
20.4 Roles and Responsibilities of National Olympic Committees and National Paralympic Committees... 96
20.5 Roles and Responsibilities of National Anti-Doping Organizations... 98
20.6 Roles and Responsibilities of Major Event Organizations... 100
20.7 Roles and Responsibilities of WADA... 102
20.8 Cooperation Regarding Third Party Regulations... 103

ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS

21.1 Roles and Responsibilities of Athletes... 104
APPENDIX 1 DEFINITIONS

DEFINITIONS .......................................................................................................................... 125
PURPOSE, SCOPE AND ORGANIZATION OF THE WORLD ANTI-DOPING PROGRAM AND THE CODE

The purposes of the World Anti-Doping Code and the World Anti-Doping Program which supports it are:

- To protect the Athletes’ fundamental right to participate in doping-free sport and thus promote health, fairness and equality for Athletes worldwide, and
- To ensure harmonized, coordinated and effective anti-doping programs at the international and national level with regard to the prevention of doping, including:

  Education — to raise awareness, inform, communicate, to instill values, develop life skills and decision-making capability to prevent intentional and unintentional anti-doping rule violations.

Deterrence — to divert potential dopers, through ensuring that robust rules and sanctions are in place and salient for all stakeholders.

Detection — an effective Testing and investigations system not only enhances a deterrent effect, but also is effective in protecting clean Athletes and the spirit of sport by catching those committing anti-doping rule violations, while also helping to disrupt anyone engaged in doping behavior.

Enforcement — to adjudicate and sanction those found to have committed an anti-doping rule violation.

Rule of law — to ensure that all relevant stakeholders have agreed to submit to the Code and the International Standards, and that all measures taken in application of their anti-doping programs respect the Code, the International Standards, and the principles of proportionality and human rights.

The Code

The Code is the fundamental and universal document upon which the World Anti-Doping Program in sport is based. The purpose of the Code is to advance the anti-doping effort through universal harmonization of core anti-doping elements. It is intended to be specific enough to achieve complete harmonization on issues where uniformity is required, yet general enough in other areas to permit flexibility on how agreed-upon anti-doping principles are implemented. The Code has been drafted giving consideration to the principles of proportionality and human rights.

[Comment: The Olympic Charter and the International Convention against Doping in Sport 2005 adopted in Paris on 19 October 2005 ("UNESCO Convention"), both recognize the prevention of and the fight against doping in sport as a critical part of the mission of the International Olympic Committee and UNESCO, and also recognize the fundamental role of the Code.]

World Anti-Doping Code 2021

- 8 -
The World Anti-Doping Program

The World Anti-Doping Program encompasses all of the elements needed in order to ensure optimal harmonization and best practice in international and national anti-doping programs. The main elements are:

Level 1: The Code
Level 2: International Standards and Technical Documents
Level 3: Models of Best Practice and Guidelines

International Standards

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

[Comment: The International Standards contain much of the technical detail necessary for implementing the Code. International Standards will, in consultation with the Signatories, governments and other relevant stakeholders, be developed by experts and set forth in separate documents. It is important that the WADA Executive Committee be able to make timely changes to the International Standards without requiring any amendment of the Code.]

Technical Documents

Technical Documents relating to mandatory technical requirements for the implementation of an International Standard may be approved and published from time to time by the WADA Executive Committee. Adherence to Technical Documents is mandatory for compliance with the Code. Where the implementation of a new or revised Technical Document is not time sensitive, the WADA Executive Committee shall allow for reasonable consultation with Signatories, governments and other relevant stakeholders. Technical Documents shall become effective immediately upon publication on the WADA website unless a later date is specified.

[Comment: For example, where an additional analytical procedure is required before reporting a Sample as an Adverse Analytical Finding, that procedure would be mandated in a Technical Document issued immediately by the WADA Executive Committee.]

世界アンチ・ドーピング・プログラム

世界アンチ・ドーピング・プログラムは、国際的なアンチ・ドーピング・プログラムと国内のアンチ・ドーピング・プログラムとの最適な調和と、ベストプラクティスを確保するために必要とされるすべての要素を包含する。主な要素は次のとおりである。

第 1 段階: 本規程
第 2 段階: 国際基準及びテクニカルドキュメント
第 3 段階: ベストプラクティスモデル及びガイドライン

国際基準

アンチ・ドーピング・プログラム内の様々な技術上、及び運用上の国際基準は、これまでも署名当該者及び各国政府との協議の上で策定され、WADA によって承認されており、今後もその予定である。国際基準の目的は、アンチ・ドーピング・プログラムにおける特定の技術上の分野及び運用上の分野に責任を有する各アンチ・ドーピング機関間の調和である。本規程を遵守するためには、国際基準に従わなければならない。国際基準は、署名当事者、各国政府その他の関係者との適切な協議を経た上で、WADA 常任理事会により適宜改定される場合がある。国際基準及びその改定は、WADA のウェブサイト上に公表され、当該国際基準又は改定において指定された日付において発効するものとする。

[解説: 国際基準には、本規程を実施するために必要となる多くの詳細な技術的な事項が含まれている。国際基準は、署名当事者、各国政府その他の関係者の協議の上で専門家集団によって策定され、独立した文書の形で定められる。本規程を改定することなく、WADA 常任理事会が適切な時期に国際基準を改定できることが重要である。]

テクニカルドキュメント

国際基準の実施のために義務づけられた技術的な要素に関するテクニカルドキュメントは、WADA 常任理事会により随時承認され、公表される場合がある。本規程を遵守するためには、テクニカルドキュメントを遵守することが必須である。新たに制定されまたは改定されたテクニカルドキュメントの施行が一時を争うものでない場合には、WADA 常任理事会は、署名当事者、各国政府その他の関係者と適切な協議を行うことを認めなければならない。テクニカルドキュメントは、発効が特定されている場合を除き、WADA のウェブサイトに公表されたことをもって即時に発効するものとする。

[解説: 例えば、検体を違反が疑われる分析報告として報告するのに先立ち、追加的な分析手順が必要な場合に、当該手順は、WADA 常任理事会により即座に発行されたテクニカルドキュメントにおいて義務づけられる。]
Models of Best Practice and Guidelines

Models of best practice and guidelines based on the Code and International Standards have been and will be developed to provide solutions in different areas of anti-doping. The models and guidelines will be recommended by WADA and made available to Signatories and other relevant stakeholders, but will not be mandatory. In addition to providing models of anti-doping documentation, WADA will also make some training assistance available to the Signatories. [Comment: These model documents may provide alternatives from which stakeholders may select. Some stakeholders may choose to adopt the model rules and other models of best practices verbatim. Others may decide to adopt the models with modifications. Still other stakeholders may choose to develop their own rules consistent with the general principles and specific requirements set forth in the Code.

Model documents or guidelines for specific parts of anti-doping work have been developed and may continue to be developed based on generally recognized stakeholder needs and expectations.]

FUNDAMENTAL RATIONALE FOR THE WORLD ANTI-DOPING CODE

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

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

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

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

- Health
- Ethics, fair play and honesty
- Athletes’ rights as set forth in the Code
- Excellence in performance
- Character and Education
- Fun and joy
- Teamwork
- Dedication and commitment

ベストプラクティスモデル及びガイドライン

本規程及び国際基準に基づくベストプラクティスモデル及びガイドラインは、アンチ・ドーピングの各分野において、解決方法を提供するために策定されており、今後もその予定である。当該モデル及びガイドラインは、WADAによって推奨され、署名者その他の関係者に提供されるが、署名者等その他の関係者はこれに拘束される。アンチ・ドーピングに関する文書のモデルの提供に加え、WADAは、署名者等を対象として研修面での支援も提供することとする。

（解説：これらのモデル文書は、関係者に選択肢を提供するものである。関係者は、モデルルール及びその他のベストプラクティスモデルを文書として採択することも、修正を加えた上で採択することもできる。さらに、本規程に定められた一般原理と個別要件に合致する独自の規則を策定することも可能である。）

世界アンチ・ドーピング規程の基本原理

アンチ・ドーピング・プログラムは、スポーツ固有の価値に基づいている。この固有的価値は、しばしば「スポーツの精神」と呼ばれる。これは、競技者に自然に備わった才能を磨き上げることを通じ、人間の卓越性を倫理的に追求することである。

アンチ・ドーピング・プログラムは、競技者の健康を保護し、禁止物質又は禁止方法を使用することなく、人間の卓越性を追求する競技者に付与することを求めている。

アンチ・ドーピング・プログラムは、世界に対し、規則、他の競技者、公正な競争、公平な競技の実施、及びクリーンなスポーツの価値を尊重することにより、スポーツのインテグリティを維持することを求める。

スポーツの精神は、人間の魂、身体及び心を祝福するものである。それはオリンピックの真髄であり、次に掲げる事項を含む、スポーツに内在し、スポーツを通じて実現する価値に反映されている。

- 健康
- 僅局観、フェアプレイと誠実
- 本規程に規定される競技者の権利
- 卓越した競技能力
- 人格と教育
- 楽しみと喜び
- チームワーク
- 献身と真摯な取組み
• Respect for rules and laws
• Respect for self and other Participants
• Courage
• Community and solidarity
• The spirit of sport is expressed in how we play true.

Doping is fundamentally contrary to the spirit of sport.

• 規則・法を尊重する姿勢
• 自分自身とその他の参加者を尊重する姿勢
• 勇気
• 共同体意識と連帯意識
• スポーツの精神は、我々がいかにプレイ・トゥルーを実現するかという点に表現されている。

ドーピングは、スポーツの精神に根本的に反するものである。
INTRODUCTION

Part One of the Code sets forth specific anti-doping rules and principles that are to be followed by organizations responsible for adopting, implementing or enforcing anti-doping rules within their authority, e.g., the International Olympic Committee, International Paralympic Committee, International Federations, National Olympic Committees and Paralympic Committees, Major Event Organizations, and National Anti-Doping Organizations. All such organizations are collectively referred to as Anti-Doping Organizations.

All provisions of the Code are mandatory in substance and must be followed as applicable by each Anti-Doping Organization and Athlete or other Person. The Code does not, however, replace or eliminate the need for comprehensive anti-doping rules to be adopted by each Anti-Doping Organization. While some provisions of the Code must be incorporated without substantive change by each Anti-Doping Organization in its own anti-doping rules, other provisions of the Code establish mandatory guiding principles that allow flexibility in the formulation of rules by each Anti-Doping Organization or establish requirements that must be followed by each Anti-Doping Organization but need not be repeated in its own anti-doping rules.

[Comment: Those Articles of the Code which must be incorporated into each Anti-Doping Organization’s rules without substantive change are set forth in Article 23.2.2. For example, it is critical for purposes of harmonization that all Signatories base their decisions on the same list of anti-doping rule violations, the same burdens of proof and impose the same consequences for the same anti-doping rule violations. These rules must be the same whether a hearing takes place before an International Federation, at the national level or before the Court of Arbitration for Sport.

Code provisions not listed in Article 23.2.2 are still mandatory in substance even though an Anti-Doping Organization is not required to incorporate them verbatim. Those provisions generally fall into two categories. First, some provisions direct Anti-Doping Organizations to take certain actions but there is no need to restate the provision in the Anti-Doping Organization’s own anti-doping rules. For example, each Anti-Doping Organization must plan and conduct Testing as required by Article 5, but these directives to the Anti-Doping Organization need not be repeated in the Anti-Doping Organization’s own rules. Second, some provisions are mandatory in substance but give each Anti-Doping Organization some flexibility in the implementation of the principles stated in the provision. As an example, it is not necessary for effective harmonization to force all Signatories to use one single Results Management process as long as the process utilized satisfies the requirements stated in the Code and the International Standard for Results Management.

Anti-doping rules, like competition rules, are sport rules governing the conditions under which sport is played. Athletes, Athlete Support Personnel or other Persons (including board members, directors, officers, and specified employees and Delegated Third Parties and their employees) accept these rules as a condition of participation or involvement in sport and shall be bound by these rules. Each
Signatory shall establish rules and procedures to ensure that all Athletes, Athlete Support Personnel or other Persons under the authority of the Signatory and its member organizations are informed of and agree to be bound by anti-doping rules in force of the relevant Anti-Doping Organizations.

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

Each Signatory shall establish rules and procedures to ensure that all Athletes, Athlete Support Personnel or other Persons under the authority of the Signatory and its member organizations are informed of the dissemination of their private data as required or authorized by the Code, and are bound by and compliant with the anti-doping rules found in the Code, and that the appropriate Consequences are imposed on those Athletes or other Persons who breach those rules. These sport-specific rules and procedures, aimed at enforcing anti-doping rules in a global and harmonized way, are distinct in nature from criminal and civil proceedings. They are not intended to be subject to or limited by any national requirements and legal standards applicable to such proceedings, although they are intended to be applied in a manner which respects the principles of proportionality and human rights. When reviewing the facts and the law of a given case, all courts, arbitral hearing panels and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Code and the fact that those rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

As provided in the Code, each Anti-Doping Organization shall be responsible for conducting all aspects of Doping Control. Any aspect of Doping Control or anti-doping Education may be delegated by an Anti-Doping Organization to a Delegated Third Party, however, the delegating Anti-Doping Organization shall require the Delegated Third Party to perform such aspects in compliance with the Code and International Standards, and the Anti-Doping Organization shall remain fully responsible for ensuring that any delegated aspects are performed in compliance with the Code.

ARTICLE 1 DEFINITION OF DOPING

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

第 1 条：ドーピングの定義

ドーピングとは、本規程の第 2.1 項から第 2.11 項に定められている一又は二以上のアンチ・ドーピング規則に対する違反が発生することをいう。
ARTICLE 2 ANTI-DOPING RULE VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

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

The following constitute anti-doping rule violations:

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

2.1.1 It is the Athletes’ personal duty to ensure that no Prohibited Substance enters their bodies. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault, Negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an anti-doping rule violation under Article 2.1. [Comment to Article 2.1.1: An anti-doping rule violation is committed under this Article without regard to an Athlete’s Fault. This rule has been referred to in various CAS decisions as “Strict Liability”. An Athlete’s Fault is taken into account in determining the Consequences of this anti-doping rule violation under Article 10. This principle has consistently been upheld by CAS.]

2.1.2 Sufficient proof of an anti-doping rule violation under Article 2.1 is established by any of the following: presence of a Prohibited Substance or its Metabolites or Markers in the Athlete’s A Sample where the Athlete waives analysis of the B Sample and the B Sample is not analyzed; or, where the Athlete’s B Sample is analyzed and the analysis of the Athlete’s B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Athlete’s A Sample; or where the Athlete’s A or B Sample is split into two parts and the analysis of the confirmation part of the split Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first part of the split Sample or the Athlete waives analysis of the confirmation part of the split Sample. [Comment to Article 2.1.2: The Anti-Doping Organization with Results Management responsibility may, at its discretion, choose to have the B Sample analyzed even if the Athlete does not request the analysis of the B Sample.]

第 2 条：アンチ・ドーピング規則違反

第 2 条は、アンチ・ドーピング規則違反が成立する状況及び行為を明記することを目的とする。ドーピング事案の聴取会は、一又は二以上のこれらの個別の規則に対する違反の主張に基づき開始されることになる。

競技者又はその他の人は、アンチ・ドーピング規則違反の構成要件、禁止表に掲げられた物質及び方法を知る責任を負わなければならない。

次に掲げる事項が、アンチ・ドーピング規則違反を構成する。

2.1 競技者の検体に、禁止物質又はその代謝物若しくはマーカーが存在すること

2.1.1 禁止物質が体内に入らないようにすることは、競技者が自ら取り組まなければならない義務である。自己の検体に禁止物質又はその代謝物若しくはマーカーが存在した場合には、競技者はその責任を負う。ゆえに、第 2.1 項に基づくアンチ・ドーピング規則違反を証明するためには、競技者側の使用に関しての意図、過失、過失又は使用を知っていたことが証明される必要はない。

[第 2.1.1 項の解説：本項に基づくアンチ・ドーピング規則違反は、競技者の過失にかかわらず行われる。この規則は、多くの CAS の決定で「厳格責任」と呼ばれている。競技者の過失は、第 10 項に基づくアンチ・ドーピング規則違反の措置を判断するにあたり考慮される。CAS はこの原則を一貫して支持してきている。]

2.1.2 次のいずれかが証明された場合には、上記第 2.1 項に基づくアンチ・ドーピング規則違反の十分な証拠となる。競技者の A 検体に禁止物質又はその代謝物若しくはマーカーが存在した場合であって、当該競技者が B 検体の分析を放棄し、B 検体の分析が行われない場合、競技者の B 検体が分析され、B 検体が、A 検体で発見された禁止物質又はその代謝物若しくはマーカーの存在を否定した場合、競技者の A 検体若しくは B 検体が二つの部分に分けられ、分けられた検体のうちの追認部分の分析が、分けられた検体の一部の部分において発見された禁止物質又はその代謝物若しくはマーカーの存在を否定した場合、又は競技者が分けられた検体の追認部分の分析を放棄した場合。

[第 2.1.2 項の解説：結果管理に責任を有するアンチ・ドーピング機関は、競技者が B 検体の分析を要求しない場合であっても、その裁量により B 検体の分析を実施させることができる。]
2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method

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

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

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

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

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

2.1.4 As an exception to the general rule of Article 2.1, the Prohibited List, International Standards, or Technical Documents may establish special criteria for reporting or the evaluation of certain Prohibited Substances.
of Use of a Prohibited Substance or Prohibited Method.
An Athlete’s Use of a Prohibited Substance constitutes an anti-doping rule violation unless such Substance is not prohibited Out-of-Competition and the Athlete’s Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition is a violation of Article 2.1 regardless of when that Substance might have been administered.)

2.3 Evading, Refusing or Failing to Submit to Sample Collection by an Athlete

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

[Comment to Article 2.3: For example, it would be an anti-doping rule violation of “evading Sample collection” if it were established that an Athlete was deliberately avoiding a Doping Control official to evade notification or Testing. A violation of “failing to submit to Sample collection” may be based on either intentional or negligent conduct of the Athlete, while “evading” or “refusing” Sample collection contemplates intentional conduct by theAthlete.]

2.4 Whereabouts Failures by an Athlete

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

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

2.6 Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Person

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

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

使用した物質が競技会外において禁止されておらず、かつ、競技者の禁止物質の使用が競技会外でなされなかった場合でない限り、競技者の禁止物質の使用は、アンチ・ドーピング規則違反を構成する（例、禁止物質又はその代用物質をマーカーが、競技会（時）において採取された検体に含めた場合には、いつの時点において当該物質が投与されていたかに関係なく、第 2.6.1 項に違反する。）]

2.3 競技者による検体の採取の回避、拒否又は不履行

逸式に授受された人から通告を受けた後に、検体の採取を回避し、又は、やむを得ない理由によるとすることなく検体の採取を拒否し若しくはこれを履行しないこと。

[第 2.3 項の解釈：例えば、競技者が、通告又は検査を回避するために、ドーピング・コントロール役員を意図的に避けていることが証明された場合には、当該行為はアンチ・ドーピング規則における「検体の採取の回避」の違反となる。検体採取の不履行」又は「検体採取の回避」又は「拒否」の場合には競技者の意図的な行為に基づく。]

2.4 競技者による居場所情報関連義務違反

登録検査対象者リストに含まれる競技者による 12 ヶ月間の期間内における、結果管理に関する国際基準に定義されたとおりの 3 回の検査未了及び／又は提出義務違反の組み合わせ。

2.5 競技者又はその他の人が、ドーピング・コントロールの一部に不正干渉を施し、又は不正干渉を企てること

2.6 競技者又はサポートスタッフが禁止物質又は禁止方法を保有すること

2.6.1 競技会（時）において禁止物質若しくは禁止方法を競技者が保有し、又は、競技会外において競技会外における禁止物質若しくは禁止方法を競技者が保有すること。しかし、当該保有が第 4.4 項の規定に従って付与された治療使用特例（「TUE」）又はその他の正当な理由に基づくものであることを競技者が証明した場合は、この限りではない。

[第 2.6.1 項及び第 2.6.2 項の解釈：例えば、医師の処方箋に基づき、糖尿病の子供のためにインスリンを購入する場合のように、医療上の正当な事由がある場合を除き、友人や親戚に与えることを目的として禁止物質購入又は保有しているような場合には、正当な理由があるものには認められない。]
2.6.2 **Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.**

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

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

2.8 **Administration or Attempted Administration by an Athlete or Other Person to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is Prohibited Out-of-Competition**

2.9 **Complicity or Attempted Complicity by an Athlete or Other Person**

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

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

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

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

2.6.2 競技者、競技会又はトレーニングに関連して、禁止物質若しくは禁止方法を競技会(時)においてサポートスタッフが保有し、又は、競技会外で禁止されている禁止物質若しくは禁止方法を競技会外においてサポートスタッフが保有すること。但し、当該保有が第4.4項の規定に従って競技者に付与されたTUE又はその他の正当な理由に基づくものであることをサポートスタッフが証明した場合は、この限りではない。

[第2.6.1項及び第2.6.2項の解説：例えば、(a) 競技者又はチームドクターが急性又は緊急のときに処置を行うために禁止物質又は禁止方法(例えば、エピネフリン自己注射器)を保有しているような場合、(b) 競技者がTUEに関する判断の申請又は受領の申し立てに治療上の理由により禁止物質又は禁止方法を保有する場合には、正当な理由があるものと認められる可能性がある。]

2.7 競技者又はその他の人が、禁止物質若しくは禁止方法の不正取引を実行し、又は、不正取引を企てること

2.8 競技者又はその他の人が、競技会(時)において、競技者に対して禁止物質若しくは禁止方法を投与すること、若しくは授与を企てること、又は、競技会外において、競技者に対して競技会外で禁止されている禁止物質若しくは禁止方法を投与すること、若しくは授与を企てること

2.9 競技者又はその他の人が、違反関与を行い、又は違反関与を企てること

他の人によるアンチ・ドーピング規則違反。アンチ・ドーピング規則違反の企て又は第10.14.1項の違反に関する、支援、助長、援助、教唆、共謀、隠蔽その他のあらゆる意図的な違反への関与又は関与の企て。

[第2.9項の解説：違反関与又は違反関与の企ては、物理的な支援と心理的な支援を含む。]

2.10 競技者又はその他の人が特定の対象者と関わること

2.10.1 アンチ・ドーピング機関の監督に基づき競技者又はその他の人による、職務上又はスポーツに関連する立場での以下の事項に該当するサポートスタッフとの関わり。
2.10.1.1 If subject to the authority of an Anti-Doping Organization, is serving a period of Ineligibility; or

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

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

2.10.2 To establish a violation of Article 2.10, an Anti-Doping Organization must establish that the Athlete or other Person knew of the Athlete Support Person’s disqualifying status.

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

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

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

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

2.10.1.1 アンチ・ドーピング規程の管轄に服するサポートスタッフであって、資格停止期間中であるもの。

2.10.1.2 アンチ・ドーピング規程の管轄に服しておらず、本規程に基づく結果管理手続において資格停止の問題が取り扱われていないサポートスタッフであって、仮にかかる人に本規程に準拠した規則が適用されたならばアンチ・ドーピング規則違反を構成したであろう行為について、刑事手続、懲戒手続若しくは職務上の手続において有罪判決を受け、又は、かかる事実が認定されたもの、かかる人の関わりが禁止される状態は、刑事、職務上若しくは懲戒の決定から6年間又は課された刑事、懲戒若しくは職務上の制裁措置の存続期間のいずれか長い方の期間、有効とする。又は、

2.10.1.3 第2.10.1.1項又は第2.10.1.2項に記載される個人のための窓口又は仲介者として行動しているサポートスタッフ。

2.10.2 第2.10項の違反を立証するためには、アンチ・ドーピング規程は、競技者又はその他の人が、サポートスタッフが関わりを禁止される状態にあることを知っていたことを立証しなければならない。

第2.10.1.1項又は第2.10.1.2項に記載されたサポートスタッフとの関わりか、職務上又はスポーツと関連する立場においてなされたものではないこと、及び又は当該関わりが合理的に回避不能であったことの事実、その関係責任は、競技者又はその他の人がこれを負う。

第2.10.1.1項、第2.10.1.2項又は第2.10.1.3項に記載された基準に該当するサポートスタッフを認識したアンチ・ドーピング機関は、当該情報をWADAに提出するものとする。
2.11 Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities Where such conduct does not otherwise constitute a violation of Article 2.5:

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

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

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

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

[Comment to Article 2.11.2: Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the reporting Persons, their families or associates. Retaliation would not include an Anti-Doping Organization’s asserting in good faith an anti-doping rule violation against the reporting Person. For purposes of Article 2.11, a report is not made in good faith where the Person making the report knows the report to be false.]
ARTICLE 3  PROOF OF DOPING

3.1  Burdens and Standards of Proof

The Anti-Doping Organization shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the Anti-Doping Organization has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel, bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where the Code places the burden of proof upon the Athlete or other Person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 3.2.2 and 3.2.3, the standard of proof shall be by a balance of probability.

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

3.2  Methods of Establishing Facts and Presumptions

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

3.2.1  Analytical methods or Decision Limits approved by WADA after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any Athlete or other Person seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. The initial hearing body, appellate body or CAS, on its own initiative, may also inform WADA of any such challenge. Within 10 days of WADA’s receipt of such notice and the case file related to such challenge, WADA shall also have the right to intervene as a party, appear as amicus curiae or otherwise provide evidence in such proceeding. In cases before CAS, at WADA’s request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.

3.2.2  Presumptions of validity

Presumptions of validity are generally permitted in anti-doping matters, provided that such presumptions are based upon decisions of competent, independent and unbiased entities that have the appropriate scientific expertise and authority to make determinations in such matters. Presumptions of validity shall be applied in accordance with the principles set forth in this Code and with the standards of evidence and procedure applicable to such matters. Presumptions of validity shall not be applicable where the entity making the presumption has a financial or other interest in the outcome of the matter. Presumptions of validity shall be rebuttable.

3.2.3  Presumptions of invalidity

Presumptions of invalidity are generally not permitted in anti-doping matters, except where such presumptions are based upon decisions of competent, independent and unbiased entities that have the appropriate scientific expertise and authority to make determinations in such matters. Presumptions of invalidity shall be applied in accordance with the principles set forth in this Code and with the standards of evidence and procedure applicable to such matters. Presumptions of invalidity shall be rebuttable.
WADA-accredited laboratories, are presumed to have conducted Sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding.

If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then the Anti-Doping Organization shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

Departures from any other International Standard or other anti-doping rule or policy set forth in the Code or in an Anti-Doping Organization's rules shall not invalidate analytical results or other
evidence of an anti-doping rule violation, and shall not constitute a
defense to an anti-doping rule violation; provided, however, if the
Athlete or other Person establishes that a departure from one of
the specific International Standard provisions listed below could
reasonably have caused an anti-doping rule violation based on an
Adverse Analytical Finding or whereabouts failure, then the Anti-
Doping Organization shall have the burden to establish that such
departure did not cause the Adverse Analytical Finding or
whereabouts failure:

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

(i) a departure from the International Standard for Testing and
Investigations related to Sample collection or Sample
handling which could reasonably have caused an anti-doping
rule violation based on an Adverse Analytical Finding, in which
case the Anti-Doping Organization shall have the burden to
establish that such departure did not cause the Adverse
Analytical Finding;

(ii) a departure from the International Standard for Results
Management or International Standard for Testing and
Investigations related to an Adverse Passport Finding which
could reasonably have caused an anti-doping rule violation, in
which case the Anti-Doping Organization shall have the burden
to establish that such departure did not cause the anti-
doping rule violation;

(iii) a departure from the International Standard for Results
Management related to the requirement to provide notice to
the Athlete of the B Sample opening which could reasonably
have caused an anti-doping rule violation based on an
Adverse Analytical Finding, in which case the Anti-Doping
Organization shall have the burden to establish that such
departure did not cause the Adverse Analytical Finding;

(iv) a departure from the International Standard for Results
Management related to Athlete notification which could
reasonably have caused an anti-doping rule violation based
on whereabouts failure, in which case the Anti-Doping
Organization shall have the burden to establish that such

アンチ・ドーピング規則違反に対する抗議を構成しないものとする。但し、
競技者又はその他の人が、以下に列挙する特定の国際基準の規定からの乖
離が、違反が疑われる分析報告又は居場所情報関連義務違反に基づくアン
チ・ドーピング規則違反の合理的な原因となり得たことを証明した場合に
は、アンチ・ドーピング機関は、当該乖離が、違反が疑われる分析報告又
は居場所情報関連義務違反を発生させたものではなかったことを証明する
責任を負うものとする。

第3.2.3項の解釈：国際基準、その他検体の採取若しくは取扱い、アスリート・バイオロジカル・ポスポ
ルに基づく違反が疑われる報告、又は居場所情報関連義務違反若しくはB検体の開封に関する競技者への
通知に関する規定からの乖離（例えば、「子供達に関する国際基準」、「プライバシー及び個人情報の保護
に関する国際基準」又は「治療使用特例に関する国際基準」）からの乖離の結果、WADAによるコンブラ
イアンス手続きが適用される可能性があるが、アンチ・ドーピング規則違反の手続きにおける抗議とはならず、
また、競技者がアンチ・ドーピング規則違反を行ったか否かという同法に関する条文を有しない、同様に、アン
チ・ドーピング機関による第20.7.7項において言及される文書の違反は、アンチ・ドーピング規則違反
に対する抗議を構成しないものとする。]
departure did not cause the whereabouts failure.

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

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

3.2.5 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the Athlete or other Person who is asserted to have committed an anti-doping rule violation based on the Athlete’s or other Person’s refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or the Anti-Doping Organization asserting the anti-doping rule violation.

ARTICLE 4  THE PROHIBITED LIST

4.1 Publication and Revision of the Prohibited List

WADA shall, as often as necessary and no less often than annually, publish the Prohibited List as an International Standard. The proposed content of the Prohibited List and all revisions shall be provided in writing promptly to all Signatories and governments for comment and consultation. Each annual version of the Prohibited List and all revisions shall be distributed promptly by WADA to each Signatory, WADA-accredited or approved laboratory, and government, and shall be published on WADA’s website, and each Signatory shall take appropriate steps to distribute the Prohibited List to its members and constituents. The rules of each Anti-Doping Organization shall specify that, unless provided otherwise in the Prohibited List or a revision, the Prohibited List and revisions shall go into effect under the Anti-Doping Organization’s rules three months after publication of the Prohibited List by WADA without requiring any further action by the Anti-Doping Organization.

第3.2.4項（iii）の解釈：アント・ドーピング規程は、例えば、B検体の開封及び分析が独立した会立人により観察されており、不規則性が観察されなかったことを示すことによって、当該遅延が違反を疑わせる分析報告を発生させたものではないことを証明する責任を果たしたことになる。]

3.2.4 管轄権を有する裁判所又は職務上の懲戒の裁决機関により下され、それにについて不服申立てがなされていない決定によって証明された事実について、その事実に関する決定の名存実亡である競技者又はその他の人において、当該決定が自然的正義の原則に反するものであることを証明しない限り、その競技者又はその他の人にとって反証できない証拠となる。

3.2.5 聴開会までに合理的な時間的余裕を与えられた上での要請の後に、（直接又は聴開会の指示に基づき電話により）聴開会に出席し、かつ、聴開会はアンチ・ドーピング規則違反を主張する内にアンチ・ドーピング機関からの質問に対して回答することについて、競技者又はその他の人がこれを拒絶した場合には、聴開会は、アンチ・ドーピング規則違反の聴開会において、その事実を根拠として、アンチ・ドーピング規則に違反した旨を主張された競技者又はその他の人に対して利益となる推定を行うことができる。

第4条：禁止表

4.1 禁止表の公表及び改定

WADA は、必要に応じて、又は、少なくとも年1回の頻度で、禁止表を国際基準として公表するものとする。禁止表及びすべての改定表は、書面形式で、各署名当該者及び各国政府に対して、意見聴取及び協議のために出されなければならない。禁止表の各年度版及びそのすべての改定は、WADA により各署名当該者、WADA 認定分析機関若しくはWADA 承認分析機関及び各国政府に速やかに配布され、WADA のウェブサイト上で公表されるとともに、各署名当該者は適切な措置を講じて禁止表を自己の加盟団体及び関係者に配布することとする。禁止表及び改定は、禁止表又は改定において別段の定めがない限り、アンチ・ドーピング機関による特別の措置を要さず、WADA による公表の3ヶ月後に、当該アンチ・ドーピング機関の規則に基づき発効することが、各アンチ・ドーピング機関の規則に明記されるものとする。
4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

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

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

4.2.2 Specified Substances or Specified Methods

For purposes of the application of Article 10, all Prohibited Substances shall be Specified Substances except as identified on the Prohibited List. No Prohibited Method shall be a Specified Method unless it is specifically identified as a Specified Method on the Prohibited List.

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

4.2.3 Substances of Abuse

For purposes of applying Article 10, Substances of Abuse shall include those Prohibited Substances which are specifically

[Comment to Article 4.1: The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made. WADA will always have the most current Prohibited List published on its website. The Prohibited List is an integral part of the International Convention against Doping in Sport. WADA will inform the Director-General of UNESCO of any change to the Prohibited List.]
identified as Substances of Abuse on the Prohibited List because they are frequently abused in society outside of the context of sport.

4.2.4 New Classes of Prohibited Substances or Prohibited Methods

In the event WADA expands the Prohibited List by adding a new class of Prohibited Substances or Prohibited Methods in accordance with Article 4.1, WADA’s Executive Committee shall determine whether any or all Prohibited Substances or Prohibited Methods within the new class shall be considered Specified Substances or Specified Methods under Article 4.2.2 or Substances of Abuse under Article 4.2.3.

4.3 Criteria for Including Substances and Methods on the Prohibited List

WADA shall consider the following criteria in deciding whether to include a substance or method on the Prohibited List:

4.3.1 A substance or method shall be considered for inclusion on the Prohibited List if WADA, in its sole discretion, determines that the substance or method meets any two of the following three criteria:

4.3.1.1 Medical or other scientific evidence, pharmacological effect or experience that the substance or method, alone or in combination with other substances or methods, has the potential to enhance or enhances sport performance;

[Comment to Article 4.3.1.1: This Article anticipates that there may be Substances that, when used alone, are not prohibited but which will be prohibited if used in combination with certain other Substances. A Substance which is added to the Prohibited List because it has the potential to enhance performance only in combination with another Substance shall be so noted and shall be prohibited only if there is evidence relating to both Substances in combination.]

4.3.1.2 Medical or other scientific evidence, pharmacological effect or experience that the Use of the substance or method represents an actual or potential health risk to the Athlete;

4.3.1.3 WADA’s determination that the Use of the substance or method violates the spirit of sport described in the introduction to the Code.
4.3.2 A substance or method shall also be included on the Prohibited List if WADA determines there is medical or other scientific evidence, pharmacological effect or experience that the substance or method has the potential to mask the Use of other Prohibited Substances or Prohibited Methods.

[Comment to Article 4.3.2: As part of the process each year, all Signatories, governments and other interested Persons are invited to provide comments to WADA on the content of the Prohibited List.]

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

4.4 Therapeutic Use Exemptions (“TUEs”)

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

4.4.2 Athletes who are not International-Level Athletes shall apply to their National Anti-Doping Organization for a TUE. If the National Anti-Doping Organization denies the application, the Athlete may appeal exclusively to the national-level appeal body described in Article 13.2.2.

4.4.3 Athletes who are International-Level Athletes shall apply to their International Federation.

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

4.3.2 当該物質又は方法によって他の禁止物質又は禁止方法の使用が隠蔽される可能性があるという医学的その他の科学的証拠、薬理効果又は経験が存在するとWADAが判断した場合には、その物質又は方法も禁止リストに掲げられるものとする。

[第4.3.2項の解釈：毎年の手続きの一部として、各政府その他の利害関係人は、禁止リストの内容についてWADAに提案する機会を与えられる。]

4.3.3 禁止リストに掲げる禁止物質及び禁止方法、禁止リストの区分への物質の分類、常に若しくは競技会（時）のみにおいて禁止される物質の分類、特定物質、特定方法若しくは薬剤物質としての物質又は方法の分類に関するWADAの判断は終局的なものであり、競技者又はその他の人は、いかなる異議（当該物質若しくは方法が隠蔽薬ではないこと、又は、競技力向上効果がなく、健康被害を及ぼさず、若しくはスポーツの精神に反するおそれがないことに基づく異議を含むが、これらに限らない。）を唱えることもできないものとする。

4.4 治療使用特例（「TUE」）

4.4.1 禁止物質若しくはその代謝物、マーカーの存在、及び/又は禁止物質若しくは禁止方法の使用、使用の企て、保有若しくは授与、授与の企ては、「治療使用特例に関する国際基準」に基づき付与されたTUEの条項に適合する場合には、アンチ・ドーピング規則違反とは判断されないものとする。

4.4.2 国際レベルの選手では競技者、自身の国内アンチ・ドーピング機構にTUEを申請するものとする。その国内ドーピング機構が該当申請を却下した場合には、当該競技者は、第13.2.2項に記載される国際不服申立機関にのみ不服申立てを提起することができる。

4.4.3 国際レベルの競技者は、自身の国際競技連盟に申請を行うものとする。

[第4.4.3項の解釈：「治療使用特例に関する国際基準」における基準を充足することを証するために必要な医療記録その他の情報がないことを理由として、国際競技連盟が国内アンチ・ドーピング機構の付与したTUEを承認しなかった場合には、当該案件はWADAに回付されるべきではない。代わりに、当該ファイルは完成され、国際競技連盟に再提出されるべきである。]
Where the Athlete already has a TUE granted by their National Anti-Doping Organization for the substance or method in question, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the International Federation must recognize it. If the International Federation considers that the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete and the Athlete’s National Anti-Doping Organization promptly, with reasons. The Athlete or the National Anti-Doping Organization shall have 21 days from such notification to refer the matter to WADA for review. If the matter is referred to WADA for review, the TUE granted by the National Anti-Doping Organization remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for international-level Competition and Out-of-Competition Testing) pending WADA’s decision. If the matter is not referred to WADA for review within the 21-day deadline, the Athlete’s National Anti-Doping Organization must determine whether the original TUE granted by that National Anti-Doping Organization should nevertheless remain valid for national-level Competition and Out-of-Competition Testing (provided that the Athlete ceases to be an International-Level Athlete and does not participate in international-level Competition). Pending the National Anti-Doping Organization’s decision, the TUE remains valid for national-level Competition and Out-of-Competition Testing (but is not valid for international-level Competition).

If the Athlete does not already have a TUE granted by their National Anti-Doping Organization for the substance or method in question, the Athlete must apply directly to the Athlete’s International Federation for a TUE as soon as the need arises. If the International Federation (or the National Anti-Doping Organization, where it has agreed to consider the application on behalf of the International Federation)
denies the Athlete’s application, it must notify the Athlete promptly, with reasons. If the International Federation grants the Athlete’s application, it must notify not only the Athlete but also the Athlete’s National Anti-Doping Organization, and if the National Anti-Doping Organization considers that the TUE does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has 21 days from such notification to refer the matter to WADA for review. If the National Anti-Doping Organization refers the matter to WADA for review, the TUE granted by the International Federation remains valid for international-level Competition and Out-of-Competition Testing (but is not valid for national-level Competition) pending WADA’s decision.

If the National Anti-Doping Organization does not refer the matter to WADA for review, the TUE granted by the International Federation becomes valid for national-level Competition as well when the 21-day review deadline expires.

4.4.4 A Major Event Organization may require Athletes to apply to it for a TUE if they wish to Use a Prohibited Substance or a Prohibited Method in connection with the Event. In that case:

4.4.4.1 The Major Event Organization must ensure a process is available for an Athlete to apply for a TUE if he or she does not already have one. If the TUE is granted, it is effective for its Event only.

4.4.4.2 Where the Athlete already has a TUE granted by the Athlete’s National Anti-Doping Organization or International Federation, if that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, the Major Event Organization must recognize it. If the Major Event Organization decides the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete promptly, explaining its reasons.

4.4.4.3 A decision by a Major Event Organization not to recognize or not to grant a TUE may be appealed by the Athlete exclusively to an independent body established or appointed by the Major Event Organization for that purpose. If the Athlete does not appeal (or the appeal is unsuccessful), the Athlete

4.4.4 主要競技大会機関は、競技者が当該競技大会に関連して禁止物質又は禁止方法を使用することを希望する場合には、当該主要競技大会機関に TUE を申請することを、競技者に要請することができる。

4.4.4.1 主要競技大会機関は、競技者が TUE を付与されていない場合には、当該競技者が TUE 申請を利用できる手続きを確保しなければならない。TUE が付与された場合には、当該 TUE はその競技大会についてのみ有効とする。

4.4.4.2 競技者が自身の国内アンチ・ドーピング機関又は国際競技連盟より既に TUE を付与されており、当該 TUE が「治療使用特例に関する国際基準」に定める基準を充足するときには、主要競技大会機関はこれを承認しなければならない。当該主要競技大会機関が、当該 TUE がこれらの基準を充足しないと判断し、そのためこれを承認しない場合には、当該主要競技大会機関は、その旨をその理由とともに、競技者に速やかに通知しなければならない。

4.4.4.3 競技者は、TUE を承認せず、又は、これを付与しない旨の主要競技大会機関による決定に対して、主要競技大会機関が不服申立てのために設置し若しくは指定した独立機関に対しに、不服申立てを提起することができる。競技者が不服申立てを提起しない（又は、不服申立てが認められなかった）場合には、当該競技者は、当該物質又は方法を当該競技大会
may not Use the substance or method in question in connection with the Event, but any TUE granted by the Athlete's National Anti-Doping Organization or International Federation for that substance or method remains valid outside of that Event.

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

4.4.6 WADA must review an International Federation's decision not to recognize a TUE granted by the National Anti-Doping Organization that is referred to it by the Athlete or the Athlete's National Anti-Doping Organization. In addition, WADA must review an International Federation's decision to grant a TUE that is referred to it by the Athlete's National Anti-Doping Organization. WADA may review any other TUE decisions at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.

[Comment to Article 4.4.6: WADA shall be entitled to charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Article 4.4.6; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]

4.4.7 Any TUE decision by an International Federation (or by a National Anti-Doping Organization where it has agreed to consider the application on behalf of an International Federation) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and/or the Athlete's National Anti-Doping Organization, exclusively to CAS.

[Comment to Article 4.4.4.3: For example, the CAS Ad Hoc Division or a similar body may act as the independent appeal body for particular Events, or WADA may agree to perform that function. If neither CAS nor WADA are performing that function, WADA retains the right (but not the obligation) to review the TUE decisions made in connection with the Event at any time, in accordance with Article 4.4.6.]

4.4.5 WADA は、競技者又は当該競技者の国内アンチ・ドーピング機関から提出された国際競技連盟による TUE の承認決定について審査しなければならない。さらに、WADA は競技者提出の国内アンチ・ドーピング機関から提出された国際競技連盟の TUE 付与決定も審査しなければならない。WADA は、影響を受ける者の要請又は独自の判断により、いつでもその他の TUE 決定を審査することができる。審査されている TUE 決定が「治療使用特例に関する国際基準」に定められる基準を充足する場合には、WADA はこれに干渉しない。当該 TUE 決定がこれらの基準を充足していない場合には、WADA はこれを取消す。

4.4.6 WADA が審査しなかった、又は、WADA が審査の結果、取り消さなかった国際競技連盟（又は、国内アンチ・ドーピング機関が国際競技連盟に代わって当該申請を検討する旨を合意した場合には、国内アンチ・ドーピング機関）による TUE 決定について、競技者及び／又は競技者の国内アンチ・ドーピング機関、CAS に対してのみ不服立てを提起することができる。

World Anti-Doping Code 2021

- 30 -

世界アンチ・ドーピング規程 2021

- 30 -
4.4.8 A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the National Anti-Doping Organization and/or the International Federation affected, exclusively to CAS.

4.4.9 A failure to render a decision within a reasonable time on a properly submitted application for grant/ recognition of a TUE or for review of a TUE decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

4.5 Monitoring Program

WADA, in consultation with Signatories and governments, shall establish a monitoring program regarding substances which are not on the Prohibited List, but which WADA wishes to monitor in order to detect potential patterns of misuse in sport. In addition, WADA may include in the monitoring program substances that are on the Prohibited List, but which are to be monitored under certain circumstances—e.g., Out-of-Competition Use of some substances prohibited In-Competition only or the combined Use of multiple substances at low doses (“stacking”)—in order to establish prevalence of Use or to be able to implement adequate decisions in regards to their analysis by laboratories or their status within the Prohibited List.

WADA shall publish the substances that will be monitored. Laboratories will report the instances of reported Use or detected presence of these substances to WADA. WADA shall make available to International Federations and National Anti-Doping Organizations, on at least an annual basis, aggregate information by sport regarding the monitored substances. Such monitoring program reports shall not contain additional details that could link the monitoring results to specific Samples. WADA shall implement measures to ensure that strict anonymity of individual Athletes is maintained with respect to such reports. The reported Use or detected presence of a monitored substance shall not constitute an anti-doping rule violation.

[Comment to Article 4.5: In order to improve the efficiency of the monitoring program, once a new substance is added to the published monitoring program, laboratories may re-process data and Samples previously analyzed in order to determine the absence or presence of any new substance.]

4.4.8 TUE Decision to reverse the WADA decision is made by the International Anti-Doping Agency, not WADA.

4.4.9 TUE Decision to reverse the WADA decision is made by the International Anti-Doping Agency, not WADA.

4.5 Monitoring Program

WADA shall publish the substances that will be monitored. Laboratories will report the instances of reported Use or detected presence of these substances to WADA. WADA shall make available to International Federations and National Anti-Doping Organizations, on at least an annual basis, aggregate information by sport regarding the monitored substances. Such monitoring program reports shall not contain additional details that could link the monitoring results to specific Samples. WADA shall implement measures to ensure that strict anonymity of individual Athletes is maintained with respect to such reports. The reported Use or detected presence of a monitored substance shall not constitute an anti-doping rule violation.

[Comment to Article 4.5: In order to improve the efficiency of the monitoring program, once a new substance is added to the published monitoring program, laboratories may re-process data and Samples previously analyzed in order to determine the absence or presence of any new substance.]

4.5 Monitoring Program

WADA shall publish the substances that will be monitored. Laboratories will report the instances of reported Use or detected presence of these substances to WADA. WADA shall make available to International Federations and National Anti-Doping Organizations, on at least an annual basis, aggregate information by sport regarding the monitored substances. Such monitoring program reports shall not contain additional details that could link the monitoring results to specific Samples. WADA shall implement measures to ensure that strict anonymity of individual Athletes is maintained with respect to such reports. The reported Use or detected presence of a monitored substance shall not constitute an anti-doping rule violation.

[Comment to Article 4.5: In order to improve the efficiency of the monitoring program, once a new substance is added to the published monitoring program, laboratories may re-process data and Samples previously analyzed in order to determine the absence or presence of any new substance.]
ARTICLE 5  TESTING AND INVESTIGATIONS

5.1 Purpose of Testing and Investigations

Testing and investigations may be undertaken for any anti-doping purpose.

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

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

5.2 Authority to Test

Any Athlete may be required to provide a Sample at any time and at any place by any Anti-Doping Organization with Testing authority over him or her. Subject to the limitations for Event Testing set out in Article 5.3:

[Comment to Article 5.2: Additional authority to conduct Testing may be conferred by means of bilateral or multilateral agreements among Signatories. Unless the Athlete has identified a 60 minute Testing window during the following described time period, or otherwise consented to Testing during that period, before Testing an Athlete between the hours of 11:00 p.m. and 6:00 a.m., an Anti-Doping Organization should have serious and specific suspicion that the Athlete may be engaged in doping. A challenge to whether an Anti-Doping Organization had sufficient suspicion for Testing during this time period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]

5.2.1 Each National Anti-Doping Organization shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are nationals, residents, license-holders or members of sport organizations of that country or who are present in that National Anti-Doping Organization’s country.

5.2.2 Each International Federation shall have In-Competition and Out-of-Competition Testing authority over all Athletes who are subject to its rules, including those who participate in International Events or who participate in Events governed by the rules of that International Federation, or who are members or license-holders of that International Federation or its member National Federations, or their members.

第5条：検査及びドーピング調査

5.1 検査及びドーピング調査の目的

検査及びドーピング調査は、いかなるアンチ・ドーピングの目的のためにも行われる。

[第5.1項の解釈：調査がアンチ・ドーピングの目的で行われる場合には、分析結果及びデータは、アンチ・ドーピング機関の規則に基づく他の正当な目的のためにこれを使用することができる。例えば、第23.2.2項の解釈を参照すること。]

5.1.1 検査は、競技者が本規程の第2.1項（競技者の検体に、禁止物質又はその代謝物若しくはマーカーが存在すること）又は第2.2項（競技者が禁止物質若しくは禁止方法を使用すること又はその使用を企てること）に違反したか否かに関する分析証拠を得るために行われるものとする。

5.2 検査を行う権限

いかなる競技者も、当該競技者に対し検査権限を有するアンチ・ドーピング機関により、時間と場所を問わず、検体の提出を義務づけられる場合がある。第5.3項に定める競技大会時の検査の制限を除くが、以下のとおりとする。

[第5.2項の解釈：著名当事者の間の第三者又は多数当事者間合意の方法により、検査を実施する追加権限が付与される場合がある。競技者が、以下に定める時間内に60分の検査時間枠を特定しない限り、又は、別途当該時間内に検査を受けることに同意しない限り、アンチ・ドーピング機関は、午後11時から午前6時までの間に競技者に検査を実施するのに先立ち、当該競技者がドーピングを行った旨の重大かつ具体的な疑義を有するべきである。アンチ・ドーピング機関が当該時間内に検査を実施するにあたり十分な疑義を有していなかったのではないかという反論は、当該検査又は検査の全てに基づくアンチ・ドーピング規則違反に対する抗弁とはならないものとする。]

5.2.1 各国内アンチドーピング機関は、当該国の国民、居住者、若しくはスポーツ団体のライセンス保持者若しくは会員であるすべての競技者又は当該国内アンチドーピング機関の国に所在するすべての競技者に対し、競技会（時）検査権限及び競技外の検査権限を有するものとする。

5.2.2 各国際競技連盟は、国際競技連盟の規則に基づき構成するすべての競技者に対し、競技会（時）及び競技外の検査権限を有する。それらは、国際競技大会の参加者又は国際競技連盟の規則に基づき構成される競技大会への参加者、その国際競技連盟若しくはその傘下の国内競技連盟の会員若しくはライセンス保持者又はそれらの会員が含まれる。
5.2.3 Each Major Event Organization, including the International Olympic Committee and the International Paralympic Committee, shall have In-Competition Testing authority for its Events and Out-of-Competition Testing authority over all Athletes entered in one of its future Events or who have otherwise been made subject to the Testing authority of the Major Event Organization for a future Event.

5.2.4 WADA shall have In-Competition and Out-of-Competition Testing authority as set out in Article 20.7.10.

5.2.5 Anti-Doping Organizations may test any Athlete over whom they have Testing authority who has not retired, including Athletes serving a period of Ineligibility.

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

5.3 Event Testing

5.3.1 Except as otherwise provided below, only a single organization shall have authority to conduct Testing at Event Venues during an Event Period. At International Events, the international organization which is the ruling body for the Event (e.g., the International Olympic Committee for the Olympic Games, the International Federation for a World Championship and Panam Sports for the Pan American Games) shall have authority to conduct Testing. At National Events, the National Anti-Doping Organization of that country shall have authority to conduct Testing. At the request of the ruling body for an Event, any Testing during the Event Period outside of the Event Venues shall be coordinated with that ruling body.

[Comment to Article 5.3.1: Some ruling bodies for International Events may be doing their own Testing outside of the Event Venues during the Event Period and thus want to coordinate that Testing with National Anti-Doping Organization Testing.]

5.2.3 国際オリンピック委員会及び国際パラリンピック委員会を含む各主要競技大会機関は、その競技大会について、競技会（時）の検査権限を有するものとし、また、その将来の競技大会に参加予定であり、又は、将来の競技大会のために主要競技大会機関の検査権限の対象となっているすべての競技者に対し、競技会外の検査権限を有するものとする。

5.2.4 WADA は、第 20.7.10 項に定めるところ、競技会（時）及び競技会外の検査権限を有するものとする。

5.2.5 アンチ・ドーピング機関は、資産停止期間に服する競技者を含む引退をしていない者で、検査権限を有するかかかる競技者に対しても検査をすることができる。

5.2.6 国際競技連盟又は主要競技大会機関が検査の一部を直接又は国内競技連盟を経由して国内アンチ・ドーピング機関に委託、又は、請け負わせる場合には、当該国内アンチ・ドーピング機関は、追加の検体を採取し、若しくは内アンチ・ドーピング機関の費用負担において追加の種類の分析を行うよう分析機関に指示を与えることができる。追加の検体の採取され、又は、追加の種類の分析が行われた場合には、国際競技連盟又は主要競技大会機関はその旨の通知を受けるものとする。

5.3 競技大会時の検査

5.3.1 別途下記に定める場合を除き、単一の機関のみが、競技大会の期間中に競技大会会場において検査を行う権限を有するものとする。国際競技連盟では、当該競技大会の所轄組織である国際機関（例えば、オリンピック競技大会については国際オリンピック委員会、世界選手権については国際競技連盟、パラリンピック競技大会についてはパラリンピックオリンピック機関）が検査を行う権限を有する。国内競技大会では、当該国の国内アンチ・ドーピング機関が検査を行う権限を有する。競技大会の所轄組織の要請に基づき、競技大会の期間中における競技大会会場の外での検査の実施は、当該所轄組織と連携して行われるものとする。

[第 5.3.1 項の解説：競技大会の期間中に、複数の国際競技大会の所轄組織が、競技大会会場の外で独自に検査を実施している可能性があり、そのため、当該所轄組織は、当該検査の実施を国内アンチ・ドーピング機関の検査と連携して実施することを望む場合がある。]
5.3.2 If an Anti-Doping Organization which would otherwise have Testing authority but is not responsible for initiating and directing Testing at an Event desires to conduct Testing of Athletes at the Event Venues during the Event Period, the Anti-Doping Organization shall first confer with the ruling body of the Event to obtain permission to conduct and coordinate such Testing. If the Anti-Doping Organization is not satisfied with the response from the ruling body of the Event, the Anti-Doping Organization may, in accordance with procedures described in the International Standard for Testing and Investigations, ask WADA for permission to conduct Testing and to determine how to coordinate such Testing. WADA shall not grant approval for such Testing before consulting with and informing the ruling body for the Event. WADA’s decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results Management for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.

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

5.4 Testing Requirements

5.4.1 Anti-Doping Organizations shall conduct test distribution planning and Testing as required by the International Standard for Testing and Investigations.

5.4.2 Where reasonably feasible, Testing shall be coordinated through ADAMS in order to maximize the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.

5.5 Athlete Whereabouts Information

Athletes who have been included in a Registered Testing Pool by their International Federation and/or National Anti-Doping Organization shall provide whereabouts information in the manner specified in the International Standard for Testing and Investigations and shall be subject to

5.3.2 検査権限を有するが、競技大会において検査を主導し、指示する責任を負わないアンチ・ドーピング機関が、競技大会の期間中に競技大会会場にて競技者の検査の実施を希望する場合には、当該アンチ・ドーピング機関は当該検査を実施し、調整するための許可を取得するため、まずは当該競技大会の所轄組織と協議するものとする。もしアンチ・ドーピング機関が、当該競技大会の所轄組織からの回答に満足しない場合には、当該アンチ・ドーピング機関は「検査及びドーピング調査に関する国際基準」に規定された手続に従い、検査を実施し、調整するための方法を決定することを許可するようWADAに要請することができる。WADAは、当該検査の承認をするに先立ち、事前に当該競技大会の所轄組織と協議し、連絡を行わなければならない。WADAによる決定は最終的なものとし、これに対し不服を申立てることはできないものとする。別途検査権限が付与された場合を除き、当該検査は競技会外の検査とみなされるものとする。当該検査の結果管理は、別途当該競技大会の所轄組織の規則に定める場合を除き、当該検査を主導するアンチ・ドーピング機関が、これにつき責任を負うものとする。

5.4 検査要件

5.4.1 アンチ・ドーピング機関は、「検査及びドーピング調査に関する国際基準」が要求するものとし、検査配分計画及び検査を行うものとする。

5.4.2 実行可能な場合には、検査は、検査に関する様々な取り組みを最大限に活用し、かつ、無駄な検査の重複が無いかに、ADAMSを通じて調整されるものとする。

5.5 競技者の居場所情報

自己の国際競技連盟及び／又は国内アンチ・ドーピング機関により登録検査対象者リストに含まれた競技者は、「検査及びドーピング調査に関する国際基準」に定める方法により、居場所情報を提出するものとし、第10.3.2項に定めるものと、第2.4項の違反について措置の対象となるものとする。国際競技連盟及び国内アンチ・ドーピング
Consequences for Article 2.4 violations as provided in Article 10.3.2. The International Federations and National Anti-Doping Organizations shall coordinate the identification of such Athletes and the collection of their whereabouts information. Each International Federation and National Anti-Doping Organization shall make available through ADAMS a list which identifies those Athletes included in its Registered Testing Pool by name. Athletes shall be notified before they are included in a Registered Testing Pool and when they are removed from that pool. The whereabouts information they provide while in the Registered Testing Pool will be accessible through ADAMS to WADA and to other Anti-Doping Organizations having authority to test the Athlete as provided in Article 5.2. Whereabouts information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting Doping Control, providing information relevant to the Athlete Biological Passport or other analytical results, to support an investigation into a potential antidoping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with the International Standard for the Protection of Privacy and Personal Information.

Anti-Doping Organizations may, in accordance with the International Standard for Testing and Investigations, collect whereabouts information from Athletes who are not included within a Registered Testing Pool and impose appropriate and proportionate non-Code Article 2.4 consequences under their own rules.

5.6 Retired Athletes Returning to Competition

5.6.1 If an International- or National-Level Athlete in a Registered Testing Pool retires and then wishes to return to active participation in sport, the Athlete shall not compete in International Events or National Events until the Athlete has made himself or herself available for Testing, by giving six-months prior written notice to their International Federation and National Anti-Doping Organization. WADA, in consultation with the relevant International Federation and National Anti-Doping Organization, may grant an exemption to the six-month written notice rule where the strict application of that rule would be unfair to an Athlete. This decision may be appealed under Article 13.

[Comment to Article 5.6.1: Guidance for determining whether an exemption is warranted will be provided by WADA.]

5.6.1.1 Any competitive results obtained in violation of Article 5.6.1 shall be Disqualified unless the Athlete can establish that he or she could not have reasonably

アンチ・ドーピング機関は、「検査及びドーピング調査に関する国際基準」に従い、登録検査対象者リストに含まれていない競技者が居場情報に収集し、自己の規則に基づき適切かつ比例的な、本規程第2.4項による措置を賦課することができる。

5.6 引退した競技者の競技会への復帰

5.6.1 登録検査対象者リストに含まれる際レベルの競技者又は国内レベルの競技者が引退し、その後競技へ現役復帰しようとする場合には、当該競技者は、その際競技連盟及び国内アンチ・ドーピング機関に対し、6ヶ月前に事前の書面による通知をし、検査を受けられるようにするまで、国際競技大会又は国内競技大会において競技してはならないものとする。WADAは、該当する国際競技連盟及び国内アンチ・ドーピング機関と協議の上、6ヶ月前的事前の書面による通知の要件の厳格な適用が競技者にとっては不公正である場合には、その通知要件を適用しないことができる。当該決定に対しても、第13条に基づき不服申立てを提起することができる。

第5.6.1項の解説：適用除外が保証されるか否かについて判断するための指針は、WADAにより提供される。

5.6.1.1 第5.6.1項に違反して得られた競技成績は効力喪失することとする。但し、競技者が、これが国際競技大会又は国内競技大会であることを自己が合理的に知ることができなかったこと
known that this was an International Event or a National Event.

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

5.7 Investigations and Intelligence Gathering

Anti-Doping Organizations shall have the capability to conduct, and shall conduct, investigations and gather intelligence as required by the International Standard for Testing and Investigations.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited, Approved Laboratories and Other Laboratories

For purposes of directly establishing an Adverse Analytical Finding under Article 2.1, Samples shall be analyzed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis shall be determined exclusively by the Anti-Doping Organization responsible for Results Management.

[Comment to Article 6.1: For cost and geographic access reasons, WADA may approve laboratories which are not WADA-accredited to perform particular analyses, for example, analysis of blood which should be delivered from the collection site to the laboratory within a set deadline. Before approving any such laboratory, WADA will ensure it meets the high analytical and custodial standards required by WADA. Violations of Article 2.1 may be established only by Sample analysis performed by a WADA-accredited laboratory or another laboratory approved by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

5.6.2 競技者が資格停止期間中に競技を引退する場合には、当該競技者は、資格停止期間を終了したアンチ・ドーピング機関に対し、当該引退について書面で通知しなければならない。競技者がその後競技を再開しようとする場合には、当該競技者は、当該競技者の国際競技連盟及び国内アンチ・ドーピング機関に対し、6ヶ月前に事前の書面による通知（又は当該競技者の引退した日において残存する資格停止期間が6ヶ月を超える場合、当該残存期間に相当する期間前の通知）をし、検査を受けられるようにするまで、国際競技大会又は国内競技大会において競技してならないものとする。

5.7 ドーピング調査及びインテリジェンス収集

アンチ・ドーピング機関は、「検査及びドーピング調査に関する国際基準」により要求されるドーピング調査を行う能力を有するものとし、またこれを行い、インテリジェンスを収集するものとする。

第6条：検体の分析

検体は、次に掲げる原則に基づいて分析されるものとする。

6.1 認定分析機関、承認分析機関その他の分析機関の使用

第2.1項に基づき違反が疑われる分析報告を直接立証する目的において、検体は、WADA認定分析機関、又はWADAにより承認されたその他の分析機関によってのみ分析される。検体分析のために使用されるWADA認定分析機関又はWADA承認分析機関の選択は、結果管理責任を有するアンチ・ドーピング機関のみが決定するものとする。

第6.1項の解釈：特定の分析、例えば、決定した期間内に採取現場から分析機関に引き渡すことを要する血液検体等の分析を行うことについて、WADAにより認定されていない分析機関を、費用及び地理的なアクセスに関する理由で、WADAが承認することができる。WADAはこのような分析機関を承認するのに先立ち、当該分析機関においてWADAの要請する検体の分析及び検体上の高級水準が充足されていることを確認する。第2.1項に対する違反は、WADA認定分析機関又はWADAによって承認された他の分析機関による検体の分析のみにより証明される。かかる条件以外の要件に対する違反については、その他の分析機関の分析結果であっても、その結果が信頼に足りる限り、その違反の証明に用いることができるとする。]
6.1.1 As provided in Article 3.2, facts related to anti-doping rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of WADA-accredited or approved laboratories.

6.2 Purpose of Analysis of Samples and Data

Samples and related analytical data or Doping Control information shall be analyzed to detect Prohibited Substances and Prohibited Methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to Article 4.5, or to assist an Anti-Doping Organization in profiling relevant parameters in an Athlete’s urine, blood or other matrix, including for DNA or genomic profiling, or for any other legitimate anti-doping purpose.

[Comment to Article 6.2: For example, relevant Doping Control-related information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 2.2, or both. See also Comments to Articles 5.1 and 23.2.2.]

6.3 Research on Samples and Data

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

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

6.4 Standards for Sample Analysis and Reporting

Laboratories shall analyze Samples and report results in conformity with the International Standard for Laboratories.

6.1.1 第 3.2 項に定めるとおり、アンチ・ドーピング規則違反に関する事実は、いかなる信頼の方法によっても立証することができます。これには、例えば、WADA 認定分析機関又は承認分析機関の外で、信頼の方法で分析機関その他法医学的検査が含まれます。

6.2 検体及びデータの分析の目的

検体及び関連する分析データ又はドーピング・コントロール情報の分析は、禁止表において特定されている禁止物質及び禁止方法の検出並びに第 4.5 項に従って WADA が定めるその他の物質の検出、アンチ・ドーピング機関が、競技者の尿、血液若しくはその他の基質を含む関係するパラメーターについて、DNA 検査及びゲノム解析を含む検査実施の支援又はその正当なアンチ・ドーピング上の目的のために行われるものとする。

[第 6.2 項の解釈: 例えば、関連するドーピング・コントロール関連情報は、特定対象検査を実施するため、若しくは、第 2.2 項に基づくアンチ・ドーピング規則違反を要するため、又は、その双方のために使用される。第 5.1 項及び第 23.2.2 項の解釈も参照すること。]

6.3 検体及びデータの研究

競技者から書面による同意を得ない限り、研究目的のために検体を使用することはできないものの、検体、関連する分析データ及びドーピング・コントロール情報は、アンチ・ドーピング研究目的でこれを使用することができる。研究目的で使用される検体、関連する分析データ又はドーピング・コントロール情報は、まず、検体、関連する分析データ又はドーピング・コントロール情報から特定の競技者にとり扱うことができない方法で処理されるものをとする。検体及び関連する分析データ又はドーピング・コントロール情報に関する研究は、第 19 条に定める原則に従うものとする。

[第 6.3 項の解釈: 多くの医療上又は科学的な文脈でみられるように、品質保証、品質改善、方法の改善及び開発、又は参照集団を確立するための、検体及び関連情報の使用は、研究とはみなされない。このような、許可された研究以外の目的のために使用される検体及び関連情報も、まず、第 19 条に定める原則、並びに「分析機関に関する国際基準」及び「プライバシー及び個人情報の保護に関する国際基準」の要件を尊重した上で、そこから特定の競技者にとり扱うことができない方法で処理されなければならない。]

6.4 検体分析及び報告の基準

分析機関は、「分析機関に関する国際基準」に基づいて検体を分析し、その結果を報告するものとする。
6.4.1 Laboratories at their own initiative and expense may analyze Samples for Prohibited Substances or Prohibited Methods not included on the standard Sample analysis menu, or as requested by the Anti-Doping Organization that initiated and directed Sample collection. Results from any such analysis shall be reported to the Anti-Doping Organization and have the same validity and Consequences as any other analytical result.

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

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

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

After a laboratory has reported a Sample as negative, or the Sample has not otherwise resulted in an anti-doping rule violation charge, it may be stored and subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of either the Anti-Doping Organization that initiated and directed Sample collection or WADA. Any other Anti-Doping Organization with authority to test the Athlete that wishes to conduct further analysis on a stored Sample may do so with the permission of the Anti-Doping Organization that initiated and directed Sample collection or WADA, and shall be responsible for any follow-up Results Management. Any Sample storage or further analysis initiated by WADA or another Anti-Doping Organization shall be at WADA’s or that organization’s expense. Further analysis of Samples shall conform with the requirements of the International Standard for Laboratories.
6.7 Split of A or B Sample

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

6.8 WADA’s Right to Take Possession of Samples and Data

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

6.7 A Sample or B Sample

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

6.8 WADA’s Right to Take Possession of Samples and Data

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

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

[Comment to Article 6.8: WADA would not, of course, unilaterally take possession of Samples or analytical data without good cause related to a potential anti-doping rule violation, non-compliance by a Signatory or doping activities by another Person. However, the decision as to whether good cause exists is for WADA to make in its discretion and shall not be subject to challenge. In particular, whether there is good cause or not shall not be a defense against an anti-doping rule violation or its Consequences.]
ARTICLE 7 RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS

[Comment to Article 7: Various Signatories have created their own approaches to Results Management. While the various approaches have not been entirely uniform, many have proven to be fair and effective systems for Results Management. The Code does not supplant each of the Signatories’ Results Management systems. This Article and the International Standard for Results Management do, however, specify basic principles in order to ensure the fundamental fairness of the Results Management process which must be observed by each Signatory. The specific anti-doping rules of each Signatory shall be consistent with these basic principles. Not all anti-doping proceedings which have been initiated by an Anti-Doping Organization need to go to hearing. There may be cases where the Athlete or other Person agrees to the sanction which is either mandated by the Code or which the Anti-Doping Organization need to go to hearing. There may be cases where the Athlete or other Person agrees to the sanction which is either mandated by the Code or which the Anti-Doping Organization considers appropriate where flexibility in sanctioning is permitted. In all cases, a sanction imposed on the basis of such an agreement will be reported to parties with a right to appeal under Article 13.2.3 as provided in Article 14 and published as provided in Article 14.3.]

Results Management under the Code (as set forth in Articles 7, 8 and 13) establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner. Each Anti-Doping Organization conducting Results Management shall establish a process for the pre-hearing administration of potential anti-doping rule violations that respects the principles set forth in this Article. While each Anti-Doping Organization is permitted to adopt and implement its own Results Management process, Results Management for every Anti-Doping Organization shall at a minimum meet the requirements set forth in the International Standard for Results Management.

7.1 Responsibility for Conducting Results Management

Except as otherwise provided in Articles 6.6, 6.8 and 7.1.3 through 7.1.5 below, Results Management shall be the responsibility of, and shall be governed by, the procedural rules of the Anti-Doping Organization that initiated and directed Sample collection (or, if no Sample collection is involved, the Anti-Doping Organization which first provides notice to an Athlete or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation). Regardless of which organization conducts Results Management, it shall respect the Results Management principles set forth in this Article, Article 8, Article 13 and the International Standard for Results Management, and each Anti-Doping Organization’s rules shall incorporate and implement the rules identified in Article 23.2.2 without substantive change.

7.1 結果管理を実施する責任

第6.6条、第6.8条及び下記第7.1.3条から第7.1.5条までに別途定める場合を除き、結果管理は、検体の採取を主導し、指示したアンチ・ドーピング機関（又は、検体の採取が行われない場合には、アンチ・ドーピング規則違反の可能性につき競技者又はその他の人に対し別途通知を付与し、その後当該アンチ・ドーピング規則違反を余念なく追及したアンチ・ドーピング機関）の責任として、当該アンチ・ドーピング機関の手続上の規則に準拠するものとする。いずれの機関が結果管理を行うかはかかわらず、当該機関は、本条、第8条、第13条及び「結果管理に関する国際基準」に定める結果管理に関する原則を尊重するものとし、各アンチ・ドーピング機関の規則は、第23.2.2条において特定される規則を大幅に変更なく組み込むものとする。

第7条：結果管理：責任、初期審査、通知及び暫定的資格停止

[第7条の解釈：様々な署名当事者様が、独自の結果管理の方法を作り出してきました。これらの様々な方法は完全に統一されている訳ではないが、その多くは結果管理の方法として公正かつ実効性があることが確認している。本規程は、各署名当事者様の結果管理の方法に基づいて定めることを含め、各署名当事者様が遵守しなければならない結果管理手続の基本的な公平性を確保しようとするものである。各署名当事者様の国内のアンチ・ドーピング規則は、この基本原則に整合するものでなければならない。アンチ・ドーピング機関が主導した全てのアンチ・ドーピング手続において聴聞会を開催する必要があるわけではない。本規程により義務づけられる制裁措置について、又は、制裁措置の聴聞において柔軟性が許容される場合には、アンチ・ドーピング機関が適切と判断する制裁措置について、競技者又はその他の人において、その制裁措置に同意する事例が発生する。いずれの場合も、当該同意に基づき処理された制裁措置については、第14条が定めるとおり第13.2.3項に基づき不服申し立てを提起する権利を有する当事者に報告され、又、第14.3項の定めに従い公表される。]
If a dispute arises between Anti-Doping Organizations over which Anti-Doping Organization has Results Management responsibility, WADA shall decide which organization has such responsibility. WADA’s decision may be appealed to CAS within seven days of notification of the WADA decision by any of the Anti-Doping Organizations involved in the dispute. The appeal shall be dealt with by CAS in an expedited manner and shall be heard before a single arbitrator. Any Anti-Doping Organization seeking to conduct Results Management outside of the authority provided in this Article 7.1 may seek approval to do so from WADA.

Where a National Anti-Doping Organization elects to collect additional Samples pursuant to Article 5.2.6, then it shall be considered the Anti-Doping Organization that initiated and directed Sample collection. However, where the National Anti-Doping Organization only directs the laboratory to perform additional types of analysis at the National Anti-Doping Organization’s expense, then the International Federation or Major Event Organization shall be considered the Anti-Doping Organization that initiated and directed Sample collection.

In circumstances where the rules of a National Anti-Doping Organization do not give the National Anti-Doping Organization authority over an Athlete or other Person who is not a national, resident, license holder, or member of a sport organization of that country, or the National Anti-Doping Organization declines to exercise such authority, Results Management shall be conducted by the applicable International Federation or by a third party with authority over the Athlete or other Person as directed by the rules of the International Federation. For Results Management purposes for a test or a further analysis conducted by WADA on its own initiative, or an anti-doping rule violation discovered by WADA, WADA shall designate an Anti-Doping Organization with authority over the Athlete or other Person.

Comment to Article 7.1.3: The Athlete’s or other Person’s International Federation has been made the Anti-Doping Organization of last resort for Results Management to avoid the possibility that no Anti-Doping Organization would have authority to conduct Results Management. An International Federation is free to provide in its own anti-doping rules that the Athlete’s or other Person’s National Anti-Doping Organization shall conduct Results Management.

For Results Management relating to a Sample initiated and taken during an Event conducted by a Major Event Organization, or an anti-doping rule violation occurring during such Event, the Major Event Organization for that Event shall assume Results Management.

7.1.1.1 いずれのアンチ・ドーピング機関が結果管理につき責任を負うかを巡る紛争が、アンチ・ドーピング機関の間で発生した場合には、WADA は、いずれの機関が責任を負うかを決定する。当該紛争に関するアンチ・ドーピング機関は、WADA の決定に対し、当該決定の通知後 7 日以内に CAS に不服申立てを提起することができます。当該不服申立てでは CAS が迅速に取り扱い、1 名の仲裁人により聴取されるものとする。本第 7.1 項に定める権限外で結果管理を行うことを求めるアンチ・ドーピング機関は、これを行うことについて WADA に承認を求めることができる。

7.1.2 国内アンチ・ドーピング機関が、第 5.2.6 項に従い追加の検体を採取することを選択する場合には、当該国内アンチ・ドーピング機関が、検体の採取を主導し、指示したアンチ・ドーピング機関であるとみなされるものとする。但し、国内アンチ・ドーピング機関が、当該国内アンチ・ドーピング機関の費用負担における分析機関が追加の種類の分析を行うよう指示するに過ぎない場合には、国際競技連盟又は主要競技大会機関が、検体の採取を主導し、指示したアンチ・ドーピング機関であるとみなされるものとする。

7.1.3 国内アンチ・ドーピング機関の規則が、当該国の国民、居住者、市民権者若しくは当該国のスポーツ団体の加盟者ではない競技者若しくはその他の人に対する権限を国内アンチ・ドーピング機関に付与しない場合、又は、国内アンチ・ドーピング機関が当該権限を行使しない場合には、結果管理は、該当する国際競技連盟又は国際競技連盟の規則において指示されるもの、及び当該競技者又はその他の人について権限を有する第三者により行われる。WADA 独自の判断による検査若しくは更なる分析又は WADA が発見したアンチ・ドーピング規則違反に関する結果管理の目的において、WADA は、当該競技者又はその他の人について権限を有するアンチ・ドーピング機関を指定するものとする。

[第 7.1.3 項の解説：競技者又はその他の人を国際競技連盟では、いずれの国内アンチ・ドーピング機関にも結果管理を行う権限がないという可能性を避けるために、結果管理のための最終的なアンチ・ドーピング機関とされている。国際競技連盟は、競技者又はその他の人を国内アンチ・ドーピング機関が結果管理を行う旨、そのアンチ・ドーピング規則に自由に定めることができる。]

7.1.4.1 主要競技大会機関が行う競技大会中に開始された手続で採取された検体に関する結果管理、又は当該競技大会中に発生したアンチ・ドーピング規則違反については、当該競技大会に関する主要競技大会機関は、少なくとも、アンチ・ドーピング規則違反が行われたか否かについて、また、行われた
Management responsibility to at least the limited extent of conducting a hearing to determine whether an anti-doping rule violation was committed and, if so, the applicable Disqualifications under Articles 9 and 10.1, any forfeiture of any medals, points, or prizes from that Event, and any recovery of costs applicable to the anti-doping rule violation. In the event the Major Event Organization assumes only limited Results Management responsibility, the case shall be referred by the Major Event Organization to the applicable International Federation for completion of Results Management.

7.1.5 WADA may direct an Anti-Doping Organization with Results Management authority to conduct Results Management in a particular case. If that Anti-Doping Organization refuses to conduct Results Management within a reasonable deadline set by WADA, such refusal shall be considered an act of non-compliance, and WADA may direct another Anti-Doping Organization with authority over the Athlete or other Person, that is willing to do so, to take Results Management responsibility in place of the refusing Anti-Doping Organization or, if there is no such Anti-Doping Organization, any other Anti-Doping Organization that is willing to do so. In such case, the refusing Anti-Doping Organization shall reimburse the costs and attorney’s fees of conducting Results Management to the other Anti-Doping Organization designated by WADA, and a failure to reimburse costs and attorney’s fees shall be considered an act of non-compliance.

[Comment to Article 7.1.5: Where WADA directs another Anti-Doping Organization to conduct Results Management or other Doping Control activities, this is not considered a “delegation” of such activities by WADA.]

7.1.6 Results Management in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by the International Federation or the National Anti-Doping Organization with whom the Athlete in question files whereabouts information, as provided in the International Standard for Results Management. The Anti-Doping Organization that determines a filing failure or a missed test shall submit that information to WADA through ADAMS, where it will be made available to other relevant Anti-Doping Organizations.

場合には、第9条及び第10.1項に基づく適用される失格、当該競技大会におけるメダル、得点及び賞金の剥奪、並びに当該アンチ・ドーピング規則違反に適用される費用の回復について判断するための聴聞会を開催するという限定的な範囲について結果管理責任を引き受けるものとする。主要競技大会機関が限定的な結果管理の責任のみ引き受ける場合には、当該事業は、結果管理の完遂のために、主要競技大会機関から該当する国際競技連盟に回付されるものとする。

7.1.5 WADAは、結果管理権限を有するアンチ・ドーピング機関に対し、特定の事案において結果管理を行うよう指示することができる。当該アンチ・ドーピング機関がWADAの設立した合理的な期間内に結果管理を行うことを拒否した場合には、当該拒否は不遵守行為として処理されるとし、WADAは、当該競技者又は他の人について権限を有する他のアンチ・ドーピング機関であって結果管理責任を引き受けるよう指示するものに対し、拒否したアンチ・ドーピング機関に代わって結果管理責任を引き受けることを指示することができる。また、そのようなアンチ・ドーピング機関が存在しない場合には、かかる意思を有する他のいかなるアンチ・ドーピング機関に対しても指示をすることができる。かかる場合には、拒否したアンチ・ドーピング機関は、WADAの指定した他のアンチ・ドーピング機関に、結果管理を行う費用及び弁護士報酬を償還するものとし、費用及び弁護士報酬を償還しないことは不遵守行為としてみなされるものとする。

[第 7.1.5 項の解説：WADAが、結果管理又は他のドーピング・コントロール活動を行う他のアンチ・ドーピング機関に指示する場合には、これは、WADAによる当該活動の「委託」とはみなされない。]

7.1.6 潜在的な居場所情報関連義務違反（提出義務違反又は検査未了）に関係する結果管理は、『結果管理に関する国際基準』に定めるもので、違反を問われた競技者による居場所情報の提出先である国際競技連盟又は国内アンチ・ドーピング機関により処理されるものとする。提出義務違反又は検査未了を認定するアンチ・ドーピング機関は、ADAMSを通じてWADAに当該情報を提出するものとし、当該情報は、当該システムからその関連アンチ・ドーピング機関により利用可能なものとされる。
7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

Review and notification with respect to a potential anti-doping rule violation shall be carried out in accordance with the International Standard for Results Management.

7.3 Identification of Prior Anti-Doping Rule Violations

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

7.4 Principles Applicable to Provisional Suspensions

[Comment to Article 7.4: Before a Provisional Suspension can be unilaterally imposed by an Anti-Doping Organization, the internal review specified in the Code must first be completed. In addition, the Signatory imposing a Provisional Suspension shall ensure that the Athlete is given an opportunity for a Provisional Hearing either before or promptly after the imposition of the Provisional Suspension, or an expedited final hearing under Article 8 promptly after imposition of the Provisional Suspension. The Athlete has a right to appeal under Article 13.2.3.

In the rare circumstance where the B Sample analysis does not confirm the A Sample finding, the Athlete who had been Provisionally Suspended will be allowed, where circumstances permit, to participate in subsequent Competitions during the Event. Similarly, depending upon the relevant rules of the International Federation in a Team Sport, if the team is still in Competition, the Athlete may be able to take part in future Competitions. Athletes and other Persons shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed or accepted as provided in Article 10.13.2.]

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

The Signatories described below in this paragraph 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 Article 7.2: where the Signatory is the ruling body of an Event (for application to that Event); where the Signatory is responsible for team selection (for application to that team selection); where the Signatory is the applicable International Federation; or where the Signatory is responsible for team selection; where the Signatory is the applicable International Federation; or where the Signatory is responsible for team selection;
another Anti-Doping Organization which has Results Management authority over the alleged anti-doping rule violation. 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 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.

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

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 Article 7.4.1 prior to analysis of the Athlete's B Sample or final hearing as described in Article 8.

7.4.3 Opportunity for Hearing or Appeal

Notwithstanding Articles 7.4.1 and 7.4.2, a Provisional Suspension may not be imposed unless the rules of the Anti-Doping Organization provide the Athlete or other Person with: (a) an opportunity for a Provisional Hearing, either before the imposition of the Provisional Suspension or on a timely basis after the imposition of the Provisional Suspension; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of a Provisional Suspension. The rules of the Anti-Doping Organization shall also provide 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 Article 13.

7.4.4 Voluntary Acceptance of Provisional Suspension

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

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

7.5.1 Results Management decisions or adjudications by Anti-Doping Organizations, must not purport to be limited to in a particular geographic area or sport and shall address and determine without limitation the following issues: (i) whether an anti-doping rule violation was committed or a Provisional Suspension should be imposed, the factual basis for such determination, and the specific Code Articles violated, and (ii) all Consequences flowing from the anti-doping rule violation(s), including applicable Disqualifications under Articles 9 and 10.10, any forfeiture of medals or prizes, any period of Ineligibility (and the date it begins to run) and any Financial Consequences, except that Major Event Organizations shall not be required to determine Ineligibility or Financial Consequences beyond the scope of their Event.

[Comment to Article 7.5.1: Results Management decisions include Provisional Suspensions.]

7.5.2 A Results Management decision or adjudication by a Major Event Organization in connection with one of its Events may be limited in

7.4.5 If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested by the Athlete or Anti-Doping Organization) does not confirm the A Sample analysis, then the Athlete shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1. In circumstances where the Athlete (or the Athlete's team 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 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 reinserted, the Athlete or team may continue to take part in the Event.

7.5 結果管理に関する決定

7.5.1 アンチ・ドーピング機関の結果管理に関する決定は裁量、特定の地理的地域又は競技に限定されることが意図されてはならず、以下を含むがこれらに限らない事項を取り扱い、決定するものとする。(i) アンチ・ドーピング規則違反が行われたか、又は暫定的資格停止が賦課されるべきか、当該決定の事実の根拠、及び違反があった本規程の具体的な条項、並びに(ii) 第9条及び第10.10条に基づく該当する失格、メダル又は賞金の剥奪、資格停止期間及び当該期間の開始日、並びに金銭的措置を含むアンチ・ドーピング違反に由来するすべての措置。但し、主要競技大会機関は、自己の競技大会の範囲を超えて、資格停止又は金銭的措置について決定することを求められないものとする。
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 Articles 9 and 10.1, with any resulting forfeiture of medals, points and prizes. In the event a Major Event Organization accepts only limited responsibility for Results Management decisions, it must comply with Article 7.1.4.

[Comment to Article 7.5.2: 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 Article 10.1 (which is left to the ruling body for an Event). Pursuant to Article 15, such decision and its imposition of Consequences shall have automatic effect in every sport in every country. For example, for a determination that an Athlete committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the Athlete's results obtained in the Competition would be Disqualified under Article 9 and all other competitive results obtained by the Athlete from the date the Sample was collected through the duration of the period of Ineligibility are also Disqualified under Article 10.10; if the Adverse Analytical Finding resulted from Testing at an Event, it would be the Major Event Organization's responsibility to decide whether the Athlete's other individual results in the Event prior to Sample collection are also Disqualified under Article 10.1.]

7.6 Notification of Results Management Decisions

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

7.7 Retirement from Sport

If an Athlete or other Person retires while a Results Management process is underway, the Anti-Doping Organization conducting the Results Management process retains authority to complete its Results Management process. If an Athlete or other Person retires before any Results Management process has begun, the Anti-Doping Organization which would have had Results Management authority over the Athlete or other Person at the time the Athlete or other Person committed an anti-doping rule violation, has authority to conduct Results Management.

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

7.6 結果管理に関する決定の通知

競技者、その他の人、署名当事者及びWADAは、第14条及び『結果管理に関する国際基準』に定めるとおり、結果管理に関する決定について通知をするものとする。

7.7 競技からの引退

結果管理手続の進行中に競技者又はその他の人が引退する場合には、結果管理を実施しているアンチ・ドーピング機関は、当該結果管理手続を完了させる権限を保有し続ける。併に、競技者又はその他の人が結果管理手続の開始前に引退する場合には、競技者又はその他の人がアンチ・ドーピング規則違反に関与した場合においても競技者又はその他の人によっての結果管理権限を有するアンチ・ドーピング機関が、結果管理を実施する権限を有する。

[第7.7条の解説：競技者又はその他の人がアンチ・ドーピング機関の権限を有する前に行った行為については、アンチ・ドーピング規則違反を構成しないが、スポーツ団体の加盟者から除外する正当な根拠たるうえ。]
ARTICLE 8  
**RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION**

8.1  
**Fair Hearings**

For any Person who is asserted to have committed an anti-doping rule violation, the Anti-Doping Organization with responsibility for Results Management shall provide, at a minimum, a fair hearing within a reasonable time by a fair, impartial and Operationally Independent hearing panel in compliance with the WADA International Standard for Results Management. A timely reasoned decision specifically including an explanation of the reason(s) for any period of Ineligibility and Disqualification of results under Article 10.10 shall be Publicly Disclosed as provided in Article 14.3.

[Comment to Article 8.1: This Article requires that at some point in the Results Management process, the Athlete or other Person shall be provided the opportunity for a timely, fair and impartial hearing. These principles are also found in Article 6.1 of the Convention for the Protection of Human Rights and Fundamental Freedoms and are principles generally accepted in international law. This Article is not intended to supplant each Anti-Doping Organization's own rules for hearings but rather to ensure that each Anti-Doping Organization provides a hearing process consistent with these principles.]

8.2  
**Event Hearings**

Hearings 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.

[Comment to Article 8.2: For example, a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Athlete's eligibility to participate in the Event or during an Event where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.]

8.3  
**Waiver of Hearing**

The right to a hearing may be waived either expressly or by the Athlete's or other Person's failure to challenge an Anti-Doping Organization's assertion that an anti-doping rule violation has occurred within the specific time period provided in the Anti-Doping Organization's rules.

第 8 条： 結果管理：公正な聴聞を受ける権利及び聴聞会における決定の通知

8.1 公正な聴聞会

アンチ・ドーピング規則違反を行ったと主張された人につき、結果管理について責任を負う各アンチ・ドーピング機関は、最低限、合理的な期間内に、WADA の「結果管理に関する国際基準」を遵守している。公正かつ公平で運営上の独立性を有する聴聞パネルによる公正な聴聞会を提供するものとする。第 14.3 項に定めるとおり、資格停止期間の理由の説明及び第 10.10 項に基づく成績の失効を具体的に含む適時の理由付きの決定が、一般開示されるものとする。

第 8.1 項の解釈：本条は、結果管理手続の一定の時点において、競技者又はその他の人に対し、適時、公正かつ公平な聴聞会の機会を開催することを義務づけている。これらの原則は、欧州人権条約の第 6.1 項及び、国際法において一般的に認められる原則である。本項に設けた目的は、各アンチ・ドーピング機関の聴聞会に関する固有の規則に取って代わることではなく、各アンチ・ドーピング機関がこれらの原則に適合する聴聞手続を定めるようにすることにある。

8.2 競技大会に関する聴聞会

競技大会に関連して開催される聴聞会は、関係するアンチ・ドーピング機関及び聴聞パネルの規則において許容されている場合には、簡易な手続の方式で開催することができる。

第 8.2 項の解釈：例えば、アンチ・ドーピング規則違反の問題が解決されなければ競技者の競技大会参加資格を判断できない場合には、主要競技大会の前日に緊急聴聞会を開催される可能性がある。また、事案の判断内容によって競技大会における競技者の成績の有効性や継続参加資格が左右される場合、競技大会開催期間中に緊急聴聞会が開催される可能性がある。]

8.3 聴聞を受ける権利の放棄

聴聞を受ける権利は、明示的に、又は、競技者又はその他の人がアンチ・ドーピング機関によるアンチ・ドーピング規則に違反した旨の主張に対しアンチ・ドーピング機関の規則に定められた特定の期間内に異議申し立てをしないことにより放棄される。
8.4 Notice of Decisions

The reasoned hearing decision, or in cases where the hearing has been waived, a reasoned decision explaining the action taken, shall be provided by the Anti-Doping Organization with Results Management responsibility to the Athlete and to other Anti-Doping Organizations with a right to appeal under Article 13.2.3 as provided in Article 14 and published in accordance with Article 14.3.

8.5 Single Hearing Before CAS

Anti-doping rule violations asserted against International-Level Athletes, National-Level Athletes or other Persons may, with the consent of the Athlete or other Person, the Anti-Doping Organization with Results Management responsibility, and WADA, be heard in a single hearing directly at CAS.

[Comment to Article 8.5: In some cases, the combined cost of holding a hearing in the first instance at the international or national level, then rehearing the case de novo before CAS can be very substantial. Where all of the parties identified in this Article are satisfied that their interests will be adequately protected in a single hearing, there is no need for the Athlete or Anti-Doping Organizations to incur the extra expense of two hearings. An Anti-Doping Organization may participate in the CAS hearing as an observer.]

ARTICLE 9 AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS

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

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

8.4 決定の通知

講じられた処分を説明する聴聞会の理由付きの決定、又は聴聞を受ける権利が放棄された場合には講じられた処分を説明する理由付きの決定、結果管理について責任を負うアンチ・ドーピング機関によって、第13.2.3項に基づき不服申立てを提起する権利を有する競技者及び他のアンチ・ドーピング機関に対し、第14条に定めるとおりに提供されるものとし、また、第14.3項に従い公開されるものとする。

8.5 CASにおける一審制の聴聞会

国際レベルの競技者、国内レベルの競技者又はその他の人に対し主張されたアンチ・ドーピング規則違反は、競技者又はその他の人、結果管理を行う責任を負うアンチ・ドーピング機関及びWADAの同意をもって、直接CASにおける一審制の聴聞会の対象とすることができる。

[第8.5項の解説：国際レベル又は国内レベルで第一審の聴聞会を行い、その後CASにて新規に再度聴聞会を行うために要する費用の合計は、多額である場合がある。本項において特定される全当事者が、自己の利益が一審制の聴聞会で適切に保護される旨を納得する場合には、競技者又はアンチ・ドーピング機関は2回の聴聞会にかかる追加費用を負担する必要がない。アンチ・ドーピング機関は、オブザーバーとしてCASの聴聞会に参加することができる。]

第9条：個人の成績の自動的失効

個人スポーツにおける競技会（時）検査に関してアンチ・ドーピング規則違反があった場合には、当該競技会において得られた個人の成績は、自動的に失効し、その結果として、当該競技会において獲得されたメダル、得点、及び賞金の剥奪を含む措置が講じられる。

[第9条の解説：チームスポーツについては、個人の選手が受領した賞は失効する。但し、チームの失効は、第11条に定めるとおりとする。チームスポーツではないがチームに対して賞が与えられるスポーツにおいては、一人又は二人以上のチームメンバーがアンチ・ドーピング規則に違反した際におけるチームに対する失効又はその他の制裁措置は、国際競技連盟の適用される規則に従って課されることになる。]
ARTICLE 10  SANCTIONS ON INDIVIDUALS

[Comment to Article 10: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete's career is short, a standard period of Ineligibility has a much more significant effect on the Athlete than in sports where careers are traditionally much longer. A primary argument in favor of harmonization is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, too much flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting organizations to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of conflicts between International Federations and National Anti-Doping Organizations.]

10.1 Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs

An anti-doping rule violation occurring during or in connection with an Event may, upon the decision of the ruling body of the Event, lead to Disqualification of all of the Athlete's individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1. Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the seriousness of the Athlete's anti-doping rule violation and whether the Athlete tested negative in the other Competitions.

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

[Comment to Article 10.1: Whereas Article 9 Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the 100 meter backstroke), this Article may lead to Disqualification of all results in all races during the Event (e.g., the swimming World Championships).]
10.2 Ineligibility for Presence, Use or Attempted Use or Possession of a Prohibited Substance or Prohibited Method

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

10.2.1 The period of Ineligibility, subject to Article 10.2.4, shall be four years where:

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

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

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

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

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

10.2.4 Ineligibility where the Prohibited Substance or Prohibited Method is a Specified Substance or Specified Method

10.2.4.1 The period of Ineligibility shall be two years where:

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

[Comment to Article 10.2.4.1.1: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

10.2.4.1.2 The anti-doping rule violation involves a Specified Substance or Specified Method and the Anti-Doping Organization can establish that the anti-doping rule violation was intentional.

10.2.4.2 If Article 10.2.4.1 does not apply, subject to Article 10.2.4.4, the period of Ineligibility shall be four years.

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

10.2.4.4 If Article 10.2.4.3 does not apply, the period of Ineligibility shall be ten years where:

10.2.4.4.1 The anti-doping rule violation involves a Specified Substance or Specified Method and the Anti-Doping Organization can establish that the anti-doping rule violation was intentional.

[Comment to Article 10.2.4.4.1: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

10.2.4.4.2 The anti-doping rule violation involves a Specified Substance or Specified Method and the Anti-Doping Organization can establish that the anti-doping rule violation was not intentional.

[Comment to Article 10.2.4.4.2: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

10.2.4.4.3 The anti-doping rule violation involves a Specified Substance or Specified Method and the Anti-Doping Organization can establish that the anti-doping rule violation was intentional.

[Comment to Article 10.2.4.4.3: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

10.2.4.4.4 The anti-doping rule violation involves a Specified Substance or Specified Method and the Anti-Doping Organization can establish that the anti-doping rule violation was not intentional.

[Comment to Article 10.2.4.4.4: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

10.2.4.4.5 The anti-doping rule violation involves a Specified Substance or Specified Method and the Anti-Doping Organization can establish that the anti-doping rule violation was intentional.
10.2.4 Notwithstanding any other provision in Article 10.2, where the anti-doping rule violation involves a Substance of Abuse:

10.2.4.1 If the Athlete can establish that any ingestion or Use occurred Out-of-Competition and was unrelated to sport performance, then the period of Ineligibility shall be three months Ineligibility. In addition, the period of Ineligibility calculated under this Article 10.2.4.1 may be reduced to one month if the Athlete or other Person satisfactorily completes a Substance of Abuse treatment program approved by the Anti-Doping Organization with Results Management responsibility. The period of Ineligibility established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.

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

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

10.3 Ineligibility for Other Anti-Doping Rule Violations

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

10.3.1 For violations of Article 2.3 or 2.5, the period of Ineligibility shall be four years except: (i) in the case of failing to submit to Sample collection, if the Athlete can establish that the commission of the

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

10.3.1.1 [The provisions of Article 10.2.4 concerning the reduction of the period of Ineligibility due to the completion of a treatment program are not applicable to violations of Articles 2.3 or 2.5.]

10.3.1.2 For other anti-doping rule violations, the period of Ineligibility shall be as follows, unless Article 10.6 or 10.7 are applicable:

10.3.1.2.1 If the violation is related to the commission of an anti-doping rule violation (including a positive sample result) then the period of Ineligibility shall be at least three years.

10.3.1.2.2 If the violation is unrelated to the commission of an anti-doping rule violation, then the period of Ineligibility shall be at least two years.

10.3.1.2.3 If the violation is a subsequent violation of an anti-doping rule violation, then the period of Ineligibility shall be at least five years.

10.3.2 If the violation is a subsequent violation of an anti-doping rule violation, then the period of Ineligibility shall be at least five years.

10.3.3 For other anti-doping rule violations, the period of Ineligibility shall be as follows, unless Article 10.6 or 10.7 are applicable:

10.3.3.1 If the violation is related to the commission of an anti-doping rule violation (including a positive sample result) then the period of Ineligibility shall be at least three years.

10.3.3.2 If the violation is unrelated to the commission of an anti-doping rule violation, then the period of Ineligibility shall be at least two years.

10.3.3.3 If the violation is a subsequent violation of an anti-doping rule violation, then the period of Ineligibility shall be at least five years.

10.3.4 If the violation is a subsequent violation of an anti-doping rule violation, then the period of Ineligibility shall be at least five years.
anti-doping rule violation was not intentional, the period of Ineligibility shall be two years; (ii) in all other cases, if the Athlete or other Person can establish exceptional circumstances that justify a reduction of the period of Ineligibility, the period of Ineligibility shall be in a range from two years to four years depending on the Athlete or other Person's degree of Fault; or (iii) in a case involving a Protected Person or Recreational Athlete, the period of Ineligibility shall be in a range between a maximum of two years and, at a minimum, a reprimand and no period of Ineligibility, depending on the Protected Person or Recreational Athlete's degree of Fault.

10.3.2 For violations of Article 2.4, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete's degree of Fault. The flexibility between two years and one year of Ineligibility in this Article is not available to Athletes where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for Testing.

10.3.3 For violations of Article 2.7 or 2.8, the period of Ineligibility shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Protected Person shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than for Specified Substances, shall result in lifetime Ineligibility for Athlete Support Personnel. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

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

10.3.4 For violations of Article 2.9, the period of Ineligibility imposed shall be a minimum of two years, up to lifetime Ineligibility, depending on the seriousness of the violation.

10.3.5 For violations of Article 2.10, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete or other Person's degree of Fault and other circumstances of the case.

10.3.2 第 2.4 項の違反の場合には、資格停止期間は 2 年間とするものとする。但し、競技者の過失の程度により最短 1 年間となるまで短縮することができる。

本項における 2 年間から 1 年間までの間の資格停止期間の柔軟性は、直接の居場所情報変更パターン又はその他の行為により、競技者が検査の対象となることを避けようとしていた旨の重大な疑義が生じる場合には当該競技者にはこれを適用しない。

10.3.3 第 2.7 項又は第 2.8 項の違反の場合には、資格停止期間は、違反の重大性の程度により、最短 4 年間、最長で永久資格停止とするものとする。要保護者に関連する第 2.7 項又は第 2.8 項の違反は、特に重大な違反であると考えられ、サポートスタッフによる違反が特定物質に関する違反以外のものであった場合には、当該サポートスタッフに対して永久資格停止が課されるものとする。さらに、第 2.7 項又は第 2.8 項の重大な違反がスポーツに関連しない法令違反にも及ぶ場合には、権限のある行政機関、専門機関又は司法機関に対して報告がなされるものとする。

[第 10.3.2 項の解説: ドーピングを行っている競技者に関与し、又は、ドーピングの隠蔽に関与した者に ば、陽性検査結果が出た競技者本人よりも、厳しい制裁措置が適用されるべきである。スポーツ団体の権限は、一般に、認定、加盟その他の競技上の恩典に関する資格の停止に限定されていることから、サポートスタッフを権限のある機関に告発することは、ドーピングを抑止するための重要な措置である。]

10.3.4 第 2.9 項の違反につき、記載される資格停止期間は、違反の重大性の程度により、最短で 2 年、最長で永久資格停止とするものとする。

10.3.5 第 2.10 項の違反につき、資格停止期間は 2 年間とするものとする。但し、競技者又はその他の人の過失の程度及び当該事案のその他の事情により、最短 1 年間となるまで短縮することができる。
10.3.6 For violations of Article 2.11, the period of Ineligibility shall be a minimum of two years, up to lifetime Ineligibility, depending on the seriousness of the violation by the Athlete or other Person.

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

10.4 Aggravating Circumstances which may Increase the Period of Ineligibility

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

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

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

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

[第10.3.5 項の解釈: 第2.10 項（競技者又はその他の人が特定の対象者と関わること）に引用される「その他の人」が個人でなく団体である場合には、当該団体は第12 条の定めに従い制裁の対象となる場合がある。]

10.3.6 第2.11 項の違反について、競技者又はその他の人の違反の重大性の程度により、資格停止期間は最短で2 年、最長で永久資格停止とする。

[第10.3.6 項の解釈: 第2.5 項（不正干渉）及び第2.11 項（競技者又はその他の人が、当局への通報を阻止し、又は当局への通報に対して報復する行為）の両方に違反すると判断される行為は、より厳しい制裁措置を有する違反に基づき制裁が課されるものとする。]

10.4 資格停止期間を加重する可能性のある加重事情

世界アンチ・ドーピング規程 2021

10.4. 過誤又は過失がない場合における資格停止期間の取消し

個別事案において、競技者が「過誤又は過失がないこと」を立証した場合には、その立証がなければ適用されたであろう資格停止期間は取り消されるものとする。
[Comment to Article 10.5: This Article and Article 10.6.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example, where an Athlete could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, No Fault or Negligence would not apply in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Article 2.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a Prohibited Substance by the Athlete’s personal physician or trainer without disclosure to the Athlete (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Athlete’s food or drink by a spouse, coach or other Person within the Athlete’s circle of associates (Athletes are responsible for what they ingest and for the conduct of those Persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Article 10.6 based on No Significant Fault or Negligence.]

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

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

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

10.6.1.1 Specified Substances or Specified Methods

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

10.6.1.2 Contaminated Products

In cases where the Athlete or other Person can establish both No Significant Fault or Negligence and that the detected Prohibited Substance (other than a Substance of Abuse) came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility,

[第 10.5 項の解釈：本項及び第 10.6.2 項は、制裁措置の賦課に対してのみ適用され、 Antib·ドーピング規則違反が発生したか否かの判断には適用されない。また、例えば、十分な注意を払っていたにもかかわらず競技相手から妨害を受けていた旨を競技者が説明できる場合等の例外的状況においてのみ適用される。要するに、「重大な過誤又は過失がないこと」は、次の場合には適用されない。

(a) ビタミンや栄養補助食品の誤った表示又は汚染が原因となって検査結果が出た場合（競技者は自らが摂取する物に関して責任を負う（第2.1項）とともに、サプリメントの汚染の可能性に関しては競技者に対して無過失の状況が成立しない。）。

(b) 競技者本人が無断で競技者の主治医又はトレーナーが指定物質を授与した場合（競技者は医療従事者の選定について責任を負うとともに、自らに対する指定物質の授与が停止されている旨を医療従事者に対して伝達しなければならない。）。

(c) 競技者が無断で集団の中で、配布者、コーチその他の人が競技者の飲食物に手を加えた場合（競技者は自らが摂取する物に関して責任を負うとともに、飲食物への接触を許している人の行為についても責任を負う。）。

但し、個々の事案の具体的な事実によっては、上記のような事案であっても、「重大な過誤又は過失がないこと」として、第10.6項に基づき、制裁措置が短縮される可能性がある。]

10.6 「重大な過誤又は過失がないこと」に基づく資格停止期間の短縮

10.6.1 第2.1項、第2.2項又は第2.6項の違反に対する特定の状況における制裁措置の短縮

第10.6.1項に基づく短縮の一切は、相互に排他的であり、累積的ではない。

10.6.1.1 特定物質又は特定方法

アンチ・ドーピング規則違反が特定物質（薬用物質を除く。）又は特定方法に関連する場合において、競技者は自らの行為が「重大な過誤又は過失がないこと」を立証できるときに、資格停止期間は、競技者又はその他の人への過誤の程度により、最短で2年間の資格停止期間を伴わない譴責として、最長で3年間の資格停止期間とする。

10.6.1.2 汚染製品

競技者又はその他の人が「重大な過誤又は過失がないこと」を立証できる場合において、検出された禁止物質（薬用物質を除く。）が汚染製品に由来した場合には、資格停止期間は、競技者又はその他の人の過誤の程度により、最短で2年間の資格停止期間を伴わない譴責として、最長で3年間の資格停止期間とするものとする。
and at a maximum, two years Ineligibility, depending on the Athlete or other Person's degree of Fault.

[Comment to Article 10.6.1.2: In order to receive the benefit of this Article, the Athlete or other Person must establish not only that the detected Prohibited Substance came from a Contaminated Product, but must also separately establish No Significant Fault or Negligence. It should be further noted that Athletes are on notice that they take nutritional supplements at their own risk. The sanction reduction based on No Significant Fault or Negligence has rarely been applied in Contaminated Product cases unless the Athlete has exercised a high level of caution before taking the Contaminated Product. In assessing whether the Athlete can establish the source of the Prohibited Substance, it would, for example, be significant for purposes of establishing whether the Athlete actually Used the Contaminated Product, whether the Athlete had declared the product which was subsequently determined to be contaminated on the Doping Control form. This Article should not be extended beyond products that have gone through some process of manufacturing. Where an Adverse Analytical Finding results from environment contamination of a “non-product” such as tap water or lake water in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, typically there would be No Fault or Negligence under Article 10.5.]

10.6.1.3 Protected Persons or Recreational Athletes

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

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

If an Athlete or other Person establishes in an individual case where Article 10.6.1 is not applicable, that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of Ineligibility may be reduced based on the Athlete or other Person's degree of Fault.

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

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

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

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

10.7.1 Substantial Assistance in Discovering or Establishing Code Violations.

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

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

期間内には、立証がなかった場合に適用されたであろう資格停止期間の2分の1を下回ってはならない。別の適用されたであろう資格停止期間が永久に亘る場合には、本項に基づく短縮された後の資格停止期間は8年を下回ってはならない。

10.7 資格停止期間の取消し、短縮若しくは猶予又は過誤以外を理由とするその他の措置

10.7.1 本規程の遠見を発見又は立証する際の実質的な支援

[第10.7.1項の解説：自己の過ちを認め、他のアンチ·ドーピング規程違反を明かに出すとする意思を有する競技者、サポートスタッフ又はその他の人の協力は、クリーンなスポーツのために重要である。]

10.7.1.1 アンチ·ドーピング規程違反の結果管理責任を有するアンチ·ドーピング機関は、第13条に基づく不服申立てに対する決定又は不服申立て期間の満了に先立ち、競技者又はその他の人がアンチ·ドーピング機関、刑事司法機関又は懲戒機関に対して、実質的な支援を提供し、その結果、(i) アンチ·ドーピング機関又は他の人のによるアンチ·ドーピング規程違反を発見若しくは該当手続を提起し、(ii) 動機管理若しくは懲戒機関が他の人のにより犯罪若しくは違法行為に対する違法を発見し若しくは該当手続を提起するに至り、実質的な支援を提供した人により提供された情報等、結果管理責任を負うアンチ·ドーピング機関により利用可能となり、(iii) 本規程、国際基準又はテクニカルデューティメートを遵守していないことに基づき、WADAが、署名当事者、WADA認定分析機関又は（分析機関に関する国際基準）において定義される）アスリート·サポート·マネジメント·ユニットに対して手続を提起し、又は、(iv) 言語管理機関又は懲戒機関がWADAの承認をもってドーピング以外のスポーツのインテグリティの違反に起因する犯罪若しくは不適切な行為若しくはスポーツの規則の違反を問うに至った場合には、その事案において課される措置（実効及び義務的な一般提示を除く。）の一部を猶予することができる。第13条による不服申立てに対する決定又は不服申立ての期間満了の後において、アンチ·ドーピング機関は、WADA及び適切な国際競技連盟の承認を得た場合のみ、実質的な支援及びそれに伴う結果がなければ適用されたであろう措置の一部を猶予することができる。
appellate decision under Article 13 or the expiration of time to appeal, an Anti-Doping Organization may only suspend a part of the otherwise applicable Consequences with the approval of WADA and the applicable International Federation.

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

If so requested by an Athlete or other Person who seeks to provide Substantial Assistance, the Anti-Doping Organization with Results Management responsibility shall allow the Athlete or other Person to provide the information to the Anti-Doping Organization subject to a Without Prejudice Agreement.

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

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

10.7.1.3 If an Anti-Doping Organization suspends any part of an otherwise applicable sanction because of Substantial Assistance, then notice providing justification for the decision shall be provided to the other Anti-Doping Organizations with a right to appeal under Article 13.2.3 as provided in Article 14.

In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize an Anti-Doping Organization to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

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

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

10.7.2 その他の証拠がない場合におけるアンチ・ドーピング規則違反の自認

アンチ・ドーピング規則違反を証明しうる検体の採取の通知を受け取る前に（又は、第 2.1 項以外のアンチ・ドーピング規則違反事案において、第 7 条に従って自認された違反に関する最初の通知を受け取る前に）、競技者又はその他の人が自発的にアンチ・ドーピング規則違反を自認し、当該自認が、自認の時点で当該違反に関する唯一の信頼できる証拠である場合に は、資格停止期間が短縮されることがある。但し、短縮された後の資格停止期間は、当該事象がなければ適用されたであろう資格停止期間の 2 分の 1 を下回ることはできない。
10.7.3 Application of Multiple Grounds for Reduction of a Sanction

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

10.8 Results Management Agreements

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

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

[Comment to Article 10.8.1: For example, if an Anti-Doping Organization alleges that an Athlete has violated Article 2.1 for Use of an anabolic steroid and asserts the applicable period of Ineligibility is four years, then the Athlete may unilaterally reduce the period of Ineligibility to three years by admitting the violation and accepting the three-year period of Ineligibility within the time specified in this Article, with no further reduction allowed. This resolves the period of Ineligibility otherwise applicable.

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

10.8.3 Application of Multiple Sanctions and Grounds for Reduction

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

10.8.4 Early Admission and Acceptance of Sanction

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

Where the Athlete or other Person admits an anti-doping rule violation after being confronted with the anti-doping rule violation by an Anti-Doping Organization and agrees to Consequences acceptable to the Anti-Doping Organization and WADA, at their sole discretion, then: (a) the Athlete or other Person may receive a reduction in the period of Ineligibility based on an assessment by the Anti-Doping Organization and WADA of the application of Articles 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the Athlete or other Person’s degree of Fault and how promptly the Athlete or other Person admitted the violation; and (b) the period of Ineligibility may start as early as the date of Sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the Athlete or other Person shall serve at least one-half of the agreed-upon period of Ineligibility going forward from the earlier of the date the Athlete or other Person accepted the imposition of a sanction or a Provisional Suspension which was subsequently respected by the Athlete or other Person. The decision by WADA and the Anti-Doping Organization to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of, the period of Ineligibility are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

If so requested by an Athlete or other Person who seeks to enter into a case resolution agreement under this Article, the Anti-Doping Organization with Results Management responsibility shall allow the Athlete or other Person to discuss an admission of the anti-doping rule violation with the Anti-Doping Organization subject to a Without Prejudice Agreement.

[Comment to Article 10.8.2: Any mitigating or aggravating factors set forth in this Article 10 shall be considered in arriving at the Consequences set forth in the case resolution agreement, and shall not be applicable beyond the terms of that agreement. In some countries, the imposition of a period of Ineligibility is left entirely to a hearing body. In those countries, the Anti-Doping Organization may not assert a specific period of Ineligibility for purposes of Article 10.8.1 nor have the power to agree to a specific period of Ineligibility under Article 10.8.2. In these circumstances, Articles 10.8.1 and 10.8.2 will not be applicable but may be considered by the hearing body.]
10.9 Multiple Violations

10.9.1 Second or Third Anti-Doping Rule Violation

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

(a) A six month period of Ineligibility; or
(b) A period of Ineligibility in the range between:
(i) the sum of the period of Ineligibility imposed for the first anti-doping rule violation plus the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and
(ii) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation. The period of Ineligibility within this range shall be determined based on the entirety of the circumstances and the Athlete or other Person’s degree of fault with respect to the second violation.

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

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

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

10.9.3 Additional Rules for Certain Potential Multiple Violations

10.9.3.1 For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be

10.9.3.2 An anti-doping rule violation for which an athlete is considered a violation for purposes of Article 10.9. In addition, an anti-doping rule violation treated as if it were a first violation, and
(ii) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

10.9.3.3, an anti-doping rule violation will only be

10.9.9 複数回の違反

10.9.1 2回目又は3回目のアンチ・ドーピング規則違反

10.9.1.1 競技者又はその他の人による2回目のアンチ・ドーピング規則違反につき、資格停止期間は、以下に掲げる事項のうち、最も長い期間とする。

(a) 6か月の資格停止期間、又は
(b) 以下の範囲内の資格停止期間
(i) 1回目のアンチ・ドーピング規則違反につき課された資格停止期間と、当該2回目のアンチ・ドーピング規則違反、あたかも1回目の違反であるかのように取り扱った上で、それに適用されたであろう資格停止期間との合計、並びに
(ii) 2回目のアンチ・ドーピング規則違反を、あたかも1回目の違反であるかのように取り扱った上で、それに適用されたであろう資格停止期間の2倍。

この範囲内における資格停止期間は、全体の状況及び2回目の違反に関する競技者又はその他の人の過失の程度に基づき判断される。

10.9.1.2 3回目のアンチ・ドーピング規則違反は常に永久の資格停止となる。但し、3回目のアンチ・ドーピング規則違反が第10.5項若しくは第10.6項の資格停止期間の取消し若しくは短縮の要件を満たす場合、又は、第2.4項に対する違反に関するものである場合にはこの限りではない。上記但書の場合には、資格停止期間は8年から永久資格停止までとする。

10.9.1.3 第10.9.1.1項及び第10.9.1.2項により確定された資格停止期間は、第10.7項の適用により、さらに短縮されることがある。

10.9.2 競技者又はその他の人が過誤又は過失がないことを立証したアンチ・ドーピング規則違反は、第10.9項において従前の違反と否判断されないものとする。さらに、第10.2.4.1項に基づき制裁措置を賦課されたアンチ・ドーピング規則違反は、第10.9項の目的において違反とは判断されないものと。

10.9.3 潜在的複数違反に関する追加的な規則

10.9.3.1 第10.9項に基づき制裁措置を課すことにおいて、第10.9.3.2項及び第10.9.3.3項に定める場合を除き、競技者又はその他の人が第7条に掲げるアンチ・ドーピング規則
considered a second violation if the Anti-Doping Organization can establish that the Athlete or other Person committed the additional anti-doping rule violation after the Athlete or other Person received notice pursuant to Article 7, or after the Anti-Doping Organization made reasonable efforts to give notice of the first anti-doping rule violation. If the Anti-Doping Organization cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of Aggravating Circumstances. Results in all Competitions dating back to the earlier anti-doping rule violation will be Disqualified as provided in Article 10.10.

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

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

10.9.3.3 If the Anti-Doping Organization establishes that an Athlete or other Person committed a violation of Article 2.5 in connection with the Doping Control process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the period of Ineligibility for such violation shall be served consecutively, rather than concurrently, with the period of Ineligibility for the anti-doping rule violation.
10.9.4 Multiple Anti-Doping Rule Violations during Ten-Year Period

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

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

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

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

10.11 Forfeited Prize Money

An Anti-Doping Organization or other Signatory that has recovered prize money forfeited as a result of an anti-doping rule violation shall take reasonable measures to allocate and distribute this prize money to the Athletes who would have been entitled to it had the forfeiting Athlete not competed. An International Federation may provide in its rules whether or not the redistributed prize money shall be considered for purposes of its ranking of Athletes.

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

10.10 Forfeited Prize Money

An Anti-Doping Organization or other Signatory that has recovered prize money forfeited as a result of an anti-doping rule violation shall take reasonable measures to allocate and distribute this prize money to the Athletes who would have been entitled to it had the forfeiting Athlete not competed. An International Federation may provide in its rules whether or not the redistributed prize money shall be considered for purposes of its ranking of Athletes.

10.10 検体の採取又はアンチ・ドーピング規則違反後の競技会における成績の失効

第 9 条に基づき、検体が陽性となった場合は、その成績が自動的に失効することに加え、陽性検体が採取された日の「競技会時」であるか競技会外であるかは問わない。さらに、それが他のアンチ・ドーピング規則違反の発生の日から、暫定的資格停止又は資格停止期間の開始日までに獲得された競技者のすべての競技成績は、公平性の観点から別途要請される場合を除き、失効するものとし、その結果として、メダル、得点、及び賞賛の指名を含む措置が講ずられる。

【第 10.10 項の解説：本規程は、アンチ・ドーピング規則に違反した者の行為により損害を受けたクリーンな競技者又はその他の人が、当該人に対して損害賠償を請求する権利の行使を妨げるものではない。】

10.11 削奪された賞金

アンチ・ドーピング規則違反の結果として削奪された賞金を回収したアンチ・ドーピング機関又はその他の著名当事者、は、削奪された競技者が競技しなかったならば当該賞金の権利を有していたであろう競技者に当該賞金を償り当て、分配するための合理的な手段を講じるものとする。国際競技連盟は、再分配された賞金が当該国際競技連盟の競技者のランキングのために考慮されるか否かにつき、当該国際競技連盟の規則に定めることができる。
10.12 Financial Consequences

Anti-Doping Organizations may, in their own rules, provide for proportionate recovery of costs or financial sanctions on account of anti-doping rule violations. However, Anti-Doping Organizations may only impose financial sanctions in cases where the maximum period of Ineligibility otherwise applicable has already been imposed. Financial sanctions may only be imposed where the principle of proportionality is satisfied. No recovery of costs or financial sanction may be considered a basis for reducing the Ineligibility or other sanction which would otherwise be applicable under the Code.

10.13 Commencement of Ineligibility Period

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

10.13.1 Delays Not Attributable to the Athlete or other Person

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

[Comment to Article 10.13.1: In cases of anti-doping rule violations other than under Article 2.1, the time required for an Anti-Doping Organization to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the Athlete or other Person has taken affirmative action to avoid detection. In these cases, it may be necessary for the Anti-Doping Organization to consider whether it is appropriate to commence a period of Ineligibility at an earlier date, taking into account all relevant factors, including the length of the time required to complete the investigation and the level of the anti-doping rule violation.

10.12 金融的措置

アンチ・ドーピング機関はその自らの規則において、アンチ・ドーピング規則違反に基づき、相応の費用の回収又は金銭的制裁措置を定めることができる。但し、アンチ・ドーピング機関は、別途適用される資格停止期間の上限期間及び既に賦課された場合に限り、金銭的制裁措置を課すことができる。金銭的制裁措置は、比例の原則が充足された場合に限り、課すことができる。費用の回収又は金銭的制裁措置も、別途本規程に基づき適用される資格停止その他の制裁措置を短縮する根拠とは判断されない。

10.13 資格停止期間の開始

競技者がアンチ・ドーピング規則違反に関する資格停止期間に既に服している場合においては、新規の資格停止期間は、進行中の資格停止期間が終了した後の1日目に開始するものとする。その他の場合には、以下に定める場合を除き、資格停止期間は、資格停止を定める聴聞会の終局的な決定の日又は、聴聞会に参加する権利が放棄され若しくは聴聞会が行われない場合には、資格停止を受け入れた日若しくは別途資格停止措置が課された日を起算日として開始するものとする。

10.13.1 競技者又はその他の人の責に帰すべきではない遅延

聴聞手続又はドーピング・コントロールの各局面において大幅な遅延が発生した場合であって、競技者又はその他の人が当該遅延が当該競技者又はその他の人の責に帰すべきものではないことを立証することができたときは、制裁措置を課す機関は、最大で、検体の採取の日又は直後のその他のアンチ・ドーピング規則違反の発生日のいずれかまで、資格停止期間の開始日に遅延させることができる。資格停止期間(遅延の資格停止を含む)の間に獲得された一切の競技成績は、失効するものとする。

[第 10.11 項の解釈：本項は、アンチ・ドーピング機関又はその他の署名当事者に、訴訟された賞金を回収する行動をとる積極的な義務を負わせることを意図しているわけではない。アンチ・ドーピング機関が訴訟された賞金を回収する行動をとらないことを選択した場合には、当該アンチ・ドーピング機関は、訴訟された競技者が競技しなかったならば当該賞金を受け取っていたであろう競技者に対し、当該賞金を回収する自己の権利を創設する場合がある。「賞金を割り当て、分配するための合理的な手段」とは、回収された訴訟された賞金を、国際競技連盟及びその競技者が合意することにより使用することを含む場合もある。]
10.13.2 Credit for Provisional Suspension or Period of Ineligibility Served

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

10.13.2.2 If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing from an Anti-Doping Organization with Results Management authority and thereafter respects the Provisional Suspension, the Athlete or other Person shall receive a credit for such period of voluntary Provisional Suspension against any period of Ineligibility which may ultimately be imposed. A copy of the Athlete or other Person’s voluntary acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.

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

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

10.13.2.4 In Team Sports, where a period of Ineligibility is imposed upon a team, unless fairness requires otherwise, the period of Ineligibility shall start on the circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used.]

10.13.2 Credit for Provisional Suspension or Period of Ineligibility Served

10.13.2.1 被申告の選手、又は他の人が申告の選手を規制する違反を示した場合、当該申告の選手又は他の人は、最終的に課される資格停止期間から、当該申告の選手を規制する違反を受けるものとする。被申告の選手又は他の人が申告の選手を規制する違反を示しなかった場合、当該申告の選手又はその他の人は、 Johns Hopkins University Press, 2018

10.13.2.2 被申告の選手又はその他の人が、書面により、結果管理の権限を有するアンチ・ドーピング機関からの申告の選手を規制する違反を自発的に受け入れ、その後自発的な資格停止を示した場合には、当該申告の選手又は他の人は、最終的に課される資格停止期間から、自発的な資格停止期間の控除を受けるものとする。被申告の選手又はその他の人の自発的な資格停止の受入れを証する書面の写しは、第 14.1 項に基づき速やかに、主張されたアンチ・ドーピング規則違反の通知を受ける資格を有する各当事者に対して提出されるものとする。

[第 10.13.2.2 項の解釈：競技者の自発的な資格停止の受入れは、競技者の行為自体ではなく、いかなる形でも競技者に不利な影響を及ぼすために奏でられている。]

10.13.2.3 資格停止期間に対する控除は、競技者が競技に参加せず、又は、チームから参加を停止させていたが、後にかかわらず、自発的な資格停止又は自発的な資格停止の発効日以前の期間に対しては与えられないものとする。

10.13.2.4 チームスポーツにおいて、資格停止期間がチームに課される場合には、公平性の観点から選手の要請がなされる場合を除き、資格停止期間は資格停止を際立たした組合せによる結果。
date of the final hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed. Any period of team Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

10.14 Status during Ineligibility or Provisional Suspension

10.14.1 Prohibition against Participation during Ineligibility or Provisional Suspension

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

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

An Athlete or other Person subject to a period of Ineligibility longer than four years may, after completing four years of the period of Ineligibility, participate as an Athlete in local sport events not sanctioned or otherwise under the authority of a Code Signatory or member of a Code Signatory, but only so long as the local sport

10.14 資格停止又は暫定的資格停止中の地位

10.14.1 資格停止又は暫定的資格停止中の参加の禁止

資格停止を宣言され、又は暫定的資格停止の対象である競技者が又はその他の人のは、当該資格停止又は暫定的資格停止期間中、署名当事者、署名当事者の加盟機関又は署名当事者の加盟機関のクラブ若しくは他の加盟機関が認定し、若しくは主催する競技会若しくは活動（但し、認定されたアシスト・ドーピング関連の教育プログラム若しくはリハビリテーション・プログラムは除く。）又は、プロフェッショナルリーグ、国際レベル若しく是国内レベルの競技大会機関が認定し、若しくは主催する競技会、又は、政府機関から資金提供を受けるエリート若しく是国内レベルのスポーツ活動に、いかなる立場においても参加できない。

[第 10.14.1 項の解説：例えば、下記第 10.14.2 項を条件として、資格停止中の競技者、自己の所属する国内競技連盟が主催するトレーニングキャンプ、エキシビジョン若しくは練習、若しくは、自身の国内競技連盟の加盟クラブ若しくは政府機関から資金提供を受けるクラブが主催するトレーニングキャンプ、エキシビジョン若しくは練習に参加することができる。さらに、資格停止中の競技者は、第 10.14.3 項に定められた措置を招来することなくして、非署名当事者のプロフェッショナルリーグ（例、NHL、NBA 他）又は非署名当事者である国際競技大会機関若しく是国内レベルの競技大会機関が主催する競技会に参加することもできる。また「活動」という用語は、例えば本掲載文献のオフショット、取材役、役員、選手又はボランティアとしての役務移行などの事務活動を含む。ある競技種目に課せられる資格停止は、他の競技種目においても承認されるものとする（第 15.1 項 決定の自動的な拘束効果がある）居を受けることができない者に適用することができる。資格停止期間中に達成された記録は、いかなる目的においても署名当事者又はその国内競技連盟により承認されることはない。]
event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event, and does not involve the Athlete or other Person working in any capacity with Protected Persons.

An Athlete or other Person subject to a period of Ineligibility shall remain subject to Testing and any requirement by an Anti-Doping Organization to provide whereabouts information.

10.14.2 Return to Training

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

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

10.14.3 Violation of the Prohibition of Participation during Ineligibility or Provisional Suspension

Where an Athlete or other Person who has been declared Ineligible violates the prohibition against participation during Ineligibility described in Article 10.14.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility, including a reprimand and no period of Ineligibility, may be adjusted based on the Athlete or other Person’s degree of Fault and other circumstances of the case. The determination of whether an Athlete or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organization whose Results Management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Article 13.

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

Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility or a Provisional Suspension, an Anti-Doping Organization with authority over such Athlete Support Person or other Person shall impose sanctions for a violation of Article 2.9 for such assistance.

10.14.4 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.5 or 10.6, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by Signatories, Signatories’ member organizations and governments.

10.15 Automatic Publication of Sanction

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

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 Testing of Team Sports

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

11.2 Consequences for Team Sports

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

11.3 Event Ruling Body or International Federation may Establish Stricter Consequences for Team Sports

The ruling body for an Event may elect to establish rules for the Event which impose Consequences for Team Sports stricter than those in Article 11.2 for

 artikel 11.3 競技大会の所轄組織又は国際競技連盟はチームスポーツに関してより厳格な措置を定めることができる

競技大会の所轄組織は、当該競技大会について、チームスポーツに対し第11.2項よりも厳格な措置を課す競技大会の規則を定めることを選択できる。同様に、国際競技
purposes of the Event. Similarly, an International Federation may elect to establish rules imposing stricter Consequences for Team Sports within its authority than those in Article 11.2.

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

ARTICLE 12 SANCTIONS BY SIGNATORIES AGAINST OTHER SPORTING BODIES

Each Signatory shall adopt rules that oblige each of its member organizations and any other sporting body over which it has authority to comply with, implement, uphold and enforce the Code within that organization’s or body’s area of competence. When a Signatory becomes aware that one of its member organizations or other sporting body over which it has authority has failed to fulfill such obligation, the Signatory shall take appropriate action against such organization or body. In particular, a Signatory’s action and rules shall include the possibility of excluding all, or some group of, members of that organization or body from specified future Events or all Events conducted within a specified period of time.

[Comment to Article 12: This Article is not intended to impose an affirmative duty on the Signatory to actively monitor each of its member organizations for acts of non-compliance, but rather only requires the Signatory to take action when it becomes aware of such acts.]

[Comment to Article 12: This Article makes it clear that the Code does not restrict whatever disciplinary rights between organizations may otherwise exist. For sanctions against Signatories for non-compliance with the Code, see Article 24.1]

ARTICLE 13 RESULTS MANAGEMENT: APPEALS

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

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

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

13.1.2 CAS Shall Not Defer to the Findings Being Appealed

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

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

13.1.3 WADA Not Required to Exhaust Internal Remedies

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

Where WADA has a right to appeal under Article 13 and no other party has appealed a final decision within the Anti-Doping Organization’s process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the Anti-Doping Organization’s process.

13.1.1 審査範囲の非限定

不服申立での審査範囲は、当該案件に関連するすべての論点を含み、当初の決定の審査者が審査した論点又は審査範囲に、限定されない。不服申立ての当事者は、第一審の聴聞会で提起され又は取り扱われたのと同じ請求原因又は同じ一般的な事実若しくは状況に起因する限りにおいて、第一審の聴聞会で提起されなかった事実、法的議論及び主張を提出することができる。

[第13.1.1条の解釈：改訂された文言は、2015年版の規程を実質的に変更するものではなく、むしろ明確化することを意図している。例えば、競技者が第一審の聴聞会で不正干渉のみについて責任を問われたが、同じ行為が違反行為にも該当する場合には、不服申立てを行う当事者は、当該不服申立において、競技者に対して不正干渉と違反行為の両方の責任を追及することができる。]

13.1.2 CAS は不服申立てのなされた判断に拘束されない

CAS はその決定を下すにあたり、その決定に対し不服申立てが提起されている組織により行使された裁量に服することができない。

[第13.1.2条の解釈：CAS の手続きは新規 (de novo) である。CAS における聴聞会において、従前の手続きにより訴訟が制限されることなく、また、従前の手続きは重要性を有さらない。]

13.1.3 WADA は内部的救済を尽くすことを義務づけられない

[第13.1.3条の解釈：アンチ・ドーピング機関における手続の最終段階の前（例、第一審の聴聞会）に決定が下され、当該決定に対し当事者の誰もが上級のアンチ・ドーピング機関の手続（例、マネージメント・ボード）に対する不服申立てを行わなかった場合には、WADA はアンチ・ドーピング機関の内部手続における残存手続を経ることなく、CAS に対して直接不服申立てを行うことができる。]

第13条に基づき WADA が不服申立てを行う権利を有し、かつ、アンチ・ドーピング機関の手続において、その他の当事者が終局的な決定に対し不服申立てをしない場合には、WADA は当該決定に対し、アンチ・ドーピング機関の内部手続における他の救済措置を尽くすことなく、CAS に対し直接不服申立てを行うことができる。
13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority

A decision that an anti-doping rule violation was committed, a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six months notice requirement for a retired Athlete to return to competition under Article 5.6.1; a decision by WADA assigning Results Management under Article 7.1; a decision by an Anti-Doping Organization not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the International Standard for Results Management; a decision to impose, or lift, a Provisional Suspension as a result of a Provisional Hearing; an Anti-Doping Organization’s failure to comply with Article 7.4; a decision that an Anti-Doping Organization lacks authority to rule on an alleged anti-doping rule violation or its Consequences; a decision to suspend, or not suspend, Consequences or to reinstate, Consequences under Article 10.7.1; failure to comply with Articles 7.1.4 and 7.1.5; failure to comply with Article 10.8.1; a decision by an Anti-Doping Organization not to implement another Anti-Doping Organization’s decision under Article 15; and a decision under Article 27.3 may be appealed exclusively as provided in this Article 13.2.

13.2.1 Appeals Involving International-Level Athletes or International Events

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

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

13.2.2 Appeals Involving Other Athletes or Other Persons

In cases where Article 13.2.1 is not applicable, the decision may be appealed to an appellate body in accordance with rules established by the National Anti-Doping Organization. The rules for such appeal shall respect the following principles:

13.2 アンチ・ドーピング規則違反、措置、暫定的資格停止、決定の実施、及び権限に関する決定に対する不服申立て

アンチ・ドーピング規則に違反した旨の決定、アンチ・ドーピング規則違反の措置を課す、又は、課さない旨の決定、アンチ・ドーピング規則違反がなかった旨の決定、アンチ・ドーピング規則違反に関する手続が手続上の理由（例えば、時効を含む。）により進ることができないという決定、引退した競技者が競技に復帰する際の第 5.6.1 項に基づく 6 カ月前の通知要件により中断しない旨の WADA による決定、第 7.1 項に基づく結果管理を課す WADA による決定、違反が疑わしい分析報告書又は非定型報告をアンチ・ドーピング規則違反として主張しないことをするアンチ・ドーピング機関による決定、若しくは「結果管理に関する国際基準」に従いドーピング調査の後にアンチ・ドーピング規則違反に関する手続を進めないこととするアンチ・ドーピング機関による決定、暫定懲罰会の結果として暫定的資格停止を賦課し、又は取消す決定、アンチ・ドーピング機関による第 7.4 項の不遵守、アンチ・ドーピング機関が、主張されたアンチ・ドーピング規則違反若しくはその措置につき判断する権限を有さない旨の決定、措置を猶予し若しくは猶予しない旨、若しくは第 10.7.1 項に基づく猶予された措置を復活し若しくは復活しない旨の決定、第 7.1.4 項及び第 7.1.5 項の不遵守、第 10.8.1 項の不遵守、第 10.14.3 項の決定、第 15 条に基づく別のアンチ・ドーピング機関の決定を実施しない旨のアンチ・ドーピング機関の決定並びに第 27.3 項に基づく決定については、本第 13.2 項の定めに基づいてのみ不服申立てを行うことができる。

13.2.1 国際レベルの競技者又は国際競技大会に関連する不服申立て

国際競技大会への参加により発生した事案又は国際レベルの競技者が関係した事案の場合には、当該決定は、CAS にのみ不服申立てを行うことができる。

[第 13.2.1 項の解説：CAS の決定は、仲裁判断の取消し又は執行について適用のある法令により審査が義務づけられる場合を除き、终局的なものであり拘束力を有する。]

13.2.2 その他の競技者又はその他の人が関係する不服申立て

第 13.2.1 項が適用されない場合には、当該決定は、国内アンチ・ドーピング機関が定めた規則に従って不服申立審査機関に不服申立てを行うことができる。当該不服申立てに関する規則は、次に掲げる原則を尊重するものとする。

World Anti-Doping Code 2021

- 71 -
13.2.3 **Persons Entitled to Appeal**

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

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

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

In cases under Article 13.2.2, the parties having the right to appeal to the appellate body shall be as provided in the National Anti-Doping Organization’s rules but, at a minimum, shall include the following parties: (a) the Athlete or other Person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) the relevant International Federation; (d) the National Anti-Doping Organization of the Person’s country of residence or countries where the Person is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.
have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games, and (f) WADA. For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to CAS with respect to the decision of the national-level appeal body. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the Anti-Doping Organization whose decision is being appealed and the information shall be provided if CAS so directs.

13.2.3.3 Duty to Notify

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

13.2.3.4 Appeal Deadline for Parties Other than WADA

The deadline to file an appeal for parties other than WADA shall be as provided in the rules of the Anti-Doping Organization conducting Results Management.

13.2.3.5 Appeal Deadline for WADA

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

(a) Twenty-one days after the last day on which any other party having right to appeal could have appealed,

or

(b) Twenty-one days after WADA’s receipt of the complete file relating to the decision.8

[Comments to Article 13.2.3: Whether governed by CAS rules or Article 13.2.3, a party’s
deadline to appeal does not begin running until receipt of the decision. For that reason, there
can be no expiration of a party’s right to appeal if the party has not received the decision.]

13.2.3.6 Appeal from Imposition of Provisional Suspension

Notwithstanding any other provision herein, the only Person who may appeal from the imposition of a
13.2.4 Cross Appeals and other Subsequent Appeals Allowed

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

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

13.3 Failure to Render a Timely Decision by an Anti-Doping Organization

[Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and Results Management process, it is not feasible to establish a fixed time period for an Anti-Doping Organization to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with the Anti-Doping Organization and give the Anti-Doping Organization an opportunity to explain why it has not yet rendered a decision. Nothing in this Article prohibits an Anti-Doping Organization from also having rules which authorize it to assume authority for matters in which the Results Management performed by one of its National Federations has been inappropriately delayed.]

Where, in a particular case, an Anti-Doping Organization fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if the Anti-Doping Organization had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA’s costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by the Anti-Doping Organization.

13.4 Appeals Relating to TUEs

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

13.4.2 Cross Appeals and other Subsequent Appeals Allowed

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

[Comment to Article 13.4.2: This provision is necessary because since 2011, CAS rules no longer permit an Athlete the right to cross appeal when an Anti-Doping Organization appeals a decision after the Athlete’s time for appeal has expired. This provision permits a full hearing for all parties.]

13.3.4 アンチ・ドーピング機関による時機に後れた決定

[第13.3 項の解説：個々のアンチ・ドーピング規則違反のドーピング調査及び結果管理手続における様々な事情に鑑みると、WADA がCASに対して直接に不服申立てを行うに先立ちアンチ・ドーピング機関が決定を下すための期限を、確定的に定めることは現実的ではない。但し、当該行動が取られた前に、WADA はアンチ・ドーピング機関と協議し、かつ、アンチ・ドーピング機関に対し決定が下されてもいない理由について説明する機会を与えることとする。本項は、国際競技連盟が、その傘下にある国内競技連盟により実施された結果管理が不適切に遅延したことを係る規則を持つことを禁止するものではない。]

Where, in a particular case, an Anti-Doping Organization fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if the Anti-Doping Organization had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA’s costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by the Anti-Doping Organization.

13.4 TUE に関連する不服申立て

TUE 決定に対しては、第 4.4 項に定められているとおりにのみ、不服申立てを提起することができる。
13.5 Notification of Appeal Decisions
Any Anti-Doping Organization that is a party to an appeal shall promptly provide the appeal decision to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.

13.6 Appeals from Decisions under Article 24.1
A notice that is not disputed and so becomes a final decision under Article 24.1, finding a Signatory non-compliant with the Code and imposing consequences for such non-compliance, as well as conditions for Reinstatement of the Signatory, may be appealed to CAS as provided in the International Standard for Code Compliance by Signatories.

13.7 Appeals from Decisions Suspending or Revoking Laboratory Accreditation
Decisions by WADA to suspend or revoke a laboratory’s WADA accreditation may be appealed only by that laboratory with the appeal being exclusively to CAS.

ARTICLE 14 CONFIDENTIALITY AND REPORTING
The principles of coordination of anti-doping results, public transparency and accountability and respect for the privacy of all Athletes or other Persons are as follows:

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

14.1.1 Notice of Anti-Doping Rule Violations to Athletes and other Persons
The form and manner of notice of an asserted anti-doping rule violation shall be as provided in the rules of the Anti-Doping Organization with Results Management responsibility.

14.1.2 Notice of Anti-Doping Rule Violations to National Anti-Doping Organizations, International Federations and WADA
The Anti-Doping Organization with Results Management responsibility shall also notify the Athlete’s National Anti-Doping Organization, International Federation and WADA of the assertion of an anti-doping rule violation simultaneously with the notice to
the Athlete or other Person.

14.1.3 Content of an Anti-Doping Rule Violation Notice

Notification shall include: the Athlete’s or other Person’s name, country, sport and discipline within the sport, the Athlete’s competitive level, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the laboratory and other information as required by the International Standard for Results Management, or, for antidoping rule violations other than Article 2.1, the rule violated and the basis of the asserted violation.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 14.1.1, the Anti-Doping Organizations referenced in Article 14.1.2 shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.1.5 Confidentiality

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

[Comment to Article 14.1.5: Each Anti-Doping Organization shall provide, in its own anti-doping rules, procedures for the protection of confidential information and for investigating and disciplining improper disclosure of confidential information by any employee or agent of the Anti-Doping Organization.]

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

14.2.1 Anti-doping rule violation decisions or decisions related to violations of Ineligibility or Provisional Suspension rendered pursuant to Article 7.6, 8.4, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a
14.2.2 An Anti-Doping Organization having a right to appeal a decision received pursuant to Article 14.2.1 may, within 15 days of receipt, request a copy of the full case file pertaining to the decision.

14.3 Public Disclosure

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

14.3.2 No later than twenty days after it has been determined in an appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, or a new period of Ineligibility, or reprisand, has been imposed under Article 10.14.3, the Anti-Doping Organization responsible for Results Management must Publicly Disclose the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved (if any) and the Consequences imposed. The same Anti-Doping Organization must also Publicly Disclose within twenty days the results of appellate decisions concerning anti-doping rule violations, including the information described above.

[Comment to Article 14.3.2: Where Public Disclosure as required by Article 14.3.2 would result in a breach of other applicable laws, the Anti-Doping Organization’s failure to make the Public Disclosure will not result in a determination of non-compliance with Code as set forth in Article 4.2 of the International Standard for the Protection of Privacy and Personal Information.]

14.2.2 第14.2.2 項に従い受領した決定に不服申立てを提起する権利を有するアンチ・ドーピング機関は、受領後15日以内に、当該決定に関する完全な案件記録の写しを要請することができる。

14.3 一般開示

14.3.1 「結果管理に関する国際基準」に従って競技者又はその他の人に対し、第14.1.2 項に従って当該するアンチ・ドーピング機関に対し、それぞれ通知が提供された後、潜在的なアンチ・ドーピング規則違反について通知を受けた競技者又はその他の人の身元、禁止物質又は禁止方法及び関連する違反の性質、並びに競技者又はその他の人が暫定的資格停止の対象となっているか否かについては、結果管理に責任を有する当該アンチ・ドーピング機関によって一般開示される場合がある。

14.3.2 第13.2.1項又は第13.2.2項に基づく不服申立決定のとき、当該不服申立ての放棄のとき、第8条に基づく無罪を受ける権利の放棄のとき、主張されたアンチ・ドーピング規則違反に対して適用した規則が解除されたとき、当該案件が第10.8項に基づき決裁されたとき、又は新しい資格停止の期間若しくは懲罰が第10.14.3項に基づき賦課されたときからそれぞれ20日以内に、結果管理に責任を有するアンチ・ドーピング機関は、競技、違反の対象となったアンチ・ドーピング規則、違反をした競技者又はその他の人の氏名、関連する禁止物質又は禁止方法（もしあれば）及び課せられた措置を含む当該アンチ・ドーピング事業に関する処理について一般開示しなければならない。当該アンチ・ドーピング機関はまた、20日以内に、上記情報を含む、アンチ・ドーピング規則違反に関する不服申立ての決定の結果についても一般開示しなければならない。
14.3.3 After an anti-doping rule violation has been determined to have been committed in an appealable decision under Article 13.2.1 or 13.2.2 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, the Anti-Doping Organization responsible for Results Management may make public such determination or decision and may comment publicly on the matter.

14.3.4 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the fact that the decision has been appealed may be Publicly Disclosed. However, the decision itself and the underlying facts may not be Publicly Disclosed except with the consent of the Athlete or other Person who is the subject of the decision. The Anti-Doping Organization with Results Management responsibility shall use reasonable efforts to obtain such consent, and if consent is obtained, shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

14.3.5 Publication shall be accomplished at a minimum by placing the required information on the Anti-Doping Organization’s website and leaving the information up for the longer of one month or the duration of any period of Ineligibility.

14.3.6 Except as provided in Articles 14.3.1 and 14.3.3, no Anti-Doping Organization or WADA-accredited laboratory, or official of either, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by the Athlete, other Person or their entourage or other representatives.

14.3.7 The mandatory Public Disclosure required in 14.3.2 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor, Protected Person or Recreational Athlete. Any optional Public Disclosure in a case involving a Minor, Protected Person or Recreational Athlete shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting

Anti-Doping Organizations shall, at least annually, publish publicly a general statistical report of their Doping Control activities, with a copy provided to WADA. Anti-Doping Organizations may also publish reports showing the...
14.5 Doping Control Information Database and Monitoring of Compliance

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

a) Athlete Biological Passport data for International-Level Athletes and National-Level Athletes,

b) Whereabouts information for Athletes including those in Registered Testing Pools,

c) TUE decisions, and

d) Results Management decisions,

as required under the applicable International Standard(s).

14.5.1 To facilitate coordinated test distribution planning, avoid unnecessary duplication in Testing by various Anti-Doping Organizations, and to ensure that Athlete Biological Passport profiles are updated, each Anti-Doping Organization shall report all In-Competition and Out-of-Competition tests to WADA by entering the Doping Control forms into ADAMS in accordance with the requirements and timelines contained in the International Standard for Testing and Investigations.

14.5.2 To facilitate WADA’s oversight and appeal rights for TUEs, each Anti-Doping Organization shall report all TUE applications, decisions and supporting documentation using ADAMS in accordance with the requirements and timelines contained in the International Standard for Therapeutic Use Exemptions.

14.5.3 To facilitate WADA’s oversight and appeal rights for Results Management, Anti-Doping Organizations shall report the following information into ADAMS in accordance with the requirements and timelines outlined in the International Standard for Results Management: (a) notifications of anti-doping rule violations and related decisions for Adverse Analytical Findings; (b) notifications and related decisions for other anti-doping rule violations that are not Adverse Analytical Findings; (c) whereabouts failures; and (d)...

日付に関する報告書についても公表することができる。WADA は、アンチ・ドーピング機関及び分析機関から受領する情報を要約した統計報告書を、少なくとも毎年公表するものとする。

14.5  ドーピング・コントロール情報データベース及びコンプライアンスの監視

WADA が自国のコンプライアンス監視の役割を遂行し、アンチ・ドーピング機関間のリソースの効果的な使用及び該当するドーピング・コントロール情報の共有を確保することを可能にするために、WADA は ADAMS 等のドーピング・コントロール情報データベースを開発し、管理するものとし、アンチ・ドーピング機関は、適用される国際基準を要請することを従来、とりわけ以下を含む、ドーピング・コントロール関連情報を、当該データベースを通じて WADA に報告するものとする。

a) 国際レベルの競技者及び国内レベルの競技者のためのアスリート・バイオロジカル・パスポートのデータ

b) 登録検査対象リストに含まれる競技者の居場所情報

c) TUE 決定、及び

d) 結果管理に関する決定

14.5.1 調査された検査分析計画を促進し、複数のアンチ・ドーピング機関による不要な検査重複を回避すると共に、アスリート・バイオロジカル・パスポートのプロファイルを更新されていることを確保するために、各アント・ドーピング機関は、「検査及びドーピング調査に関する国際基準」に規定される要件及び時間軸に従い、ドーピング・コントロールフォームを ADAMS に入力することにより、競技会（時）及び競技会外の検査の一切を WADA に報告するものとする。

14.5.2 TUE に関する WADA の監督及び不服申立ての権利を促進するために、各アンチ・ドーピング機関は「治療使用特例に関する国際基準」に含まれる要件及び時間軸に従い、ADAMS を使用して TUE 申請、決定及び関連文書の一切を報告するものとする。

14.5.3 結果管理に関する WADA の監督及び不服申立ての権利を促進するために、アンチ・ドーピング機関は「結果管理に関する国際基準」に概要が示される要件及び時間軸に従い、次の情報を ADAMS に報告するものとする：(a) 違反が疑われる分析報告に関するアンチ・ドーピング規則違反及び関連決定の通知、(b) 違反が疑われる分析報告ではない他のアンチ・ドーピング規則違反に関する通知及び関連決定、(c) 居場所情報関連義務違反、及び(d) 職務上活動停止及び取消し、又は復活させる決定。
any decision imposing, lifting or reinstating a Provisional Suspension.

14.5.4 The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete’s National Anti-Doping Organization and International Federation, and any other Anti-Doping Organizations with Testing authority over the Athlete.

[Comment to Article 14.5: ADAMS is operated, administered and managed by WADA, and is designed to be consistent with data privacy laws and norms applicable to WADA and other organizations using such system. Personal information regarding Athletes or other Persons maintained in ADAMS is and will be treated in strict confidence and in accordance with the International Standard for the Protection of Privacy and Personal Information.]

14.6 Data Privacy

Anti-Doping Organizations may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct their Anti-Doping Activities under the Code and International Standards (including specifically the International Standard for the Protection of Privacy and Personal Information), and in compliance with applicable law.

[Comment to Article 14.6: Each government should put in place legislation, regulation, policies or administrative practices for; cooperation and sharing of information with Anti-Doping Organizations; sharing of data among Anti-Doping Organizations as provided in the Code[...]).]

ARTICLE 15 IMPLEMENTATION OF DECISIONS

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

15.1.1 A decision of an anti-doping rule violation made by a Signatory Anti-Doping Organization, an appellate body (Article 13.2.2) or CAS shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon every Signatory in every sport with the effects described below:

15.1.1.1 A decision by any of the above-described bodies imposing a Provisional Suspension (after a Provisional Hearing has occurred or the Athlete or other Person

14.5.4 本条に規定される情報は、適切である場合に、適用規則に従い、競技者、競技者の国内アンチ・ドーピング機関及び国際競技連盟、並びに競技者に 対して使用権限を有する他のアンチ・ドーピング機関に利用可能なものをと される。

[第14.5条の解説：ADAMSはWADAにより運営され、運用され、管理され、WADA及び当該システムを使用する他の機関に適用されるデータプライバシー及び規則に適合するよう設計されている。ADAMSに保持される競技者又は他の人に関する個人情報は、「プライバシー及び個人情報の保護に関する国際基準」に従い厳しく密に取り扱われており、今後もそのように取り扱われるものとする。]

14.6 データ・プライバシー

アンチ・ドーピング機関は、本規程及び国際基準（特に「プライバシー及び個人情報の保護に関する国際基準」を含む。）に従い、かつ適用法令を遵守して、各々のアンチ・ドーピング活動を通じるために必要かつ適切である場合には、競技者その他の人に関す 個人情報を収集し、保管し、加工し、又は、開示することができる。

[第14.6条の解説：各国政府は、本規程の定めに従い、アンチ・ドーピング機関との協力及び情報共有及びアンチ・ドーピング機関の間のデータ共有のための法令、規制、政策又は行政事務手順を策定すべきである。]

第15条：決定の実施

15.1 署名当事者であるアンチ・ドーピング機関による決定の自動的な拘束力ある効果

15.1.1 署名当事者であるアンチ・ドーピング機関、不服申立機関（第 13.2.2 項） 又は CAS の行った決定は、当該手続の当事者が通知を受けた後、以下の効 果をもって、すべての競技における署名当事者に対し、当該手続における 当事者以外に対しても自動的に拘束力を有するものとする。

15.1.1.1 （暫定聴聞会が行われ、又は競技者若しくはその他の人が暂 定的資格停止を受け入れ、若しくは暫定聴聞会、緊急聴聞会若しくは第 7.4.3 項に従い提供される迅速な不服申立てに
has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory during the *Provisional Suspension*.

15.1.2 A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory for the period of *Ineligibility*.

15.1.3 A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all *Signatories*.

15.1.4 A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 for a specified period automatically *Disqualifies* all results obtained within the authority of any Signatory during the specified period.

15.2 Each *Signatory* is under the obligation to recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date the *Signatory* receives actual notice of the decision or the date the decision is placed into *ADAMS*.

15.3 A decision by an *Anti-Doping Organization*, a national appellate body or *CAS* to suspend, or lift, *Consequences* shall be binding upon each *Signatory* without any further action required, on the earlier of the date the *Signatory* receives actual notice of the decision or the date the decision is placed into *ADAMS*.

15.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a *Major Event Organization* made in an expedited process during an *Event* shall not be binding on other Signatories unless the rules of the *Major Event Organization* provide the Athlete or other Person with an opportunity to an appeal under non-expedited procedures.

15.1.1.2 A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 for a specified period automatically *Disqualifies* all results obtained during the *Provisional Suspension*.

15.1.1.3 Each *Organization* has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing or expedited appeal offered in accordance with Article 7.4.3) automatically prohibits the Athlete or other Person from participation (as described in Article 10.14.1) in all sports within the authority of any Signatory during the *Provisional Suspension*.

15.1.1.4 A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 for a specified period automatically *Disqualifies* all results obtained during the *Provisional Suspension*.

15.2 Each *Signatory* is under the obligation to recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date the *Signatory* receives actual notice of the decision or the date the decision is placed into *ADAMS*.

15.3 A decision by an *Anti-Doping Organization*, a national appellate body or *CAS* to suspend, or lift, *Consequences* shall be binding upon each *Signatory* without any further action required, on the earlier of the date the *Signatory* receives actual notice of the decision or the date the decision is placed into *ADAMS*.

15.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a *Major Event Organization* made in an expedited process during an *Event* shall not be binding on other Signatories unless the rules of the *Major Event Organization* provide the Athlete or other Person with an opportunity to an appeal under non-expedited procedures.
15.2 Implementation of Other Decisions by Anti-Doping Organizations

Signatories may decide to implement other anti-doping decisions rendered by Anti-Doping Organizations not described in Article 15.1 above, such as a Provisional Suspension prior to a Provisional Hearing or acceptance by the Athlete or other Person.

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

15.3 Implementation of Decisions by Body that is not a Signatory

An anti-doping decision by a body that is not a Signatory to the Code shall be implemented by each Signatory if the Signatory finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the Code.

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

15.2 アンチ・ドーピング機関による他の決定の実施

署名当事者は、暫定聴聞会又は競技者若しくはその他の人による受審者の暫定的資格停止等、上記第 15.1.1 項に規定されている、アンチ・ドーピング機関により言い渡された他のアンチ・ドーピング機関に起因する決定を実施することを決定することができる。

[第 15.1 項及び第 15.2 項に基づくアンチ・ドーピング機関の決定は、署名当事者において何らの決定又は更なる措置を要することなく、他の署名当事者により自動的及び実施される。例えば、国内アンチ・ドーピング機関が競技者を暫定的に資格停止することを決定した場合には、当該決定は国際競技連盟のレベルで自動的な効力を付与される。明確化のために述べると、「決定」とは、国内アンチ・ドーピング機関により行われる行為で、国際競技連盟により行われる別個の決定が存在するわけではない。よって、暫定的資格停止が不適切に適用された旨の競技者による主張は、国内アンチ・ドーピング機関に対してのみ申し立てることができる。第 15.2 項に基づくアンチ・ドーピング機関の決裁書の実施は、各署名当事者の裁量による。第 15.1 項又は第 15.2 項に基づく署名当事者による決定の実施については、その基準に基づく決定に対する不服申し立てを別個に不服申し立てを行うことはできない。他のアンチ・ドーピング機関の TUE 決定の承認の範囲は、第 4.4 項及び「治療使用特例に関する国際基準」により決定されるものとする。]

15.3 署名当事者ではない機関による決定の実施

本規程の署名当事者ではない機関によるアンチ・ドーピングに関する決定は、署名当事者又は当該機関が当該機関の権限内であり、当該機関のアンチ・ドーピング規則が本規程に適合するものであると判断する場合には、各署名当事者により実施されるものとする。

[第 15.3 項の解説：本規程を受諾していない機関について、本規程に準拠している点でない点がある場合には、署名当事者は当該決定について、本規程の原則に調和するような形で適用するよう試みるべきである。例えば、本規程と整合する手続において、非署名当事者が、禁止事項が競技者の体内外に存在するという理由で、競技者に対する規則違反を認定したが、適用される資格停止期間は本規程において規定された期間よりも短いという場合には、全署名当事者は、アンチ・ドーピング規則違反の事実認定を承認すべきであり、かつ、競技者に影響する国内アンチ・ドーピング機関、本規程に定められた、より長い期間の資格停止期間を課すべきかどうかを決定するために、第 8 条に基づく暫定聴聞会を実施すべきである。第 15.3 項に基づく署名当事者の決定の実施又は決定を実施しない旨の決定に対しては、第 13 条に基づき不服申し立てを行うことができる。]
ARTICLE 16  DOPING CONTROL FOR ANIMALS COMPETING IN SPORT

16.1 In any sport that includes animals in Competition, the International Federation for that sport shall establish and implement anti-doping rules for the animals included in that sport. The anti-doping rules shall include a list of Prohibited Substances, appropriate Testing procedures and a list of approved laboratories for Sample analysis.

16.2 With respect to determining anti-doping rule violations, Results Management, fair hearings, Consequences, and appeals for animals involved in sport, the International Federation for that sport shall establish and implement rules that are generally consistent with Articles 1, 2, 3, 9, 10, 11, 13 and 17 of the Code.

ARTICLE 17  STATUTE OF LIMITATIONS

No anti-doping rule violation proceeding may be commenced against an Athlete or other Person unless he or she has been notified of the anti-doping rule violation as provided in Article 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.
ARTICLE 18 EDUCATION

18.1 Principles

*Education* programs are central to ensure harmonized, coordinated and effective anti-doping programs at the international and national level. They are intended to preserve the spirit of sport and the protection of Athletes’ health and right to compete on a doping free level playing field as described in the Introduction to the *Code*.

*Education* programs shall raise awareness, provide accurate information and develop decision-making capability to prevent intentional and unintentional anti-doping rule violations and other breaches of the *Code*. *Education* programs and their implementation shall instill personal values and principles that protect the spirit of sport.

All *Signatories* shall, within their scope of responsibility and in cooperation with each other, plan, implement, monitor, evaluate and promote *Education* programs in line with the requirements set out in the *International Standard for Education*.

18.2 Education Program and Plan by *Signatories*

*Education* programs as outlined in the *International Standard for Education* shall promote the spirit of sport and have a positive and long-term influence on the choices made by Athletes and other *Persons*.

*Signatories* shall develop an *Education* plan as required in the *International Standard for Education*. Prioritization of target groups or activities shall be justified based on a clear rationale of the *Education Plan*.

[Comment to Article 18.2: The Risk Assessment that Anti-Doping Organizations are required to conduct under the International Standard for Testing and Investigations provides a framework relating to the risk of doping within sports. Such assessment can be used to identify priority target groups for Education programs. WADA also provides Education resources for *Signatories* to use to support their program delivery.]

*Signatories* shall make their *Education* plans available to other *Signatories* upon request in order to avoid duplication of efforts where possible and to support the recognition process outlined in the *International Standard for Education*.

An Anti-Doping Organization’s *Education* program shall include the following awareness, information, values-based and *Education* components which shall at a minimum be available on a website.

---

第 18 条：教育

18.1 原則

教育プログラムは、国際レベル及び国内レベルにおいて、調和と協調がとれた、効果的なアンチ・ドーピング・プログラムを確実にする中心的な役割を担う。教育プログラムは、本規程の序論に記載されているように、スポーツの精神及び競技者の健康の保護並びにドーピングのない公正な競技環境において競技する権利を守ることを図っている。

教育プログラムは、意図的及び意図的でないアンチ・ドーピング規則違反及びその他本規程の違反を予防するために、啓発し、正確な情報を提供し、判断能力を育成するものとする。教育プログラム及びその実施は、スポーツの精神を保護する個人的な価値観及び信条を浸透させるものである。

すべての署名当事者は、自己の責任の範囲内で、また、相互に協力して、「教育に関する国際基準」に定める要件に従い、教育プログラムの計画、実施、モニタリング、評価及び推進をするものとする。

18.2 署名当事者による教育プログラム及び計画

「教育に関する国際基準」で概要を示すとおり、教育プログラムは、スポーツの精神を推進し、競技者及びその他の人による意思決定に対して、積極的かつ長期的な影響を与えるものとする。

署名当事者は、「教育に関する国際基準」において要請されるとおり、教育計画を策定するものとする。ターゲットグループ又は活動の優先順位付けは、教育計画の明確な合理的根拠に基づいて正当化されるものとする。

[第 18.2 項の解説：「検査及びドーピング調査に関する国際基準」に基づきアンチ・ドーピング機関が行うことが義務づけられるリスク評価は、競技内でのドーピングのリスクに関する枠組みを提供する。当該評価は、教育プログラムに関する優先的なターゲットグループを特定するために使用することができる。更に、WADA は「署名当事者が自己のプログラムを実施することを支援するために使用する教育リソースを提供する。」]

署名当事者は、可能な限り努力の重複を避け、「教育に関する国際基準」で概要が示されている承認手続きを支援するために、自己の教育計画を、他の署名当事者に対し、要請に応じ提供するものとする。

アンチ・ドーピング関連の教育プログラムは、次の啓発、情報提供、価値を基盤にした教育及び教育に関する構成要素を含むものとし、これらは少なくともウェブサイトで閲覧可能な状態に置くものとする。
Principles and values associated with clean sport
Athletes’, Athlete Support Personnel’s and other groups’ rights and responsibilities under the Code
The principle of Strict Liability
Consequences of doping, for example, physical and mental health, social and economic effects, and sanctions
Anti-doping rule violations
Substances and Methods on the Prohibited List
Risks of supplement use
Use of medications and Therapeutic Use Exemptions.
Testing procedures, including urine, blood and the Athlete Biological Passport
Requirements of the Registered Testing Pool, including whereabouts and the use of ADAMS
Speaking up to share concerns about doping

[Comment to Article 18.2: Where, for example, a particular National Anti-Doping Organization does not have its own website, the required information may be posted on the website of the country’s National Olympic Committee or other organization responsible for sport in the country.]

18.2.1  Education Pool and Target Groups Established by Signatories

Signatories shall identify their target groups and form an Education pool in line with the minimum requirements outlined in the International Standard for Education.

[Comment to Article 18.2.1: The Education pool should not be limited to National- or International-Level Athletes and should include all Persons, including youth, who participate in sport under the authority of any Signatory, government or other sports organization accepting the Code.]

18.2.2  Education Program Implementation by Signatories

Any Education activity directed at the Education pool shall be delivered by a trained and authorized Person according to the requirements set out in the International Standard for Education.

[Comment to Article 18.2.2: The purpose of this provision is to introduce the concept of an Educator. Education shall only be delivered by a trained and competent Person, similar to Testing whereby only trained and appointed Doping Control officers can conduct tests. In both cases, the requirement for trained personnel is to safeguard the Athlete and maintain consistent standards of delivery.
Further details on instituting a simple accreditation program for Educators are outlined in the WADA Model Guidelines for Education, including best practice examples of interventions that]
18.2.3 Coordination and Cooperation

WADA shall work with relevant stakeholders to support the implementation of the International Standard for Education and act as a central repository for information and Education resources and/or programs developed by WADA or Signatories. Signatories shall cooperate with each other and governments to coordinate their efforts.

On a national level, Education Programs shall be coordinated by the National Anti-Doping Organization, working in collaboration with their respective national sports federations, National Olympic Committee, National Paralympic Committee, governments and Educational institutions. This coordination shall maximize the reach of Education programs across sports, Athletes and Athlete Support Personnel and minimize duplication of effort.

Education Programs aimed at International-Level Athletes shall be the priority for International Federations. Event-based Education shall be a mandatory element of any anti-doping program associated with an International Event.

All Signatories shall cooperate with each other and governments to encourage relevant sports organizations, Educational institutions, and professional associations to develop and implement appropriate Codes of Conduct that reflect good practice and ethics related to sport practice regarding anti-doping. Disciplinary policies and procedures shall be clearly articulated and communicated, including sanctions which are consistent with the Code. Such Codes of Conduct shall make provision for appropriate disciplinary action to be taken by sports bodies to either support the implementation of any doping sanctions, or for an organization to take its own disciplinary action should insufficient evidence prevent an anti-doping rule violation being brought forward.
ARTICLE 19 RESEARCH

19.1 Purpose and Aims of Anti-Doping Research

Anti-doping research contributes to the development and implementation of efficient programs within Doping Control and to information and education regarding doping-free sport. All Signatories and WADA shall, in cooperation with each other and governments, encourage and promote such research and take all reasonable measures to ensure that the results of such research are used for the promotion of the goals that are consistent with the principles of the Code.

19.2 Types of Research

Relevant anti-doping research may include, for example, sociological, behavioral, juridical and ethical studies in addition to scientific, medical, analytical, statistical and physiological investigation. Without limiting the foregoing, studies on devising and evaluating the efficacy of scientifically-based physiological and psychological training programs that are consistent with the principles of the Code and respectful of the integrity of the human subjects, as well as studies on the Use of emerging substances or methods resulting from scientific developments should be conducted.

19.3 Coordination of Research and Sharing of Results

Coordination of anti-doping research through WADA is essential. Subject to intellectual property rights, the results of such anti-doping research shall be provided to WADA and, where appropriate, shared with relevant Signatories and Athletes and other stakeholders.

19.4 Research Practices

Anti-doping research shall comply with internationally recognized ethical practices.

19.5 Research Using Prohibited Substances and Prohibited Methods

Research efforts should avoid the Administration of Prohibited Substances or Prohibited Methods to Athletes.

19.6 Misuse of Results

Adequate precautions should be taken so that the results of anti-doping research are not misused and applied for doping purposes.
PART THREE:
ROLES AND RESPONSIBILITIES
All Signatories and WADA shall act in a spirit of partnership and collaboration in order to ensure the success of the fight against doping in sport and the respect of the Code.

[Comment: Responsibilities for Signatories and Athletes or other Persons are addressed in various Articles in the Code and the responsibilities listed in this part are additional to these responsibilities.]

ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF SIGNATORIES AND WADA

Each Anti-Doping Organization may delegate aspects of Doping Control or anti-doping Education for which it is responsible but remains fully responsible for ensuring that any aspect it delegates is performed in compliance with the Code. To the extent such delegation is made to a Delegated Third Party that is not a Signatory, the agreement with the Delegated Third Party shall require its compliance with the Code and International Standards.

[Comment to Article 20: Obviously, an Anti-Doping Organization is not responsible for a failure to comply with the Code by its non-Signatory Delegated Third Parties if the Delegated Third Party’s failure is committed in connection with services provided to a different Anti-Doping Organization. For example, if FINA and FIBA both delegate aspects of Doping Control to the same non-Signatory Delegated Third Party, and the provider fails to comply with the Code in performing the services for FINA, only FINA and not FIBA would be responsible for the failure. However, Anti-Doping Organizations shall contractually require Delegated Third Parties to whom they have delegated anti-doping responsibilities to report to the Anti-Doping Organization any finding of non-compliance by the Delegated Third Parties.]

20.1 Roles and Responsibilities of the International Olympic Committee

20.1.1 To adopt and implement anti-doping policies and rules for the Olympic Games which conform with the Code and the International Standards.

20.1.2 To require, as a condition of recognition by the International Olympic Committee, that International Federations and National Olympic Committees within the Olympic Movement are in compliance with the Code and the International Standards.

20.1.3 To withhold some or all Olympic funding and/or other benefits from sport organizations that are not in compliance with the Code and/or the International Standards, where required under Article 24.1.
20.1.4 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority, in accordance with Article 12.

20.1.5 To authorize and facilitate the Independent Observer Program.

20.1.6 To require all Athletes preparing for or participating in the Olympic Games, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.

20.1.7 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

20.1.8 Subject to applicable law, to vigorously pursue all potential anti-doping rule violations within its authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.

20.1.9 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.

20.1.10 To accept bids for the Olympic Games only from countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention, and (where required under Article 24.1.9) to not accept bids for Events from countries where the National Olympic Committee, the National Paralympic Committee and/or the National Anti-Doping Organization is not in compliance with

20.1.11 (a) 第 24.1 項及び「署名当事者の規程遵守に関する国際基準」に従い、署名当事者による本規程及び国際基準への不遵守を、また、(b) 第 12 条に従い、自己が権限を有する他のスポーツ団体による本規程及び国際基準への不遵守を、それぞれ思い止まらせるために、適切な行動をとること。

20.1.12 インディペンデント・オブザーバー・プログラムを承認し、促進すること。

20.1.13 オリンピック競技大会のための準備を行い、又是これに参加するすべての競技者及び当該競技者に関連するすべてのサポートスタッフに対し、本規程に適合するアンチ・ドーピング規則に同意し、拘束されることを、当該参加又は関与の要件として義務づけること。

20.1.14 本規程に基づき罰則的資格停止がなされ、若しくは資格停止期間中に服して又は本規程の対象でない場合には、本規程に適合する規則が当該人に関用されていたのであればアンチ・ドーピング規則違反を構成したであろう行為に過去6年以内に直接かつ意図的に従事した、(授權されたアンチ・ドーピング教育又はリハビリ・プログラム以外の) ドーピング・コントロールに関連する立場にある人を、そうであると知りながら雇用しないこと（但し、適用法令に従うものとする。）。

20.1.15 サポートスタッフ又はその他の人が各ドーピング事案に関与しているか否かのドーピング調査を含む、自己の権限内におけるすべての潜在的なアンチ・ドーピング規則違反を積極的に追及すること。

20.1.16 「教育に関する国際基準」の要件に従ってアンチ・ドーピング教育を計画し、実施し、評価し、推進すること。

20.1.17 政府がエヌセコ国際規約を批准し、承認し、承認し、又は、これに加入している国のみからオリンピック競技大会開催の立候補のための入札を受け入れ、また、(第 24.1.9 項に基づき要請される場合には) 国内オリンピック委員会、国内パラリンピック委員会及び/又は国内アンチ・ドーピング機関が本規程又は国際基準を遵守していない国からは、競技大会開催の立候補のための入札を受け入れないこと。
20.2 Roles and Responsibilities of the International Paralympic Committee

20.2.1 To adopt and implement anti-doping policies and rules for the Paralympic Games which conform with the Code and the International Standards.

20.2.2 To require, as a condition of membership of the International Paralympic Committee, that International Federations and National Paralympic Committees within the Paralympic Movement are in compliance with the Code and the International Standards.

20.2.3 To withhold some or all Paralympic funding and/or other benefits from sport organizations that are not in compliance with the Code and/or the International Standards, where required under Article 24.1.

20.2.4 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority, in accordance with Article 12.

20.2.5 To authorize and facilitate the Independent Observer Program.

20.2.6 To require all Athletes preparing for or participating in the Paralympic Games, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.

20.2.7 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code or the International Standards.

20.1.12 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

20.1.13 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.

20.1.14 To adopt a policy or rule implementing Article 2.11.

20.1.12 関係する国内機関及び団体並びに他のアンチ・ドーピング機関と協力すること。

20.1.13「分析機関に関する国際基準」に定めるとおり、分析機関の運営上の独立性を尊重すること。

20.1.14 第 2.11 項を実施する規範又は規則を採択すること。
with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.

20.2.8 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

20.2.9 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.

20.2.10 To vigorously pursue all potential anti-doping rule violations within its authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.

20.2.11 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

20.2.12 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.

20.3 Roles and Responsibilities of International Federations

20.3.1 To adopt and implement anti-doping policies and rules which conform with the Code and International Standards.

20.3.2 To require, as a condition of membership, that the policies, rules and programs of their National Federations and other members are in compliance with the Code and the International Standards, and to take appropriate action to ensure such compliance; areas of compliance shall include but not be limited to: (i) requiring that their National Federations conduct Testing only under the documented authority of their International Federation and use their National Anti-Doping Organization or other Sample collection authority to collect Samples in compliance with the International Standard for Testing and Investigations; (ii) requiring that their National Federations recognize the authority of the National Anti-Doping Organization in their country in accordance with Article 5.2.1 and assist as appropriate with the National Anti-Doping Organization’s implementation of the national Testing program for

<table>
<thead>
<tr>
<th>Location</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>20.3.2</td>
<td>To require, as a condition of membership, that the policies, rules and programs of their National Federations and other members are in compliance with the Code and the International Standards, and to take appropriate action to ensure such compliance; areas of compliance shall include but not be limited to: (i) requiring that their National Federations conduct Testing only under the documented authority of their International Federation and use their National Anti-Doping Organization or other Sample collection authority to collect Samples in compliance with the International Standard for Testing and Investigations; (ii) requiring that their National Federations recognize the authority of the National Anti-Doping Organization in their country in accordance with Article 5.2.1 and assist as appropriate with the National Anti-Doping Organization’s implementation of the national Testing program for</td>
</tr>
</tbody>
</table>

20.2.8 本規程に基づき仮定的資格停止がなされ、若しくは仮定的停止期間に服しており、又は本規程の対象でない場合には、本規程に適合する規則が当該人

20.2.9 「教育に関する国際基準」の要件に従ってアンチ・ドーピング教育を計画し、実施し、評価し、推進すること。

20.2.10 サポートスタッフ又はその他の人が各ドーピング事案に関与しているか否かのドーピング調査を含め、自己の権限内においてすべての潜在的なアンチ・ドーピング規則違反を積極的に追求すること。

20.2.11 関係する国内機関及び団体並びに他のアンチ・ドーピング機関と協力すること。

20.2.12 「分析機関に関する国際基準」に定めるとおり、分析機関の運営上の独立性を尊重すること。

20.3 国際競技連盟の役割及び責務

20.3.1 本規程及び国際基準に準拠したアンチ・ドーピング規範及び規則を採択し、実施すること。

20.3.2 加盟の要件として、傘下の国内競技連盟及び他の加盟機関の規範、規則及びプログラムが本規程及び国際基準を遵守することを義務づけ、当該遵守を執行するために適切な行動をとること。遵守の領域は以下を含むが、これに限らない。(i) 自己の国内競技連盟がその国際競技連盟の文書化された権限に基づく場合のみ検査を行い、また、「検査及びドーピング調査に関する国際基準」に従って検体を採取するために自己の国内アンチ・ドーピング機関又は他の検体採取権限を有する機関を使用することを義務づけること。(ii) 自己の国内競技連盟が第5.2.1項に従って自己の国における内アンチ・ドーピング機関の権限を自己の国内競技連盟が承認し、自己の競技に関する国内アンチ・ドーピング機関による国内検査プログラムの実施に対し、適切に支援することを義務づけること。(iii) 自己の国内競技連盟が、第6.1項に従ってWADAが認定した又はWADAが承認する分析機関を使用して採取されたすべての検体を分析することを義務づけること、並びに(iv) 自己の国内競技連盟が発見した国内レベルのアンチ・ドーピング
their sport; (iii) requiring that their National Federations analyze all Samples collected using a WADA accredited or WADA approved laboratory in accordance with Article 6.1; and (iv) requiring that any national level anti-doping rule violation cases discovered by their National Federations are adjudicated by an Operationally Independent hearing panel in accordance with Article 8.1 and the International Standard for Results Management.

20.3.3 To require all Athletes preparing for or participating in a Competition or activity authorized or organized by the International Federation or one of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.

20.3.4 Subject to applicable law, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.

20.3.5 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

20.3.6 To require Athletes who are not regular members of the International Federation or one of its member National Federations to be available for Sample collection and to provide accurate and up-to-date whereabouts information as part of the International Federation’s Registered Testing Pool consistent with the conditions for eligibility established by the International Federation or, as applicable, the Major Event Organization.

[Comment to Article 20.3.6: This would include, for example, Athletes from professional leagues.]

20.3.7 To require each of their National Federations to establish rules requiring all Athletes preparing for or participating in a Competition or activity authorized or organized by a National Federation or one

20.3.3 国際競技連盟若しくはその加盟機関により承認され、若しくは運営される競技会若しくは活動のための準備を行い、又はこれに参加するすべての競技者、及び当該競技者に関連するすべてのサポートスタッフに対し、本規程に適合するアンチ・ドーピング規則に同意し、拘束されることを、当該参加又は関与の要件として義務づけること。

20.3.4 ドーピング・コントロールの一部に関与している自己のすべての理事会構成員、理事及び役員、並びに自己の社員（並びに任命された委託された第三者のこれらの者）に対し、直接かつ客観的な不正行為について本規程に適合するアンチ・ドーピング規則下として拘束され、又は署名関係者が設置する類似の規則及び規則に拘束されることに同意することを、当該地味又は関与の要件として義務づけること（但し、適用法令に従うものとする。）。

20.3.5 本規程に基づき暫定的資格停止がなされ、若しくは資格停止期間に服して、又は本規程の対象外の場合には、本規程に適合する規則が当該人に適用されていたのではあったにしてもアンチ・ドーピング規則違反を事実上であるよう行為を過去 6 年以内に直接かつ意図的に従事した、（授権されたアンチ・ドーピング教育又はリハビリプログラム以外の）ドーピング・コントロールに関連する立場にある人を、そうであると知りながら雇用しないこと（但し、適用法令に従うものとする。）。

20.3.6 国際競技連盟又はその傘下の国内競技連盟に正式登録していない競技者に対し、検体の採取に応じず又は国内競技連盟の定めた参加資格要件、又は、場合により、主要競技大会機関が定めた参加資格要件に合致するように、国際競技連盟の登録検査対象リストの一部として、正確かつ最新の局所情報提出することを義務づけること。

[第 20.3.6 項の解説：例えば、プロフェッショナルリーグ出身の競技者がこれに含まれる。]

20.3.7 国内競技連盟又はその加盟機関の一つが承認し又は組織する競技会若しくは活動のために準備を行い、又はこれに参加するすべての競技者、及び当該競技者に関連するすべてのサポートスタッフに対し、本規程に適合する
20.3.8 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their National Anti-Doping Organization and International Federation and to cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation.

20.3.9 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which they have authority, in accordance with Article 12.

20.3.10 To authorize and facilitate the Independent Observer Program at International Events.

20.3.11 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.3.12 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.13 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education, including requiring National Federations to conduct anti-doping Education in coordination with the applicable National Anti-Doping Organization.

20.3.14 To accept bids for World Championships and other International Events only from countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention, and (where required under Article 24.1.9) to not accept bids for Events of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to be bound by anti-doping rules and the Results Management authority of Anti-Doping Organization in conformity with the Code as a condition of such participation.

20.3.15 To actively pursue all potential anti-doping rule violations within their authority by investigating such violations and, where required, by conducting an automatic investigation of Athlete Support Personnel involved in a violation, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.16 To authorize and facilitate the Independent Observer Program at International Events.

20.3.17 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.3.18 To vigorously pursue all potential anti-doping rule violations within their authority by investigating such violations and, where required, by conducting an automatic investigation of Athlete Support Personnel involved in a violation, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.19 To authorize and facilitate the Independent Observer Program at International Events.

20.3.20 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.3.21 To vigorously pursue all potential anti-doping rule violations within their authority by investigating such violations and, where required, by conducting an automatic investigation of Athlete Support Personnel involved in a violation, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.22 To authorize and facilitate the Independent Observer Program at International Events.

20.3.23 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.3.24 To vigorously pursue all potential anti-doping rule violations within their authority by investigating such violations and, where required, by conducting an automatic investigation of Athlete Support Personnel involved in a violation, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.25 To authorize and facilitate the Independent Observer Program at International Events.

20.3.26 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.3.27 To vigorously pursue all potential anti-doping rule violations within their authority by investigating such violations and, where required, by conducting an automatic investigation of Athlete Support Personnel involved in a violation, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.28 To authorize and facilitate the Independent Observer Program at International Events.

20.3.29 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.3.30 To vigorously pursue all potential anti-doping rule violations within their authority by investigating such violations and, where required, by conducting an automatic investigation of Athlete Support Personnel involved in a violation, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.31 To authorize and facilitate the Independent Observer Program at International Events.

20.3.32 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.3.33 To vigorously pursue all potential anti-doping rule violations within their authority by investigating such violations and, where required, by conducting an automatic investigation of Athlete Support Personnel involved in a violation, to ensure proper enforcement of Consequences, and to conduct an automatic investigation of Athlete Support Personnel in the case of any anti-doping rule violation involving a Protected Person or Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.3.34 To authorize and facilitate the Independent Observer Program at International Events.
from countries where the National Olympic Committee, the National Paralympic Committee and/or the National Anti-Doping Organization is not in compliance with the Code or the International Standards.

20.3.15 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

20.3.16 To cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.7.12.

20.3.17 To have disciplinary rules in place and require National Federations to have disciplinary rules in place to prevent Athlete Support Personnel who are Using Prohibited Substances or Prohibited Methods without valid justification from providing support to Athletes within the International Federation’s or National Federation’s authority.

20.3.18 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.

20.3.19 To adopt a policy or rule implementing Article 2.11.

20.4 Roles and Responsibilities of National Olympic Committees and National Paralympic Committees

20.4.1 To ensure that their anti-doping policies and rules conform with the Code and the International Standards.

20.4.2 To require, as a condition of membership, that the policies, rules and programs of their National Federations and other members are in compliance with the Code and the International Standards, and to take appropriate action to enforce such compliance.

20.4.3 To respect the autonomy of the National Anti-Doping Organization in their country and not to interfere in its operational decisions and activities.

20.4.4 To require National Federations to report any information suggesting or relating to an anti-doping rule violation to their National Anti-Doping Organization and International Federation and to cooperate with investigations conducted by any Anti-Doping Organization with authority to conduct the investigation.

20.4.1 自己のアンチ・ドーピング規範及び規則が本規程及び国際基準に適合することを確保すること。

20.4.2 自己の国内競技連盟その他の加盟機関の規範、規則及びプログラムが本規程及び国際基準を遵守することを加盟の要件として義務づけ、当該遵守を執行するために適切な行動をとること。

20.4.3 国内アンチ・ドーピング機関の国内における自治を尊重し、その運営上の決定及び活動に干渉しないこと。

20.4.4 国内競技連盟に対し、アンチ・ドーピング規則違反を示唆し、又は関連する情報をその国内アンチ・ドーピング機関及び国際競技連盟に報告し、ドーピング調査を行う権限を有するアンチ・ドーピング機関の実施するドーピング調査に協力することを義務づけること。
20.4.5 To require, as a condition of participation in the Olympic Games and Paralympic Games that, at a minimum, Athletes who are not regular members of a National Federation be available for Sample collection and to provide whereabouts information as required by the International Standard for Testing and Investigations as soon as the Athlete is identified on the long list or subsequent entry document submitted in connection with the Olympic Games or Paralympic Games.

20.4.6 To cooperate with their National Anti-Doping Organization and to work with their government to establish a National Anti-Doping Organization where one does not already exist, provided that, in the interim, the National Olympic Committee or its designee shall fulfill the responsibility of a National Anti-Doping Organization. For those countries that are members of a Regional Anti-Doping Organization, the National Olympic Committee, in cooperation with the government, shall maintain an active and supportive role with their respective Regional Anti-Doping Organization.

20.4.7 To require each of their National Federations to establish rules (or other means) requiring all Athletes preparing for or participating in a Competition or activity authorized or organized by a National Federation or one of its member organizations, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules and Anti-Doping Organization Results Management authority in conformity with the Code as a condition of such participation or involvement.

20.4.8 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.

20.4.9 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

20.4.5 国内競技選手権に正式登録していない選手については、オリンピック競技大会若しくはパラリンピック競技大会に参加する選手の一覧表若しくは後日提出されるエントリーリストにおいて当該選手が特定されてからすぐに、「検査及びドーピング調査に関する国際基準」にて義務づけられるとおり、検体の採取に応じること、及び場所情報を提出することを、オリンピック競技大会及びパラリンピック競技大会への最低限の参加要件として義務づけること。

20.4.6 国内アンチ・ドーピング規程と協力すること、及び国内アンチ・ドーピング規程が存在しない場合には、国内アンチ・ドーピング規程を設立するためにその政府と協力すること。但し、当面の間は、国内オリンピック委員会又はその指定組織が国内アンチ・ドーピング規程の責任を果たすものとする。地域アンチ・ドーピング規程のメンバー国につき、国内オリンピック委員会は政府と協力し、それぞれの地域アンチ・ドーピング規程において活発な支援的役割を担い続けるものとする。

20.4.7 奨上の国内競技選手権に対し、国内競技選手権若しくはその加盟機関により承認され、若しくは運用される競技選手若しくは活動のための準備を行い、又はこれに参加するすべての競技者、及び当該競技者に関連するすべてのサポートスタッフに対し、本規程に適合したアンチ・ドーピング規則及びアンチ・ドーピング規程の結果管理権限に同意し、拘束されることを、当該参加又は関与の要件として要請する規則を定めること（又は他の手段を確立すること）を義務づけること。

20.4.8 ドーピング・コントロールの一環で関与している自己のすべての理事会構成員、理事及び役員、並びに自己の職員（並びに任命された委託された第三者のこれからの者）に対し、直接かつ意図的な不正行為について本規程に適合するアンチ・ドーピング規則に基づく拘束され、又は署名者数者が設置した類似の規則及び規制に拘束されされることを、当該地位又は関与の要件として義務づけること（但し、通用法令に従うものとすら。）。

20.4.9 本規程に基づき暫定的資格停止がせられ、若しくは資格停止期間に服して、又は本規程の対象でない場合には、本規程に適合する規則が当該人人に適用されていたのであればアンチ・ドーピング規則違反を構成したであろう行為に過去6年以内に直接かつ意図的に従事した、（発行されたアンチ・ドーピング教育又はリハビリ・プログラム以外の）ドーピング・コントロールに関連する立場にある人を、そうであると知りながら雇用しないこと（但し、通用法令に従うものとする。）。

World Anti-Doping Code 2021

– 97 –

世界アンチ・ドーピング規程 2021

– 97 –
20.4.10 To withhold some or all funding, during any period of Ineligibility, to any Athlete or Athlete Support Person who has violated anti-doping rules.

20.4.11 To withhold some or all funding to their member or recognized National Federations that are not in compliance with the Code and/or the International Standards.

20.4.12 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education, including requiring National Federations to conduct anti-doping Education in coordination with the applicable National Anti-Doping Organization.

20.4.13 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.

20.4.14 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

20.4.15 To have disciplinary rules in place to prevent Athlete Support Personnel who are Using Prohibited Substances or Prohibited Methods without valid justification from providing support to Athletes within the National Olympic Committee’s or National Paralympic Committee’s authority.

20.4.16 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.

20.4.17 To adopt a policy or rule implementing Article 2.11.

20.4.18 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories and (b) by any other sporting body over which it has authority, in accordance with Article 12.

20.5 Roles and Responsibilities of National Anti-Doping Organizations

[Comment to Article 20.5: For some smaller countries, a number of the responsibilities described in this Article may be delegated by their National Anti-Doping Organization to a Regional Anti-Doping Organization.]
20.5.1 To be independent in their operational decisions and activities from sport and government, including without limitation by prohibiting any involvement in their operational decisions or activities by any Person who is at the same time involved in the management or operations of any International Federation, National Federation, Major Event Organization, National Olympic Committee, National Paralympic Committee, or government department with responsibility for sport or anti-doping.

[Comment to Article 20.5.1: This would not, for example, prohibit a National Anti-Doping Organization from acting as a Delegated Third Party for a Major Event Organization or other Anti-Doping Organization.]

20.5.2 To adopt and implement anti-doping rules and policies which conform with the Code and the International Standards.

20.5.3 To cooperate with other relevant national organizations and agencies and other Anti-Doping Organizations.

20.5.4 To encourage reciprocal Testing between Anti-Doping Organizations.

20.5.5 To promote anti-doping research.

20.5.6 Where funding is provided, to withhold some or all funding, during any period of Ineligibility, to any Athlete or Athlete Support Person who has violated anti-doping rules.

20.5.7 To vigorously pursue all potential anti-doping rule violations within their authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping and to ensure proper enforcement of Consequences.

20.5.8 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.

20.5.9 Each National Anti-Doping Organization shall be the authority on Education within their respective countries.

20.5.10 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by such rules in all other contexts.

[第 20.5.1 項の解説：これは、例えば、国内アンチ・ドーピング機関が、主要競技大会機関又は他のアンチ・ドーピング機関のための委託された第三者として行為することを禁止するものではない。]

20.5.2 本規程及び国際基準に準拠したアンチ・ドーピング規則及び規範を採択し、実施すること。

20.5.3 関係する国内機関及び団体並びに他のアンチ・ドーピング機関と協力すること。

20.5.4 アンチ・ドーピング機関間における相互の検査を奨励すること。

20.5.5 アンチ・ドーピング研究活動を推進すること。

20.5.6 資金援出が行われている場合には、アンチ・ドーピング規則に違反した競技者又はサポートスタッフに対し、その資格停止期間中、資金援出の全部又は一部を留保すること。

20.5.7 サポートスタッフ又はその他の者が各ドーピング事案に関与しているか否かのドーピング調査を含む、自己の権限内におけるすべての潜在的なアンチ・ドーピング規則違反を積極的に追及すること及び措置の適切な執行を確保すること。

20.5.8 「教育に関する国際基準」の要件に従ってアンチ・ドーピング教育を計画し、実施し、評価し、推進すること。

20.5.9 各国内アンチ・ドーピング機関が自の各国内において教育に関する権限者となること。

20.5.10 ドーピング・コントロールの一環に関与している自己のすべての理事会構成員、理事及び役員、並びに自己の職員（並びに任命された委託された第三者のこれら者）に対して、直接又は意図的な不正行為について本規程に適合するアンチ・ドーピング規則に準拠して拘束され、又は署名者事務者が設置する類似の規則及び規範に拘束されることに同意することを、当該地位又は関与の要件として義務づけること（但し、適用法令に従うものとす
by comparable rules and regulations put in place by the Signatory.

20.5.11 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

20.5.12 To conduct an automatic investigation of Athlete Support Personnel within their authority in the case of any anti-doping rule violation by a Protected Person and to conduct an automatic investigation of any Athlete Support Person who has provided support to more than one Athlete found to have committed an anti-doping rule violation.

20.5.13 To cooperate fully with WADA in connection with investigations conducted by WADA pursuant to Article 20.7.14.

20.5.14 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.

20.5.15 To adopt a policy or rule implementing Article 2.11.

20.5.16 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories and (b) by any other sporting body over which it has authority, in accordance with Article 12.

20.6 Roles and Responsibilities of Major Event Organizations

20.6.1 To adopt and implement anti-doping policies and rules for its Events which conform with the Code and the International Standards.

20.6.2 To take appropriate action to discourage non-compliance with the Code and the International Standards (a) by Signatories, in accordance with Article 24.1 and the International Standard for Code Compliance by Signatories, and (b) by any other sporting body over which it has authority, in accordance with Article 12.

20.6.3 To authorize and facilitate the Independent Observer Program.
20.6.4 To require all Athletes preparing for or participating in the Event, and all Athlete Support Personnel associated with such Athletes, to agree to and be bound by anti-doping rules in conformity with the Code as a condition of such participation or involvement.

20.6.5 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.

20.6.6 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

20.6.7 To vigorously pursue all potential anti-doping rule violations within its authority including investigation into whether Athlete Support Personnel or other Persons may have been involved in each case of doping.

20.6.8 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.

20.6.9 To accept bids for Events only from countries where the government has ratified, accepted, approved or acceded to the UNESCO Convention, and (where required under Article 24.1.9) to not accept bids for Events from countries where the National Olympic Committee, the National Paralympic Committee and/or the National Anti-Doping Organization is not in compliance with the Code or the International Standards.

20.6.10 To cooperate with relevant national organizations and agencies and other Anti-Doping Organizations.

20.6.11 To respect the operational independence of laboratories as provided in the International Standard for Laboratories.

20.6.12 To adopt a policy or rule implementing Article 2.11.
20.7 Roles and Responsibilities of WADA

20.7.1 To accept the Code and commit to fulfill its roles and responsibilities under the Code through a declaration approved by WADA’s Foundation Board.

[Comment to Article 20.7.1: WADA cannot be a Signatory because of its role in monitoring Signatory compliance with the Code.]

20.7.2 To adopt and implement policies and procedures which conform with the Code and the International Standards.

20.7.3 To provide support and guidance to Signatories in their efforts to comply with the Code and the International Standards and monitor such compliance in accordance with Article 24.1 of the Code and the International Standard for Code Compliance by Signatories.

20.7.4 To approve International Standards applicable to the implementation of the Code.

20.7.5 To accredit and reaccredit laboratories to conduct Sample analysis or to approve others to conduct Sample analysis.

20.7.6 To develop and publish guidelines and models of best practice.

20.7.7 To submit to the WADA Executive Committee for approval, upon the recommendation of the WADA Athletes Committee the Athletes’ Anti-Doping Rights Act which compiles in one place those Athletes’ rights which are specifically identified in the Code and International Standards, and other agreed upon principles of best practice with respect to the overall protection of Athletes’ rights in the context of anti-doping.*

20.7.8 To promote, conduct, commission, fund and coordinate anti-doping research and to promote anti-doping Education.

20.7.9 To design and conduct an effective Independent Observer Program and other types of Event advisory programs.

20.7.10 To conduct, in exceptional circumstances and at the direction of the WADA Director General, Testing on its own initiative or as requested by other Anti-Doping Organizations, and to cooperate with relevant national and international organizations and agencies, including but not limited to, facilitating inquiries and investigations.
20.7.11 To approve, in consultation with International Federations, National Anti-Doping Organizations, and Major Event Organizations, defined Testing and Sample analysis programs.

20.7.12 Subject to applicable law, as a condition of such position or involvement, to require all of its board members, directors, officers, and those employees (and those of appointed Delegated Third Parties), who are involved in any aspect of Doping Control, to agree to be bound by anti-doping rules as Persons in conformity with the Code for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the Signatory.

20.7.13 Subject to applicable law, to not knowingly employ a Person in any position involving Doping Control (other than authorized anti-doping Education or rehabilitation programs) who is Provisionally Suspended or is serving a period of Ineligibility under the Code or, if a Person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person.

20.7.14 To initiate its own investigations of anti-doping rule violations, non-compliance of Signatories and WADA accredited laboratories, and other activities that may facilitate doping.

20.8 Cooperation Regarding Third Party Regulations

Signatories shall cooperate with each other, WADA and governments to encourage professional associations and institutions with authority over Athlete Support Personnel who are otherwise not subject to the Code to implement regulations prohibiting conduct which would be considered an anti-doping rule violation if committed by Athlete Support Personnel who are subject to the Code.

[Comment to Article 20.7.10: WADA is not a Testing agency, but it reserves the right, in exceptional circumstances, to conduct its own tests where problems have been brought to the attention of the relevant Anti-Doping Organization and have not been satisfactorily addressed.]

[第 20.7.10 項の解釈：WADA は検査機関ではないが、関連するアンチ・ドーピング機関に問題が提起されたものの、当該アンチ・ドーピング機関により十分に対処されなかった場合、例外的な状況として、WADA が自ら検査を実施する権利を備える。]
ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS

21.1 Roles and Responsibilities of Athletes

21.1.1 To be knowledgeable of and comply with all applicable anti-doping policies and rules adopted pursuant to the Code.

21.1.2 To be available for Sample collection at all times.

[Comment to Article 21.1.2: With due regard to an Athlete’s human rights and privacy, legitimate anti-doping considerations sometimes require Sample collection late at night or early in the morning. For example, it is known that some Athletes use low doses of EPO during these hours so that it will be undetectable in the morning.]

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

21.1.4 To inform medical personnel of their obligation not to use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate anti-doping policies and rules adopted pursuant to the Code.

21.1.5 To disclose to their National Anti-Doping Organization and International Federation any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten years.

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

[Comment to Article 21.1.6 Failure to cooperate is not an anti-doping rule violation under the Code, but it may be the basis for disciplinary action under a Signatory’s rules.]

21.1.7 To disclose the identity of their Athlete Support Personnel upon request by any Anti-Doping Organization with authority over the Athlete.

21.2 Roles and Responsibilities of Athlete Support Personnel

21.2.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the Code and which are applicable to them or the Athletes whom they support.

21.2.2 To cooperate with the Athlete Testing program.

第 21 条：競技者又はその他の人の追加的な役割及び責務

21.1 競技者の役割及び責務

21.1.1 本規程に基づき採択された適用されるアンチ・ドーピング規則及び規則のすべてについて精通し、遵守すること。

21.1.2 いつでも検体採取に応じること。

[第 21.1.2 項の解説：競技者の人権及びプライバシーに配慮して、正当なアンチ・ドーピング上の判断の結果として深夜又は早朝に検体採取が要求される場合がある。例えば、競技者の一部は、朝発覚しないようにするため、当該時間帯に少量のEPOを使用することが知られている。]

21.1.3 アンチ・ドーピングとの関連で、自己の摂取物及び使用物に関して責任を負うこと。

21.1.4 医療従事者に対して自らが禁止物質及び禁止方法を使用してはならないという義務を負っていることを伝達するとともに、自らが受けた医療処置について、本規程に基づき採択されたアンチ・ドーピング規則及び規則に対する違反に該当しないようにすることに関して責任を負うこと。

21.1.5 競技者が過去 10 年の間に、アンチ・ドーピング規則違反を行った旨、非署名当事者により認定された決定があれば、それをその国内アンチ・ドーピング機関及び国際競技連盟に開示すること。

21.1.6 アンチ・ドーピング規則違反についてドーピング調査を実施するアンチ・ドーピング機関に協力をすること。

[第 21.1.6 項の解説：ドーピング調査に協力しないことは、本規程に基づくアンチ・ドーピング規則違反ではないが、署名当事者の規則に基づく規則処分の根拠となりうる。]

21.1.7 競技者に対し権限を有するアンチ・ドーピング機関の要請により、自己のサポートスタッフの身分を開示すること。

21.2 サポートスタッフの役割及び責務

21.2.1 自己又は支援を行う競技者に適用される本規程に基づき採択されたアンチ・ドーピング規則及び規則のすべてについて精通し、遵守すること。

21.2.2 競技者の検査プログラムに協力すること。
21.2.3 To use their influence on Athlete values and behavior to foster anti-doping attitudes.

21.2.4 To disclose to their National Anti-Doping Organization and International Federation any decision by a non-Signatory finding that they committed an anti-doping rule violation within the previous ten years.

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

[Comment to Article 21.2.5 Failure to cooperate is not an anti-doping rule violation under the Code, but it may be the basis for disciplinary action under a Signatory’s rules.]

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

[Comment to Article 21.2.6: In those situations where Use or personal Possession of a Prohibited Substance or Prohibited Method by an Athlete Support Person without justification is not an anti-doping rule violation under the Code, it should be subject to other sport disciplinary rules. Coaches and other Athlete Support Personnel are often role models for Athletes. They should not be engaging in personal conduct which conflicts with their responsibility to encourage their Athletes not to dope.]

21.3 Roles and Responsibilities of Other Persons Subject to the Code

21.3.1 To be knowledgeable of and comply with all anti-doping policies and rules adopted pursuant to the Code and which are applicable to them.

21.3.2 To disclose to their National Anti-Doping Organization and International Federation any decision by a non-Signatory finding that they committed an anti-doping rule violation within the previous ten years.

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

21.4 Roles and Responsibilities of Regional Anti-Doping Organizations

21.4.1 To ensure member countries adopt and implement rules, policies and programs which conform with the Code.
21.4.2 To require, as a condition of membership, that a member country sign an official Regional Anti-Doping Organization membership form which clearly outlines the delegation of anti-doping responsibilities to the Regional Anti-Doping Organization.

21.4.3 To cooperate with other relevant national and regional organizations and agencies and other Anti-Doping Organizations.

21.4.4 To encourage reciprocal Testing between National Anti-Doping Organizations and Regional Anti-Doping Organizations.

21.4.5 To promote and assist with capacity building among relevant Anti-Doping Organizations.

21.4.6 To promote anti-doping research.

21.4.7 To plan, implement, evaluate and promote anti-doping Education in line with the requirements of the International Standard for Education.

**ARTICLE 22 INVOLVEMENT OF GOVERNMENTS**

[Comment to Article 22: Most governments cannot be parties to, or be bound by, private non-governmental instruments such as the Code. For that reason, governments are not asked to be Signatories to the Code but rather to sign the Copenhagen Declaration and ratify, accept, approve or accede to the UNESCO Convention. Although the acceptance mechanisms may be different, the effort to combat doping through the coordinated and harmonized program reflected in the Code is very much a joint effort between the sport movement and governments.

This Article sets forth what the Signatories clearly expect from governments. However, these are simply “expectations” since governments are only “obligated” to adhere to the requirements of the UNESCO Convention.]

Each government’s commitment to the Code will be evidenced by its signing the Copenhagen Declaration on Anti-Doping in Sport of 3 March 2003, and by ratifying, accepting, approving or acceding to the UNESCO Convention.

The Signatories are aware that any action taken by a government is a matter for that government and subject to the obligations under international law as well as to its own laws and regulations. While governments are bound only by the requirements of the relevant international intergovernmental treaties (and notably of the UNESCO Convention), the following Articles set forth the expectations of the Signatories to support them in the implementation of the Code.

第 22 条：政府の関与

[第 22 条の解説：ほとんどの政府は、本規程のような非政府による法的文書の当事者となったり、当該法的文書に拘束されていないことはない。そのため、各国政府に対しては、本規程の署名者になることを要請せず、むしろコンベンション宣言に署名し、ユネスコ国際規約を批准し、受諾し、承認し、又は、これに加入することを要請している。受諾の構造は異なるが、本規程に示された調整及び調和のプログラムを通じて、ドーピングの撲滅に向けた活動を行うことは、まさにスポーツ界と政府との協働の活動である。

本条は署名者が政府に明確に期待する事項を定める。但し、政府はユネスコ国際規約の要件を遵守する「義務を負う」に過ぎないため、これらは「期待」に過ぎない。]

本規程への各国政府の参画は、2003年3月3日の、スポーツにおけるアンチ・ドーピングに関連するコンベンション宣言に署名した上で、ユネスコ国際規約を批准し、受諾し、承認し、又は、これに加入することにより証される。

署名当事者は、政府の講じる手段は当該政府の問題であり、国際法及び自己の法令上の義務の対象となることを認識している。政府は、関連する国際的な政府間条約（特にユネスコ国際規約）の要請に拘束されるものの、以下の条文は、本規程の実施においてこれらを支持する署名当事者の期待を規定している。]
22.1 Each government should take all actions and measures necessary to comply with the UNESCO Convention.

22.2 Each government should put in place legislation, regulation, policies or administrative practices for: cooperation and sharing of information with Anti-Doping Organizations; sharing of data among Anti-Doping Organizations as provided in the Code; unrestricted transport of urine and blood Samples in a manner that maintains their security and integrity; and unrestricted entry and exit of Doping Control officials and unrestricted access for Doping Control officials to all areas where International-Level Athletes or National-Level Athletes live or train to conduct no advance notice Testing, subject to applicable border control, immigration and access requirements and regulations.

22.3 Each government should adopt rules, regulations or policies to discipline officials and employees who are involved in Doping Control, sport performance or medical care in a sport setting, including in a supervisory capacity, for engaging in activities which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Persons.

22.4 Each government should not permit any Person to be involved in any position involving Doping Control, sport performance or medical care in a sport setting, including in a supervisory capacity, where such Person: (i) is serving a period of Ineligibility for an anti-doping rule violation under the Code, or (ii) if not subject to the authority of an Anti-Doping Organization, and where Ineligibility has not been addressed in a Results Management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person, in which case the disqualifying status of such Person should be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed.

22.5 Each government should encourage cooperation between all of its public services or agencies and Anti-Doping Organizations to timely share information with Anti-Doping Organizations which would be useful in the fight against doping and where to do so would not otherwise be legally prohibited.
22.6 Each government should respect arbitration as the preferred means of resolving doping-related disputes, subject to human and fundamental rights and applicable national law.

22.7 Each government that does not have a National Anti-Doping Organization in its country should work with its National Olympic Committee to establish one.

22.8 Each government should respect the autonomy of a National Anti-Doping Organization in its country or a Regional Anti-Doping Organization to which its country belongs and any WADA-accredited or approved laboratory in its country and not interfere in their operational decisions and activities.

22.9 Each government should not limit or restrict WADA’s access to any doping Samples or anti-doping records or information held or controlled by any Signatory, member of a Signatory or WADA-accredited or approved laboratory.

22.10 Failure by a government to ratify, accept, approve or accede to the UNESCO Convention may result in ineligibility to bid for and/or host Events as provided in Articles 20.1.11, 20.3.14 and 20.6.9, and the failure by a government to comply with the UNESCO Convention thereafter, as determined by UNESCO, may result in meaningful consequences by UNESCO and WADA as determined by each organization.

ARTICLE 23 ACCEPTANCE AND IMPLEMENTATION

23.1 Acceptance of the Code

23.1.1 The following entities may be Signatories to the Code: the International Olympic Committee, International Federations, the International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organizations, 0National Anti-Doping Organizations and other organizations having significant relevance in sport.

23.1.2 The International Olympic Committee; International Federations recognized by the International Olympic Committee; the International Paralympic Committee; National Olympic Committees; National Paralympic Committees; National Anti-Doping Organizations; and Major Event Organizations recognized

第 23 条：受諾及び実施

23.1 本規程の受諾

23.1.1 次の団体は、本規程の署名当事者となることができる。国際オリンピック委員会、国際競技連盟、国際パラリンピック委員会、国内オリンピック委員会、国内パラリンピック委員会、主要競技大会関係、国内アントーデーピング機関、その他のスポーツにおいて重要性の高い機関。

23.1.2 国際オリンピック委員会、国際オリンピック委員会により認められた国際競技連盟、国際パラリンピック委員会、国内オリンピック委員会、国内パラリンピック委員会、国内アントーデーピング機関、及び上記の1つ以上

の団体により認められた主要競技大会機関は、受諾宣言書その他 WADA が受入可能な受諾書のフォームに署名することにより、署名当事者となるも
by one or more of the aforementioned entities shall become Signatories by signing a declaration of acceptance or by another form of acceptance determined to be acceptable by WADA.

23.1.3 Any other entity described in Article 23.1.1 may submit an application to WADA to become a Signatory which will be reviewed under a policy adopted by WADA. WADA’s acceptance of such applications shall be subject to conditions and requirements established by WADA in such policy. Upon acceptance of an application by WADA, the applicant’s becoming a Signatory is subject to the applicant signing a declaration of acceptance of the Code and an acceptance of the conditions and requirements established by WADA for such applicant.

[Comment to Article 23.1.3: For example, these conditions and requirements would include financial contributions by the entity to cover WADA’s administrative, monitoring and compliance costs that may be attributable to the application process and the entity’s subsequent Signatory status.]

23.1.4 A list of all acceptances will be made public by WADA.

23.2 Implementation of the Code

23.2.1 The Signatories shall implement applicable Code provisions through policies, statutes, rules or regulations according to their authority and within their relevant spheres of responsibility.

23.2.2 The following Articles as applicable to the scope of the Anti-Doping Activity which the Anti-Doping Organization performs must be implemented by Signatories without substantive change (allowing for any non-substantive changes to the language in order to refer to the organization’s name, sport, section numbers, etc.):

- Article 1 (Definition of Doping)
- Article 2 (Anti-Doping Rule Violations)
- Article 3 (Proof of Doping)
- Article 4.2.2 (Specified Substances or Specified Methods)
- Article 4.2.3 (Substances of Abuse)
- Article 4.3.3 (WADA’s Determination of the Prohibited List)

23.2.3 第23.1.1項に定める他の団体は、署名当事者になるためにWADAに申請書を提出することができ、当該申請書はWADAの採択をする規範に基づき審査される。WADAによる当該申請の受入は、当該規範においてWADAが策定する条件及び要件に従うものとする。WADAによる申請の受入にあたり、申請者が署名当事者になることについては、申請者が本規程の受諾宣言書に署名し、WADAが当該申請者について策定した条件及び要件を受諾することを条件とする。

[第23.1.3項の解釈：例えば、これらの条件及び要件は、申請手続き及びその結果として当該団体が取得する署名当事者の地位に係るWADAの運営、監視及びコンプライアンス上の費用を負担するための当該団体による金銭的出資を含む。]

23.2.4 すべての受諾者リストは、WADAにより公開される。

23.2.1 署名当事者は、その権限に基づき、かつ職務の範囲内において、政策、法令、規則又は規制を通じて本規程の関連規定を実施するものとする。

23.2.2 次に掲げる条項は、アンチ・ドーピング機関が行うアンチ・ドーピング活動の範囲に適用されるものとして、署名当事者により、実質的な変更をすることなく（機能の名称、競技種目、条文番号等に及ぼすための実質的ではない文言の変更は許される）実施されなければならない。

[第23.2.2項の解説：本規程は、アンチ・ドーピング機関が、本規程の下ではそれ自体単独ではアンチ・ドーピング規則違反を構成しない。サポートスタッフによるドーピングに関する行為についての独自の規律規程を採択し、執行することを排除するものではない。例えば、国内競技連盟又は国際競技連盟は、あるコーチの監督下において複数の競技者がアンチ・ドーピング規則違反した場合に、当該コーチに対しコーチングライセンスの更新を拒否することができる。]
- Article 7.7 (Retirement from Sport)
- Article 9 (Automatic Disqualification of Individual Results)
- Article 10 (Sanctions on Individuals)
- Article 11 (Consequences to Teams)
- Article 13 (Appeals) with the exception of 13.2.2, 13.6, and 13.7
- Article 15.1 (Automatic Binding Effect of Decisions)
- Article 17 (Statute of Limitations)
- Article 26 (Interpretation of the Code)
- Appendix 1 – Definitions

No additional provision may be added to a Signatory’s rules which changes the effect of the Articles enumerated in this Article. A Signatory’s rules must expressly acknowledge the Commentary of the Code and endow the Commentary with the same status that it has in the Code. However, nothing in the Code precludes a Signatory from having safety, medical, eligibility or Code of Conduct rules which are applicable for purposes other than anti-doping.

[Comment to Article 23.2.2: For example, an International Federation could decide, for reputational and health reasons, to have a Code of Conduct rule prohibiting an Athlete’s Use or Possession of cocaine Out-of-Competition. In an anti-doping Sample collection Out-of-Competition, such International Federation would be able to have the laboratory test for cocaine as part of the enforcement of its Code of Conduct policy. On the other hand, the International Federation’s Code of Conduct could not impose additional sanctions for the Use of cocaine In-Competition since that is already covered by the sanction scheme established in the Code. Other possible examples include rules governing the use of alcohol or oxygen. Similarly, an International Federation could use data from a Doping Control test to monitor eligibility relating to transgender and other eligibility rules.]

23.2.3 In implementing the Code, the Signatories are encouraged to use the models of best practice recommended by WADA.

23.3 Implementation of Anti-Doping Programs

Signatories shall devote sufficient resources in order to implement anti-doping programs in all areas that are compliant with the Code and the International Standards.

- 第 7.7 項（競技からの引退）
- 第 9 条（個人の成績の自動的失効）
- 第 10 条（個人に対する制裁措置）
- 第 11 条（チームに対する措置）
- 第 13 条（不服申立て）（第 13.2.2 項、第 13.6 項及び第 13.7 項を除く。）
- 第 15.1 項（決定の自動的拘束力のある効果）
- 第 17 条（時効）
- 第 26 条（規程の解釈）
- 付属文書 1 一定義

本項に列挙された条項の法的効果を変更させる追加的規定は、署名当事者による規程に加えてはならない。署名当事者によっては、規程の解釈が示唆的に行われ、かつ、その中の解釈は、規程において解釈が有するのと同等の地位が付与されなければならない。しかし、規程におけるいかなる内容も、署名当事者が、アンチ・ドーピング以外の目的のために適用される安全性、医療、品格又は行動規範に関する規則を持つことを妨げるものではない。

[第 23.2.2 項の解釈：例えば、国際競技連盟は、評判及び健康上の理由で、競技者が競技外でコカインを使用又は保有することを禁止する行動規範規則を持つことを決定することができる。競技外のアンチ・ドーピングに関する検体の採取において、当該国際競技連盟は、自己の行動規範の方針の執行の一部として、コカインに関して分析機関による検査を行うことができる。他方で、国際競技連盟の行動規範において競技外（競技会場におけるコカインの使用について追加的な制裁措置を課すことは、規程において策定された制裁措置スキームにより既に対象としていることから認められない。他に考えられる例としては、アルコール又は薬物の使用に関する規則が含まれる。同様に、国際競技連盟は、トランスジェンダーに関する資格その他の資格規則を監視するために、ドーピング・コントロール検査に由来するデータを使用することができる。]

23.2.3 本規程を実施する場合、署名当事者は、WADA によって推奨されたベストプラクティスモデルを使用することが奨励される。

23.3 アンチ・ドーピング・プログラムの実施
署名当事者は、本規程及び国際基準に適合する全領域についてアンチ・ドーピング・プログラムを実施するために十分なリソースを投入するものとする。

World Anti-Doping Code 2021

- 110 -
ARTICLE 24  MONITORING AND ENFORCING COMPLIANCE WITH THE CODE AND UNESCO CONVENTION

24.1  Monitoring and Enforcing Compliance with the Code

[Comment to Article 24.1: Defined terms specific to Article 24.1 are set forth at the end of Appendix 1 to the Code.]

24.1.1  Compliance by Signatories with the Code and the International Standards shall be monitored by WADA in accordance with the International Standard for Code Compliance by Signatories.

24.1.2  To facilitate such monitoring, each Signatory shall report to WADA on its compliance with the Code and the International Standards as and when required by WADA. As part of that reporting, the Signatory shall accurately provide all of the information requested by WADA and shall explain the actions it is taking to correct any Non-Conformities.

24.1.3  Failure by a Signatory to provide accurate information in accordance with Article 24.1.2 itself constitutes an instance of Non-Conformity with the Code, as does failure by a Signatory to submit accurate information to WADA where required by other Articles of the Code or by the International Standard for Code Compliance by Signatories or other International Standard.

24.1.4  In cases of Non-Conformity (whether with reporting obligations or otherwise), WADA shall follow the corrective procedures set out in the International Standard for Code Compliance by Signatories. If the Signatory or its delegate fails to correct the Non-Conformities within the specified timeframe, then (following approval of such course by WADA’s Executive Committee) WADA shall send a formal notice to the Signatory, alleging that the Signatory is non-compliant, specifying the consequences that WADA proposes should apply for such non-compliance from the list of potential consequences set forth in Article 24.1.12, and specifying the conditions that WADA proposes the Signatory should have to satisfy in order to be Reinstated to the list of Code-compliant Signatories. That notice will be publicly reported in accordance with the International Standard for Code Compliance by Signatories.

24.1.5  If the Signatory does not dispute WADA’s allegation of non-compliance or the consequences or Reinstatement conditions proposed by WADA within twenty-one days of receipt of the formal notice, it shall be considered a Non-Conformity.

24.1.6  Any Non-Conformity reported by WADA under Article 24.1.5 shall be monitored by WADA in accordance with the International Standard for Code Compliance by Signatories.

24.1.7  Any Non-Conformity discovered by WADA in monitoring the Code shall be reported to the Signatory concerned. If the Signatory fails to correct the Non-Conformity within any specified timeframe, WADA may take corrective action as provided in Article 24.1.12.

第 24 条: 本規程及びユネスコ国際規約の遵守状況の監視及び遵守の確保

24.1 本規程の遵守状況の監視及び遵守の確保

[第 24.1 項の解説: 第 24.1 項特有の定義語は、本規程の付属文書 1 の末尾に規定されている。]

24.1.1 署名当事者による本規程及び国際基準の遵守状況は、「署名当事者の規程遵守に関する国際基準」に基づき、WADA により監視されるものとする。

24.1.2 当該監視作業を円滑に進めるため、各署名当事者は、WADA の要請する方法及び時期に、自己の本規程及び国際基準の遵守状況についてWADA に報告するものとする。署名当事者は、当該報告の一部として、WADA の要請するすべての情報を正確に提供し、不適合を是正するために講じている措置について説明するものとする。

24.1.3 本規程の他の条項又は「署名当事者の規程遵守に関する国際基準」その他の国際基準に要請される場合に署名当事者がWADA に正確な情報を提供しないことを同様に、署名当事者が第 24.1.2 項に従い正確な情報を提供しないこと自体が、本規程の不適合の一例を構成する。

24.1.4 不適合の場合（報告義務を伴うか否かを問わない。）には、WADA は「署名当事者の規程遵守に関する国際基準」の定めるは修正手続に従うものとする。署名当事者が又はその代理人が一定の期間内に不適合を是正しなかった場合には、WADA は（WADA 常務理事会が当該手続を承認した後に）署名当事者が不適当に頂いていると主張し、第 24.1.2 項に列挙された措置の一覧の中から当該不適当に対し適用されるべきと WADA が提案する措置を特定し、署名当事者が本規程を遵守する署名当事者のリストに再登録されるための条件に応じてWADA が提案する条件を特定する。正式な通知を署名当事者に送付するものとする。かかる通知は「署名当事者の規程遵守に関する国際基準」に従い一般に報告されるものとする。

World Anti-Doping Code 2021

- 111 -
notice, the non-compliance alleged will be deemed admitted and the consequences and Reinstatement conditions proposed will be deemed accepted, the notice will automatically become and will be issued by WADA as a final decision, and (without prejudice to any appeal filed in accordance with Article 13.6) it will be enforceable with immediate effect in accordance with Article 24.1.9. The decision will be publicly reported as provided in the International Standard for Code Compliance by Signatories or other International Standards.

24.1.6 If the Signatory wishes to dispute WADA’s allegation of non-compliance, and/or the consequences and/or the Reinstatement conditions proposed by WADA, it must notify WADA in writing within twenty-one days of its receipt of the notice from WADA. In that event, WADA shall file a formal notice of dispute with CAS, and that dispute will be resolved by the CAS Ordinary Arbitration Division in accordance with the International Standard for Code Compliance by Signatories. WADA shall have the burden of proving to the CAS Panel, on the balance of probabilities, that the Signatory is non-compliant (if that is disputed). If the CAS Panel decides that WADA has met that burden, and if the Signatory has also disputed the consequences and/or the Reinstatement conditions proposed by WADA, the CAS Panel will also decide, by reference to the relevant provisions of the International Standard for Code Compliance by Signatories; (a) what consequences should be imposed from the list of potential consequences set out in Article 24.1.12 of the Code; and (b) what conditions the Signatory should be required to satisfy in order to be Reinstated.

24.1.7 WADA will publicly report the fact that the case has been referred to CAS for determination. Each of the following Persons shall have the right to intervene and participate as a party in the case, provided it gives notice of its intervention within ten days of such publication by WADA:

24.1.7.1 the International Olympic Committee and/or the International Paralympic Committee (as applicable), and the National Olympic Committee and/or the National Paralympic Committee (as applicable), where the decision may have an effect in relation to the Olympic Games or Paralympic Games (including decisions affecting eligibility to attend/participate in the Olympic Games or Paralympic Games); and

24.1.6 署名当事者が不遵守に関する WADA の主張並びに又は WADA の提案する措置及び／若しくは再登録の条件を争うとする場合には、署名当事者は WADA から通知を受け取ってから 21 日以内に書面により WADA に通知しなければならない。その場合には、WADA は CAS に紛争の正式な通知を提出するものとし、当該紛争は「署名当事者の規範遵守に関する国際基準」に従い CAS の通常仲裁部により解決される。署名当事者が遵守していなかったことを証拠の優越の程度でもって CAS パネルに証明する責任は、（争われる場合）WADA がこれを負う。CAS パネルが、WADA が説明責任を果たしたと判断し、署名当事者も WADA の提案した措置及び／又は再登録の条件を争った場合には、CAS パネルは「署名当事者の規範遵守に関する国際基準」の関係する条項を参照することにより、(a) 本規範の第 24.1.12 項に列挙された措置の一覧の中からどのような措置が賦与されるべきであるか、及び(b) 署名当事者が再登録されるためにどのような条件を充足すべきであるかについても判断する。

24.1.7 WADA は、当該事案が CAS に判断を受けるために付託された事実を一般に報告する。以下のそれぞれぞれは、当該事案に介入し当事者として参加する権利を有する。但し、WADA による当該報告から 10 日以内に、自らが介入することについて通知を交付することを条件とする。

24.1.7.1 決定がオリンピック競技大会又はパラリンピック競技大会に関連して影響を及ぼし得る場合（オリンピック競技大会又はパラリンピック競技大会に出席／参加する資格に影響のある決定を含む。）には、国際オリンピック委員会及び／又は国際パラリンピック委員会（該当するもの）及び国内オリンピック委員会及び／又は国内パラリンピック委員会（該当するものの）並びに
Ordinary Arbitration Division in accordance with Articles 24.1.7.2. Subject to the right under Swiss law to conditions imposed on it and/or on a bid that has been submitted for a country to host the International Federation’s World Championships and/or other International Events.

Any other Person wishing to participate as a party in the case must apply to CAS within ten days of publication by WADA of the fact that the case has been referred to CAS for determination. CAS shall permit such intervention (i) if all other parties in the case agree; or (ii) if the applicant demonstrates a sufficient legal interest in the outcome of the case to justify its participation as a party.

CAS’s decision resolving the dispute will be publicly reported by CAS and by WADA. Subject to the right under Swiss law to challenge that decision before the Swiss Federal Tribunal, the decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.

Final decisions issued in accordance with Article 24.1.5 or Article 24.1.8, determining that a Signatory is non-compliant, imposing consequences for such non-compliance, and/or setting conditions that the Signatory has to satisfy in order to be Reinstated to the list of Code-compliant Signatories, and decisions by CAS further to Article 24.1.10, are applicable worldwide, and shall be recognized, respected and given full effect by all other Signatories in accordance with their authority and within their respective spheres of responsibility.

If a Signatory wishes to dispute WADA’s allegation that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore is not yet entitled to be Reinstated to the list of Code-compliant Signatories, the Signatory must advise WADA in writing within twenty-one days of its receipt of the allegation from WADA. In that event, WADA shall file a formal notice of dispute with CAS, and the dispute will be resolved by the CAS Ordinary Arbitration Division in accordance with Articles 24.1.6 to 24.1.8. WADA shall have the burden to prove to the CAS Panel, on the balance of probabilities, that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore is not yet entitled to be Reinstated. Subject to the right under Swiss law to challenge CAS’s decision before the Swiss Federal Tribunal, the decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.

WADA has the burden to prove to the CAS Panel, on the balance of probabilities, that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore is not yet entitled to be Reinstated. Subject to the right under Swiss law to challenge CAS’s decision before the Swiss Federal Tribunal, the decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.

If a Signatory wishes to dispute WADA’s allegation that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore is not yet entitled to be Reinstated to the list of Code-compliant Signatories, the Signatory must advise WADA in writing within twenty-one days of its receipt of the allegation from WADA. In that event, WADA shall file a formal notice of dispute with CAS, and the dispute will be resolved by the CAS Ordinary Arbitration Division in accordance with Articles 24.1.6 to 24.1.8. WADA shall have the burden to prove to the CAS Panel, on the balance of probabilities, that the Signatory has not yet met all of the Reinstatement conditions imposed on it and therefore is not yet entitled to be Reinstated. Subject to the right under Swiss law to challenge CAS’s decision before the Swiss Federal Tribunal, the decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.

CAS shall therefore be final and enforceable with immediate effect in accordance with Article 24.1.9.

In that event, the decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.

As indicated in Article 24.1.8, determining that a Signatory is non-compliant, imposing consequences for such non-compliance, and/or setting conditions that the Signatory has to satisfy in order to be Reinstated to the list of Code-compliant Signatories, and decisions by CAS further to Article 24.1.10, are applicable worldwide, and shall be recognized, respected and given full effect by all other Signatories in accordance with their authority and within their respective spheres of responsibility.

Reinstatement in accordance with their authority and within their respective spheres of responsibility.

Reinstatement. Those Signatories who have an effect on participation in the International Events may object to the decision of the CAS Panel, on the balance of probabilities, that the Signatories have not yet satisfied in order to be Reinstated to the list of Code-compliant Signatories, and decisions by CAS further to Article 24.1.10, are applicable worldwide, and shall be recognized, respected and given full effect by all other Signatories in accordance with their authority and within their respective spheres of responsibility.

The World Anti-Doping Code 2021
24.1.11 The various requirements imposed on Signatories by the Code and the International Standards shall be classified either as Critical, or as General, in accordance with the International Standard for Code Compliance by Signatories, depending on their relative importance to the fight against doping in sport. That classification shall be a key factor in determining what consequences should be imposed in the event of non-compliance with such requirement(s), in accordance with Article 10 of the International Standard for Code Compliance by Signatories. The Signatory has the right to dispute the classification of the requirement, in which case CAS will decide on the appropriate classification.

24.1.12 The following consequences may be imposed, individually or cumulatively, on a Signatory that has failed to comply with the Code and/or the International Standards, based on the particular facts and circumstances of the case at hand, and the provisions of Article 10 of the International Standard for Code Compliance by Signatories:

24.1.12.1 Ineligibility or withdrawal of WADA privileges:

(a) in accordance with the relevant provisions of WADA’s Statutes, the Signatory’s Representatives being ruled ineligible for a specified period to hold any WADA office or any position as a member of any WADA board or committee or other body (including but not limited to WADA’s Foundation Board, the Executive Committee, and any Standing Committee) (although WADA may exceptionally permit Representatives of the Signatory to remain as members of WADA expert groups where there is no effective substitute available);

(b) the Signatory being ruled ineligible to host any event organized or co-hosted or co-organized by WADA;

(c) the Signatory’s Representatives being ruled ineligible to participate in any WADA Independent Observer Program or WADA Outreach program or other WADA activities;

24.1.11 本規程及び国際基準により署名当事者が記載される様々な要件は、「署名当事者の規程遵守に関する国際基準」に従い、ドーピングに対する戦いに関する各々の相対的な重要性に応じて、最終的に優先度高又は一般的にいずれかに分類されるものとする。当該分類は、「署名当事者の規程遵守に関する国際基準」の第10条に従い、当該要件の不遵守があった場合にどのような措置が記載されるべきであるかを決定する上で重要な要素となるものとする。署名当事者は要件の分類を争う権利を有し、かかる場合にはCASが適切な分類について決定する。

24.1.12 直近の事案の特定の事実及び状況、並びに「署名当事者の規程遵守に関する国際基準」の第10条の規定に基づき、以下の措置が、個別又は累積的に、本規程及び／又は国際基準を遵守しなかった署名当事者に記載される場合がある。

24.1.12.1 資格停止又はWADAの特権の取消し

(a) WADAの関連規定に従い、署名当事者の代表者が、WADAの役職又はWADAの理事会、委員会若しくは他の機関（WADAの理事会、常任理事会、及び常設委員会を含むがこれに限られない）の一員としての地位を一定の期間にわたって保有する資格が皆決定されること（但し、有効な代表者がない場合には、WADAは例外的に署名当事者の代表者がWADAの専門家グループのメンバーに留まることを許可することができる。）。

(b) 署名当事者が、WADAが組織し、共催し、又は共同組織する行事を開催する資格がない皆決定されること。

(c) 署名当事者の代表者が、WADAのインディペンデント・オブザーバープログラム、WADAのアウトリーチ・プログラムその他のWADAの活動に参加する資格がない皆決定されること。
(d) withdrawal of WADA funding to the Signatory (whether direct or indirect) relating to the development of specific activities or participation in specific programs; and

24.1.12.2 The Signatory's Representatives being ruled ineligible for a specified period to hold any office of or position as a member of the board or committees or other bodies of any other Signatory (or its members) or association of Signatories.

24.1.12.3 Special Monitoring of some or all of the Signatory's Anti-Doping Activities, until WADA considers that the Signatory is in a position to implement such Anti-Doping Activities in a compliant manner without such monitoring.

24.1.12.4 Supervision and/or Takeover of some or all of the Signatory's Anti-Doping Activities by an Approved Third Party, until WADA considers that the Signatory is in a position to implement such Anti-Doping Activities itself in a compliant manner without such measures.

(a) If the non-compliance involves non-compliant rules, regulations and/or legislation, then the Anti-Doping Activities in issue shall be conducted under other applicable rules (of one or more other Anti-Doping Organizations, e.g., International Federations or National Anti-Doping Organizations or Regional Anti-Doping Organizations) that are compliant, as directed by WADA. In that case, while the Anti-Doping Activities (including any Testing and Results Management) will be administered by the Approved Third Party under and in accordance with those other applicable rules at the cost of the non-compliant Signatory, any costs incurred by the Anti-Doping Organizations as a result of the use of their rules in this manner shall be reimbursed by the non-compliant Signatory.

(b) If it is not possible to fill the gap in the Signatory's Anti-Doping Activities in this way (for example, because national legislation prohibits it, and the National Anti-Doping Organization has not secured an amendment to that legislation or other

24.1.12.2 署名当事者の代表者が、一定期間にわたって、署名当事者（又はその加盟者）又は他の関連団体の理事会、委員会その他の機関の一員としての役職又は地位を保有する資格が皆決定すること。

24.1.12.3 署名当事者のアンチ・ドーピング活動の一部又は全部の特別監視（当該署名当事者がかかる監視を受けることなく遵守した態様で当該アンチ・ドーピング活動を実施する地位にあるとWADAが判断するまで）

24.1.12.4 承認された第三者による署名当事者のアンチ・ドーピング活動の一部又は全部の監督及び／又は代行（WADAが、当該署名当事者が当該措置を受けることなく遵守した態様でアンチ・ドーピング活動を実施する地位にあると判断するまで）

(a) 不遵守が、規則及び／又は法律が基準に適合していないということに該当する場合には、問題となっているアンチ・ドーピング活動は、WADAの指示するところ、遵守状況にある（国際競技連盟、国内アンチ・ドーピング機関又は地域アンチ・ドーピング機関等1つ以上の他のアンチ・ドーピング機関の）他の適用規則に基づき行われるものとする。かかる場合において、(検査及び結果管理を含む)アンチ・ドーピング活動は、承認された第三者により、不遵守状況にある署名当事者の費用負担において他の適用規則に従い行われるが、当該方法でアンチ・ドーピング機関の規則を利用した結果として当該アンチ・ドーピング機関が被った費用については、不遵守状況にある署名当事者がこれを償還するものとする。

(b) かかる方法で署名当事者のアンチ・ドーピング活動の埋め合わせをすることができる（例えば、国内法がこれを禁止し、国内アンチ・ドーピング機関が当該法律の修正その他の解決策を確保していないために）不可能な場合には、代替策として、クリーンな競技者の権利を保護し、これらの競技大会において
solution), then it may be necessary as an alternative measure to exclude Athletes who would have been covered by the Signatory’s Anti-Doping Activities from participating in the Olympic Games/Paralympic Games/other Events, in order to protect the rights of clean Athletes and to preserve public confidence in the integrity of competition at those events.

24.1.12.5 A Fine.

24.1.12.6 Suspension or loss of eligibility to receive some or all funding and/or other benefits from the International Olympic Committee or the International Paralympic Committee or any other Signatory for a specified period (with or without the right to receive such funding and/or other benefits for that period retrospectively following Reinstatement).

24.1.12.7 Recommendation to the relevant public authorities to withhold some or all public and/or other funding and/or other benefits from the Signatory for a specified period (with or without the right to receive such funding and/or other benefits for that period retrospectively following Reinstatement).

[Comment to Article 24.1.12.7: Public authorities are not Signatories to the Code. In accordance with Article 11(c) of the UNESCO Convention, however, State Parties shall, where appropriate, withhold some or all financial or other sport-related support from any sports organization or anti-doping organization that is not in compliance with the Code.]

24.1.12.8 Where the Signatory is a National Anti-Doping Organization or a National Olympic Committee acting as a National Anti-Doping Organization: the Signatory’s country being ruled ineligible to host or co-host and/or to be awarded the right to host or co-host an International Event (e.g., Olympic Games, Paralympic Games, any other Major Event Organization’s Event, World Championships, regional or continental championships, and/or any other International Event):

(a) If the right to host or co-host a World Championship and/or other International Event(s) has already been awarded to the country in question, the Signatory that awarded that right must assess whether it is legally and practically possible to
withdraw that right and re-assign the Event to another country. If it is legally and practically possible to do so, then the Signatory shall do so.

(b) Signatories shall ensure that they have due authority under their statutes, rules and regulations, and/or hosting agreements, to comply with this requirement (including a right in any hosting agreement to cancel the agreement without penalty where the relevant country has been ruled ineligible to host the Event).

24.1.12.9 Where the Signatory is a National Anti-Doping Organization or a National Olympic Committee or a National Paralympic Committee: exclusion of the following Persons from participation in or attendance at the Olympic Games and the Paralympic Games and/or other specified Events, World Championships, regional or continental championships and/or any other International Events for a specified period.

(a) the National Olympic Committee and/or the National Paralympic Committee of the Signatory’s country;

(b) the Representatives of that country and/or of the National Olympic Committee and/or the National Paralympic Committee of that country; and/or

(c) the Athletes and Athlete Support Personnel affiliated to that country and/or to the National Olympic Committee and/or to the National Paralympic Committee and/or to the National Federation of that country.

24.1.12.10 Where the Signatory is an International Federation: exclusion of the following Persons from participation in or attendance at the Olympic Games and the Paralympic Games and/or other Events for a specified period — the Representatives of that International Federation and/or the Athletes and Athlete Support Personnel participating in the International Federation’s sport (or in one or more disciplines of that sport).
24.1.12.11 Where the Signatory is a Major Event Organization:

(a) Special Monitoring or Supervision or Takeover of the Major Event Organization’s Anti-Doping Activities at the next edition(s) of its Event; and/or

(b) Suspension or loss of eligibility to receive funding and other benefits from and/or the recognition/membership/patronage (as applicable) of the International Olympic Committee, the International Paralympic Committee, the Association of National Olympic Committees, or other patron body; and/or

(c) loss of recognition of its Event as a qualifying event for the Olympic Games or the Paralympic Games.

24.1.12 Suspension of recognition by the Olympic Movement and/or of membership of the Paralympic Movement.

24.1.13 Other Consequences

Governments and Signatories and associations of Signatories may impose additional consequences within their respective spheres of authority for non-compliance by Signatories, provided that this does not compromise or restrict in any way the ability to apply consequences in accordance with this Article 24.1.

[Comment to Article 24.1.13: For example, the International Olympic Committee may decide to impose symbolic or other consequences on an International Federation or a National Olympic Committee pursuant to the Olympic Charter, such as withdrawal of eligibility to organize an International Olympic Committee Session or an Olympic Congress; while an International Federation may decide to cancel International Events that were scheduled to be held in the country of a non-compliant Signatory, or move them to another country.

24.2 Monitoring Compliance with the UNESCO Convention

Compliance with the commitments reflected in the UNESCO Convention will be monitored as determined by the Conference of Parties to the UNESCO Convention, following consultation with the State Parties and WADA. WADA shall advise governments on the implementation of the Code by the Signatories and shall advise Signatories on the ratification, acceptance, approval or accession to the UNESCO Convention by governments.

Chapter 24 Other Consequences

24.1.12 署名当事者が主要競技大会機関である場合

(a) 主要競技大会機関の競技大会の次の開催時における当該競技大会のアンチ・ドーピング活動の特別監視、監視若しくは代行、並びに／又は

(b) 国際オリンピック委員会、国際パラリンピック委員会、国際オリンピック委員会の加盟団体若しくは他の後援団体から資金援出その他の利益、及び／又は承認／メンバーシップ／後援（該当するもの）を受ける資格の停止又は喪失、並びに／又は

(c) 自己の競技大会についてのオリンピック競技大会又はパラリンピック競技大会のための参加資格大会としての承認の喪失

24.1.12.12 オリンピック・ムーブメントによる承認及び／又はパラリンピック・ムーブメントのメンバーシップの停止

24.1.13 他の措置

政府、署名当事者及び署名当事者の加盟団体は、署名当事者による不遵守状況について、自己の各々の権限範囲内において追加的な措置を賦課することができる。但し、これらは、本第 24.1 項に従う措置を適用する能力をいかなる形でも失わせ、又は制限するものではない。

[第 24.1.13 項の解釈：例えば、国際競技連盟は、不遵守状況にある署名当事者の国で開催される予定であった国際競技大会をキャンセルし、又はこれを他の国に移転する場合があり、また、国際オリンピック委員会は、国際オリンピック委員会総会又はオリンピックコンングレスを組織する資格を取り消す等、オリンピック憲章に基づき国際競技連盟又は国内オリンピック委員会に対し象徴的な又はその他の措置を賦課することを決定する場合がある。]

24.2 ウネスコ国際規約の遵守状況の監視

ウネスコ国際規約に示された義務の遵守状況は、その締約国と WADA との協議を経た上でウネスコ国際規約締約国間会議によりなされた決定に基づき監視が行われる。WADA は、署名当事者による本規程の実施について政府に対して助言し、また、政府によるウネスコ国際規約の批准、受諾、承認又は同規約への加入について署名当事者に対して助言を行う。
PART FOUR:
ACCEPTANCE,
COMPLIANCE,
MODIFICATION AND
INTERPRETATION
ARTICLE 25  MODIFICATION AND WITHDRAWAL

25.1  Modification

25.1.1  WADA shall be responsible for overseeing the evolution and improvement of the Code. Athletes and other stakeholders and governments shall be invited to participate in such process.

25.1.2  WADA shall initiate proposed amendments to the Code and shall ensure a consultative process to both receive and respond to recommendations and to facilitate review and feedback from Athletes and other stakeholders and governments on recommended amendments.

25.1.3  Amendments to the Code shall, after appropriate consultation, be approved by a two-thirds majority of the WADA Foundation Board including a majority of both the public sector and Olympic Movement members casting votes. Amendments shall, unless provided otherwise, go into effect three months after such approval.

25.1.4  Signatories shall modify their rules to incorporate the 2021 Code on or before 1 January 2021, to take effect on 1 January 2021. Signatories shall implement any subsequent applicable amendment to the Code within one year of approval by the WADA Foundation Board.

[Comment to Articles 25.1.3 and 25.1.4: Under Article 25.1.3, new or changed obligations imposed on Signatories automatically go into effect three months after approval unless provided otherwise. In contrast, Article 25.1.4 addresses new or changed obligations imposed on Athletes or other Persons which can only be enforced against individual Athletes or other Persons by changes to the anti-doping rules of the relevant Signatory (e.g., an International Federation). For that reason, Article 25.1.4 provides for a longer period of time for each Signatory to conform its rules to the 2021 Code and take any necessary measures to ensure the appropriate Athletes and other Persons are bound by the rules.]

25.2  Withdrawal of Acceptance of the Code

Signatories may withdraw acceptance of the Code after providing WADA six-months written notice of their intent to withdraw. Signatories shall no longer be considered in compliance once acceptance has been withdrawn.

第 25 条：修正及び撤回

25.1  修正

25.1.1  WADA は、本規程の発展と改善につき、監督責任を有する。競技者が、その他の関係者及び各国政府は、当該過程への参加要請を受けるものとする。

25.1.2  WADA は、本規程改定の提案を発議しなければならず、また、提案を受理し応答する協議手続を整えるとともに、提案された改定についての、競技者、その他の関係者及び各国政府の検討及び検討結果の伝達を促進するものとする。

25.1.3  本規程の改定は、適切な協議を経た後、投票する公的部門及びオリンピック・ムーブメントのメンバーの決定投票の過半数を含む WADA 理事会の 3 分の 2 以上的多数により承認を得るものとする。別段の定めがない限り、改定は、上記承認の取得から 3 ヵ月後に発効するものとする。

25.1.4  著名当事者は、2021 年 1 月 1 日又はそれ以前に、自己の規程を、2021 年版規程を組み込んで修正し、2021 年 1 月 1 日に施行するものとする。著名当事者は、本規程のその後の改定を、WADA 理事会の承認から 1 年以内に施行しなければならない。

[第 25.1.3 項及第 25.1.4 項の解説：第 25.1.3 項に基づき、著名当事者に課された新たな又は変更された義務は、別途規定する場合を除き、承認されてから 3 ヵ月後に自動的に発効する。これに対して、第 25.1.4 項は、該当する著名当事者（例えば、国際競技連盟）のアンチ・ドーピング規則の変更による場合に限り個々の競技者又はその他の人に対して執行可能な、競技者又はその他の人に対して課される新たな又は変更された義務を取り扱う。そのため、第 25.1.4 項は、各著名当事者が自己の規程を 2021 年版の本規程に適合させ、適切な競技者又はその他の人が当該規則に拘束されることを確保するために必要な措置を講じるために、より長い期間を設けている。]

25.2  本規程の受諾の撤回

著名当事者は、WADA に対して撤回の意向を6ヶ月前までに書面により通知した上で、本規程の受諾を撤回することができる。著名当事者が一旦受諾を撤回した場合には、もはや（本規程を）遵守しているものとはみなされない。
ARTICLE 26  INTERPRETATION OF THE CODE

26.1 The official text of the Code shall be maintained by WADA and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

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

26.3 The Code shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the Signatories or governments.

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

26.5 Where the term “days” is used in the Code or an International Standard, it shall mean calendar days unless otherwise specified.

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

26.7 The Purpose, Scope and Organization of the World Anti-Doping Program and the Code and Appendix 1, Definitions shall be considered integral parts of the Code.

第26条：本規程の解釈

26.1 本規程の正本はWADAが維持するものとし、英語及びフランス語で公表されるものとする。英語版とフランス語版との間に矛盾が生じた場合、英語版が優先するものとする。

26.2 本規程の各条項に付されている解説は、本規程の解釈に使用されるものとする。

26.3 本規程は独立、かつ自立した文書として解釈されるものとし、署名当事者又は各国政府の既存の法令を参照して解釈されないものとする。

26.4 本規程の各部及び各条項の見出しは、便宜上ものであって、本規程の実体規定の一部とはみなされず、また、当該見出しが従来の規定の文書に対して影響するものであるとはみなされない。

26.5 本規程又は国際基準において「日」という用語が使用される場合には、別途規定される場合を除き、暦日を意味するものとする。

26.6 本規程は、署名当事者によって受諾され、当該署名当事者の規程にて実施される以前から審理中の事案に対し、適用及び適用されること。但し、本規程以降に発生した違反については第10条に基づいて制裁措置を認定する場合には、本規程以前におけるアンチ・ドーピング規則違反も「1回目の違反」又は「2回目の違反」として数えられる。

26.7 「世界アンチ・ドーピング・プログラム及び本規程の目的、範囲及び構成」、「付属文書1－定義」は、本規程の不可分の一部として扱われる。
ARTICLE 27 TRANSITIONAL PROVISIONS

27.1 General Application of the 2021 Code

The 2021 Code shall apply in full as of 1 January 2021 (the “Effective Date”).

27.2 Non-Retroactive except for Articles 10.9.4 and 17 or Unless Principle of “Lex Mitior” Applies

Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in this 2021 Code, unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.4 and the statute of limitations set forth in Article 17 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in the 2021 Code (provided, however, that Article 17 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date).

27.3 Application to Decisions Rendered Prior to the 2021 Code

With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the Athlete or other Person is still serving the period of Ineligibility as of the Effective Date, the Athlete or other Person may apply to the Anti-Doping Organization which had Results Management responsibility for the anti-doping rule violation to consider a reduction in the period of Ineligibility in light of the 2021 Code. Such application must be made before the period of Ineligibility has expired. The decision rendered by the Anti-Doping Organization may be appealed pursuant to Article 13.2. The 2021 Code shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.

世界アンチ・ドーピング規程 2021
27.4 Multiple Violations Where the First Violation Occurs Prior to 1 January 2021

For purposes of assessing the period of Ineligibility for a second violation under Article 10.9.1, where the sanction for the first violation was determined based on pre-2021 Code rules, the period of Ineligibility which would have been assessed for that first violation had 2021 Code rules been applicable, shall be applied.

[Comment to Article 27.4: Other than the situation described in Article 27.4, where a final decision finding an anti-doping rule violation has been rendered prior to the existence of the Code or under the Code in force before the 2021 Code and the period of Ineligibility imposed has been completely served, the 2021 Code may not be used to re-characterize the prior violation.]

27.5 Additional Code Amendments

Any additional Code Amendments shall go into effect as provided in Article 27.1.

27.6 Changes to the Prohibited List

Changes to the Prohibited List and Technical Documents relating to substances or methods on the Prohibited List shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a Prohibited Substance or Prohibited Method has been removed from the Prohibited List, an Athlete or other Person currently serving a period of Ineligibility on account of the formerly Prohibited Substance or Prohibited Method may apply to the Anti-Doping Organization which had Results Management responsibility for the anti-doping rule violation to consider a reduction in the period of Ineligibility in light of the removal of the substance from the Prohibited List.
APPENDIX ONE:
DEFINITIONS

付属文書1
定義
DEFINITIONS

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

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

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

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

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

World Anti-Doping Code 2021
Anti-Doping Activities: Anti-doping Education and information, test distribution planning, maintenance of a Registered Testing Pool, managing Athlete Biological Passports, conducting Testing, organizing analysis of Samples, gathering of intelligence and conduct of investigations, processing of TUE applications, Results Management, monitoring and enforcing compliance with any Consequences imposed, and all other activities related to anti-doping to be carried out by or on behalf of an Anti-Doping Organization, as set out in the Code and/or the International Standards.

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

Athlete: Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of “Athlete.” In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; sample 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 2.7 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.


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; sample 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.


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; sample 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.

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

Purposefully 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.

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.

A report described as an atypical Passport finding as described in the applicable International Standards.

The Court of Arbitration for Sport.


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.

An Athlete’s or other Person’s violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the Athlete’s results in a particular Competition or Event are invalidated, with all resulting Consequences including forfeiture of any medals, points and prizes; (b) Ineligibility means the Athlete or other Person is barred on account of an anti-doping rule violation for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.14; (c) Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any Competition or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Article 14. Teams in Team Sports may also be subject to Consequences as provided in Article 11.

World Anti-Doping Code 2021

127

127
Contaminated Product: A product that contains a Prohibited Substance that is not disclosed on the product label or in information available in a reasonable Internet search.

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

Delegated Third Party: Any Person to which 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).

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

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

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

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

Fault: Fault is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an Athlete or other Person's degree of Fault include, for example, the Athlete's or other Person's experience, whether the Athlete or other Person is a Protected Person, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk. In assessing
The 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.

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

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

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

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

Institutional Independence: Hearing panels on appeal shall be fully independent institutionally from the Anti-Doping Organization responsible for Results Management. They must therefore not in any way be administered by, connected or subject to the Anti-Doping Organization responsible for Results Management.
**International Event:** An Event or Competition where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major Event Organization, or another international sport organization is the ruling body for the Event or appoints the technical officials for the Event.

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

[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.

**Metabolite:** Any substance produced by a biotransformation process.

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

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

[世界アンチ・ドーピング規程 2021]

**[International Standard 訳)**

「国際競技大会」とは、国際オリンピック委員会、国際パラリンピック委員会、国際競技連盟、主要競技大会機関又はその他の国際的スポーツ団体が当該競技大会の所轄組織であるか、又は、当該競技大会に関してテクニカルオフィシャルを指名している競技大会又は競技会をいう。

「国際レベルの競技者」とは、検査及びドーピング調査に関する国際基準に適合し、各国際競技連盟の定義する、国際レベルにおいて競技する競技者をいう。

「国際基準」とは、本規程を支持する目的で WADA によって採択された基準をいう。他に採択する基準、慣行又は手続とは対立するものとして国際基準を遵守しているという場合には、国際基準に定められた手続を適切に実施していると判断されることが必要である。国際基準は、国際基準に基づき公表されたテクニカルドキュメントを含むものとする。

「主要競技大会機関」とは、国内オリンピック委員会の大陸別連合及びその他の複数のスポーツを所轄する国際的な機関であって、大陸、地域又はその他の国際競技大会の所轄組織として機能する機関をいう。

「マーカー」とは、化合物、化合物の集合体又は生物学的変数であって、禁止物質又は禁止方法の使用を示すものをする。

「代替物」とは、生体内変化の過程により生成された物質をいう。

「最低報告レベル」とは、WADA 認定分析機関が、検体における禁止物質又はその代替物若しくはマーカーの推定濃度がこれを下回る場合に、当該検体を未及が疑われる分析報告として報告すべきでないものとされる。当該推定濃度をいう。

「18 歳未満の者」とは、18 歳に達していない自然人をいう。

「国内アンチ・ドーピング機関」とは、国内において、アンチ・ドーピング規則の採択及び実施、検体採取の指示、検査結果の管理並びに結果管理の実施に関して第一の権限を有し、責任を負うものとして国の指定を受けた団体をいう。関連当局によって当該指定が行われなかった場合に、当該国の国内オリンピック委員会又はその指定を受けた者が国内アンチ・ドーピング機関となる。
National Event: A sport Event or Competition involving International- or National-Level Athletes that is not an International Event.

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

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

No Fault or Negligence: The Athlete or other Person’s establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had Used or been administered the Prohibited Substance or Prohibited Method or otherwise violated an anti-doping rule. Except in the case of a Protected Person or Recreational Athlete, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered the Athlete’s system.

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

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

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

Participant: Any Athlete or Athlete Support Person.

Person: A natural Person or an organization or other entity.
**Possession:** The actual, physical Possession, or the constructive Possession (which shall be found only if the Person has exclusive control or intends to exercise control over the Protected 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.

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

[Comment to Protected Person: The Code treats Protected Persons differently than other Athletes or Persons in certain circumstances based on the understanding that, below a certain age or intellectual capacity, an Athlete or other Person may not possess the mental capacity to understand and appreciate the significance of acts or omissions.

「保護」とは、実際に物理的に保護している状態又は擬制保護をいう（これに該当するものは、禁止物資若しくは禁止方法に対して、又は、禁止物資若しくは禁止方法が存在する場所に対して、人が排他的に支配を及ぼし、又は、支配を及ぼすことを意義している場合に限る。）但し、禁止物資若しくは禁止方法に対して、又は、禁止物資若しくは禁止方法が存在する場所に対して、人が排他的に支配を及ぼしていない場合には、当該人が禁止物資又は禁止方法の存否を知っており、かつ、これに対し支配を及ぼす意図があった場合のみが擬制保護に該当する。但し、人が、アンチ・ドーピング規則に違反した旨の通知（種類は問わない。）を受ける前に、アンチ・ドーピング規則違反に対しても明確な表明により、保護の意思がなく、保有を放棄した旨を証明する具体的な行為を起こしていた場合には、当該保有の存否を根拠としてアンチ・ドーピング規則違反があったことにはならない。

保有の解説：本規定に基づき、競技者の車内において蛋白同化ステロイド薬が発見された場合、第三者がその自動車を用いている旨を当該競技者が立証できなければ、違反を成立させる。この場合、アンチ・ドーピング規則違反の競技者本人が当該自動車を排他的に支配できない状態であったとしても、保護者は蛋白同化ステロイド薬の存否を証明しており、蛋白同化ステロイド薬を支配及び支配する意図があったことを証明しなければならない。同様に、競技者とその配偶者が共同で管理している自宅の薬棚に蛋白同化ステロイド薬が発見された場合には、アンチ・ドーピング規則違反の競技者が、薬棚の中に蛋白同化ステロイド薬が存在することを知っているも、蛋白同化ステロイド薬を支配及び支配する意図があったことを証明しなければならない。禁止物資を購入する行為自体は、例えば、製品が届かず、他人がこれを受領し、又は、第三者の住所に送付された場合でも、保有を構成する。]

「禁令」とは、禁止物資及び禁止方法を特定した表をいう。

「禁止令」は、禁止令に記載された方法をいう。

「禁止物資」とは、禁止令に記載された物資又は物資の分類をいう。

「要保護者」とは、アンチ・ドーピング規則違反の時点において、以下に該当する競技者又はその他の自然人をいう。「(i) 16歳に達していない者、(ii) 18歳に達しておらず、登録検査対象者リストに含まれておらず、オープン・カテゴリーで国際競技大会において競技したことのない者、又は、(iii) 年齢以外の理由で、該当する国際法律に従う法的な能力が十分でないと判断された者。

要保護者の解説：本規程は、以下の理賛に基づき、保護された人を特定の状況において他の競技者又はその他の人と異なる扱いをしています。特定の年齢又は知的年齢を有しない場合には、競技者又はその他の人は、本規程に含まれる行動禁止を理解し、評価する精神的能力を有しない可能性がある。これらの、例えば、加
to understand and appreciate the prohibitions against conduct contained in the Code. This would include, for example, a Paralympic Athlete with a documented lack of legal capacity due to an intellectual impairment. The term ‘open category’ is meant to exclude competition that is limited to junior or age group categories.

**Provisional Hearing:** For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with notice and an opportunity to be heard in either written or oral form.

[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.]

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

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

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

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

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

**Registered Testing Pool:** The pool of highest-priority Athletes established separately at the international level by International Federations and at the national level by National Anti-Doping Organizations, who are subject to 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

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 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

**Provisional Hearing:** For purposes of Article 7.4.3, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with notice and an opportunity to be heard in either written or oral form.

[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.]

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

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

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

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

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

**Registered Testing Pool:** The pool of highest-priority Athletes established separately at the international level by International Federations and at the national level by National Anti-Doping Organizations, who are subject to 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
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.

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

Substance of Abuse: See Article 4.2.3.

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

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

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


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

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

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

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

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

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

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

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

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

**DEFINITIONS SPECIFIC TO ARTICLE 24.1**

**Aggravating Factors**: This term encompasses a deliberate attempt to circumvent or undermine the Code or the International Standards and/or to corrupt the anti-doping system, an attempt to cover up non-compliance, or any other form of bad faith on the part of the Signatory in question; a persistent refusal or failure by the Signatory to make any reasonable effort to correct Non-Conformities that are notified to it by WADA; repeat offending; and any other factor that aggravates the Signatory’s non-compliance.

**Approved Third Party**: One or more Anti-Doping Organizations and/or Delegated Third Parties selected or approved by WADA, following consultation with the non-compliant Signatory, to Supervise or Takeover some or all of that Signatory’s Anti-Doping Activities. As a last resort, if there is no other suitable body available, then WADA may carry out this function itself.
Critical: A requirement that is considered to be Critical to the fight against doping in sport. See further Annex A of the International Standard for Code Compliance by Signatories.

Fine: Payment by the Signatory of an amount that reflects the seriousness of the non-compliance/Aggravating Factors, its duration, and the need to deter similar conduct in the future. In a case that does not involve non-compliance with any Critical requirements, the Fine shall not exceed the lower of (a) 10% of the Signatory’s total annual budgeted expenditure; and (b) US$100,000. The Fine will be applied by WADA to finance further Code compliance monitoring activities and/or anti-doping Education and/or anti-doping research.

General: A requirement that is considered to be important to the fight against doping in sport but does not fall into the categories of Critical or High Priority. See further Annex A of the International Standard for Code Compliance by Signatories.

High Priority: A requirement that is considered to be High Priority but not Critical in the fight against doping in sport. See further Annex A of the International Standard for Code Compliance by Signatories.

Non-Conformity: Where a Signatory is not complying with the Code and/or one or more International Standards and/or any requirements imposed by the WADA Executive Committee, but the opportunities provided in the International Standard for Code Compliance by Signatories to correct the Non-Conformity/Non-Conformities have not yet expired and so WADA has not yet formally alleged that the Signatory is non-compliant.

Reinstatement: When a Signatory that was previously declared non-compliant with the Code and/or the International Standards is determined to have corrected that non-compliance and to have met all of the other conditions imposed in accordance with Article 11 of the International Standard for Code Compliance by Signatories for Reinstatement of its name to the list of Code-compliant Signatories (and Reinstated shall be interpreted accordingly).

Representatives: Officials, directors, officers, elected members, employees, and committee members of the Signatory or other body in question, and also (in the case of a National Anti-Doping Organization or a National Olympic Committee acting as a National Anti-Doping Organization) Representatives of the government of the country of that National Anti-Doping Organization or National Olympic Committee.

Special Monitoring: Where, as part of the consequences imposed on a non-compliant Signatory, WADA applies a system of specific and ongoing monitoring to some or all of the Signatory’s Anti-Doping Activities, to ensure that the Signatory is carrying out those activities in a compliant manner.
**Supervision:** Where, as part of the consequences imposed on a non-compliant Signatory, an Approved Third Party oversees and supervises the Signatory’s Anti-Doping Activities, as directed by WADA, at the Signatory’s expense (and Supervise shall be interpreted accordingly). Where a Signatory has been declared non-compliant and has not yet finalized a Supervision agreement with the Approved Third Party, that Signatory shall not implement independently any Anti-Doping Activity in the area(s) that the Approved Third Party is to oversee and supervise without the express prior written agreement of WADA.

**Takeover:** Where, as part of the consequences imposed on a non-compliant Signatory, an Approved Third Party takes over all or some of the Signatory’s Anti-Doping Activities, as directed by WADA, at the Signatory’s expense. Where a Signatory has been declared non-compliant and has not yet finalized a Takeover agreement with the Approved Third Party, that Signatory shall not implement independently any Anti-Doping Activity in the area(s) that the Approved Third Party is to take over without the express prior written agreement of WADA.