WORLD ANTI-DOPING CODE

世界反兴奋剂条例

2021

WORLD ANTI-DOPING AGENCY
play true

世界反兴奋剂机构

WORLD
ANTI-DOPING
CODE

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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.

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《世界反兴奋剂条例》于 2003 年首次通过，并于 2004 年生效。随后对其进行了四次修订，第一次于 2009 年 1 月 1 日生效，第二次于 2015 年 1 月 1 日生效，第三次于 2018 年 4 月 1 日生效（遵守《条例》修正案），第四次于 2019 年 6 月 1 日生效（将某些内源性物质报告为非典型性结果）。修订后的 2021 版《世界反兴奋剂条例》自 2021 年 1 月 1 日起生效。

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Table Of Contents

PURPOSE, SCOPE AND ORGANIZATION OF THE WORLD ANTI-DOPING PROGRAM AND THE *CODE* 2
FUNDAMENTAL RATIONALE FOR THE WORLD ANTI-DOPING *CODE* 8

PART ONE ***DOPING CONTROL***

INTRODUCTION 12
ARTICLE 1 DEFINITION OF DOPING 16
ARTICLE 2 ANTI-DOPING RULE VIOLATIONS 16
ARTICLE 3 PROOF OF DOPING 26
ARTICLE 4 THE *PROHIBITED LIST* 34
ARTICLE 5 *TESTING* AND INVESTIGATIONS 48
ARTICLE 6 ANALYSIS OF *SAMPLES* 56
ARTICLE 7 *RESULTS MANAGEMENT*: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND *PROVISIONAL SUSPENSIONS* 64
ARTICLE 8 *RESULTS MANAGEMENT*: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION 78
ARTICLE 9 AUTOMATIC *DISQUALIFICATION* OF INDIVIDUAL RESULTS 80
ARTICLE 10 SANCTIONS ON INDIVIDUALS 82
ARTICLE 11 *CONSEQUENCES* TO TEAMS 118
ARTICLE 12 SANCTIONS BY *SIGNATORIES* AGAINST OTHER SPORTING BODIES 120
ARTICLE 13 *RESULTS MANAGEMENT*: APPEALS 122
ARTICLE 14 CONFIDENTIALITY AND REPORTING 132
ARTICLE 15 IMPLEMENTATION OF DECISIONS 142
ARTICLE 16 *DOPING CONTROL* FOR ANIMALS COMPETING IN SPORT 148
ARTICLE 17 STATUTE OF LIMITATIONS 148

目　录

世界反兴奋剂体系和《世界反兴奋剂条例》的宗旨、适用范围及组成 3
《条例》的基本原理 9

第一部分 兴奋剂管制

导　言 13
第 1 条　使用兴奋剂的定义 17
第 2 条　兴奋剂违规 17
第 3 条　使用兴奋剂的举证 27
第 4 条　《禁用清单》 35
第 5 条　检查和调查 49
第 6 条　样本检测 57
第 7 条　结果管理：职责、初步审查、通知和临时停赛 65
第 8 条　结果管理：获得公平听证和听证决定通知的权利 79
第 9 条　个人成绩的自动取消 81
第 10 条　对个人的处罚 83
第 11 条　集体项目运动队违规的后果 119
第 12 条　签约方对其他体育团体的处罚 121
第 13 条　结果管理：上诉 123
第 14 条　保密和报告 133
第 15 条　决定的执行 143
第 16 条　对参赛动物的兴奋剂管制 149
第 17 条　时效规定 149

PART TWO *EDUCATION* AND RESEARCH

ARTICLE 18 *EDUCATION* 152

ARTICLE 19 RESEARCH 158

PART THREE ROLES AND RESPONSIBILITIES

ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF *SIGNATORIES* AND *WADA* 162

ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF *ATHLETES* AND *OTHER PERSONS* 190

ARTICLE 22 INVOLVEMENT OF GOVERNMENTS 194

PART FOUR ACCEPTANCE, COMPLIANCE, MODIFICATION AND INTERPRETATION

ARTICLE 23 ACCEPTANCE AND IMPLEMENTATION 202

ARTICLE 24 MONITORING AND ENFORCING COMPLIANCE WITH THE *CODE* AND *UNESCO CONVENTION* 206

ARTICLE 25 MODIFICATION AND WITHDRAWAL 224

ARTICLE 26 INTERPRETATION OF THE *CODE* 226

ARTICLE 27 TRANSITIONAL PROVISIONS 228

APPENDIX 1 DEFINITIONS

DEFINITIONS 234

第二部分 教育与研究

第 18 条　教育 153
第 19 条　研究 159

第三部分 责任与义务

第 20 条　签约方和 WADA 的附加责任与义务 163
第 21 条　运动员和其他当事人的附加责任与义务 191
第 22 条　政府的参与 195

第四部分 承认、遵守、修改及解释

第 23 条　承认和实施 203
第 24 条　监督和执行遵守《条例》和联合国教科文组织《公约》的情况 ... 207
第 25 条　修改和撤销 225
第 26 条　对《条例》的解释 227
第 27 条　过渡规定 229

附录一 定义

定　　义 235

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.

世界反兴奋剂体系和《世界反兴奋剂条例》的宗旨、适用范围及组成

《世界反兴奋剂条例》（以下简称《条例》）及支持《条例》的世界反兴奋剂体系的宗旨如下：

- 保障运动员参加无兴奋剂的体育运动的基本权利，从而增进世界范围内运动员的健康、公平与平等，以及
- 确保在预防使用兴奋剂方面，在国际和国家层面上形成协调、一致、有效的反兴奋剂体系，包括：

  教育——提高认识、提供信息、宣传交流、树立价值观、培养生活技能和决策能力，以防止故意和非故意的兴奋剂违规。

  遏制——确保制定强有力并对所有利益相关方都很重要的规则和处罚措施，以转变潜在兴奋剂使用者的企图。

  发现——有效的检查和调查体系不仅能增强遏制力，还能发现兴奋剂违规者，并制止任何人参与兴奋剂的行为，从而有效地保护纯洁运动员和体育精神。

  执行——对兴奋剂违规者进行裁决和处罚。

  法治——确保所有利益相关方同意遵守《条例》和国际标准，并确保在实施反兴奋剂体系时采取的所有措施都遵守《条例》、国际标准、比例原则和人权原则。

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.[1]

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.[2]

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1 *[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.]*

2 *[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.]*

《条例》

《条例》是体育领域中世界反兴奋剂体系所依据的普遍适用的基础性文件。《条例》的目的在于通过反兴奋剂核心内容的普遍一致来加强反兴奋剂工作。《条例》在需要一致的问题上力求明确规定，以达到完全一致，而在其他方面又高度概括，以便在如何执行已达成共识的反兴奋剂原则上允许有灵活性。《条例》的起草充分权衡了比例原则和人权原则。[1]

世界反兴奋剂体系

世界反兴奋剂体系涵盖为确保国际和国家反兴奋剂体系的高度一致和最佳实施所必需的所有要素，主要包括：

第一级：《条例》。

第二级：国际标准和技术文件。

第三级：最佳实施模式及指南。

国际标准

国际标准用于反兴奋剂体系内各技术和运行领域，由各签约方和各国政府协商后制定并由 WADA 批准。国际标准旨在使负责反兴奋剂体系具体技术和运行领域的各反兴奋剂组织之间协调一致。遵守国际标准是遵守《条例》的必要条件。WADA 执委会在与各签约方、各国政府和其他利益相关方进行合理协商后，可以适时对国际标准进行修订。国际标准及其所有修订本将在 WADA 网站上公布，并在国际标准或修订本规定的日期生效。[2]

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1 [释义：《奥林匹克宪章》和 2005 年 10 月 19 日在巴黎通过的《反对在体育运动中使用兴奋剂国际公约 2005》（简称："联合国教科文组织《公约》"）都将预防和反对在体育运动中使用兴奋剂视为国际奥委会和联合国教科文组织的一项重要使命，并认同《条例》的根本作用。]

2 [释义：国际标准规定了实施《条例》所需的大部分技术细节。经与各签约方、各国政府和其他利益相关方协商后，由专家制定国际标准，并将其划分为若干个独立文件。重要的是，WADA 执委会能够对国际标准进行及时修改，而无需对《条例》进行任何修订。]

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.[3]

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*.[4]

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3 *[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.]*

4 *[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.]

技术文件

技术文件与执行国际标准的强制性技术要求有关，由 WADA 执委会适时批准和公布。遵守技术文件是遵守《条例》的必要条件。如果新的或修订的技术文件在执行上不具有时效性，WADA 执委会应当考虑与各签约方、各国政府和其他利益相关方进行合理协商。技术文件在 WADA 网站上一经公布立即生效，除非特别规定了较晚的生效日期。[3]

最佳实施模式及指南

已经基于《条例》和国际标准制定了最佳实施模式及指南，并将继续制定，为反兴奋剂的不同领域提供解决方案。WADA 向签约方和其他利益相关方推荐并提供最佳实施模式及指南，但不强制执行。除提供反兴奋剂文件范本外，WADA 还将协助签约方开展某些培训工作。[4]

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3 [释义：例如，如果在报告样本为阳性检测结果前需要额外的检测程序，则 WADA 执委会应当立即发布一份技术文件，对该程序予以规定。]

4 [释义：这些文件范本可提供备选方案，供利益相关方选择。利益相关方可以选择逐字逐句采用规则范本和其他最佳实施模式，也可以在修改后采用这些范本，还可以选择自行制定与《条例》规定的一般原则和特定要求相一致的规则。已经针对反兴奋剂工作的具体内容制定了文件范本或指南，并可能会根据利益相关方公认的需求和期望继续制定。]

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 *Prohibited Methods*.

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

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

- Health
- Ethics, fair play and honesty
- *Athletes'* rights as set forth in the *Code*
- Excellence in performance
- Character and *Education*
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participant*s
- Courage
- Community and solidarity

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

Doping is fundamentally contrary to the spirit of sport.

《条例》的基本原理

反兴奋剂体系建立在体育的内在价值观之上。该内在价值观通常被称为“体育精神”，即运动员将天赋发挥到极致而有道德地追求人类的卓越。

反兴奋剂体系旨在保护运动员的健康，并为运动员提供不使用禁用物质和禁用方法而追求卓越的机会。

反兴奋剂体系力求在尊重规则、尊重其他参赛者、公平竞争、公平的比赛环境以及纯洁体育对世界的价值等方面维护体育的完整性。

体育精神是对人类精神、身体和心灵的颂扬，是奥林匹克精神的精髓，体现在体育运动中以及体育运动所呈现的价值观中，包括：

- 健康；
- 道德、公平竞赛与诚实；
- 《条例》规定的运动员权利；
- 卓越的表现；
- 人格与教育；
- 乐趣与快乐；
- 团队协作；
- 奉献与承诺；
- 尊重规则与法律；
- 尊重自己，尊重其他参赛者；
- 勇气；
- 共享与团结。

体育精神体现在我们如何公平竞赛。

使用兴奋剂在根本上与体育精神背道而驰。

PART ONE
第一部分

DOPING CONTROL
兴奋剂管制

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.[5]

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)

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5 *[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.]

导言

《条例》第一部分规定了具体的反兴奋剂规则和原则。负责在其权限内采用、实施或执行这些反兴奋剂规则的组织，例如国际奥林匹克委员会（以下简称“国际奥委会”）、国际残疾人奥林匹克委员会（以下简称“国际残奥委会”）、国际单项体育联合会、国家奥林匹克委员会（以下简称“国家奥委会”）和国家残疾人奥林匹克委员会（以下简称“国家残奥委会”）、重大赛事组织机构和国家反兴奋剂组织，应当遵守这些规则和原则。所有这些组织统称为反兴奋剂组织。

本质上，《条例》的所有规定都具有强制性，每个反兴奋剂组织和运动员或其他当事人都必须遵守。但是，《条例》并不能取代或排斥各反兴奋剂组织采用全面反兴奋剂规则的需要。反兴奋剂组织必须将《条例》的某些规定在不作实质性修改的情况下纳入自己的反兴奋剂规则，但《条例》的其他规定确立了强制性的指导原则，允许各反兴奋剂组织在制定规则时具有灵活性，或规定了反兴奋剂组织必须遵守但无需在其反兴奋剂规则中重复的要求。[5]

反兴奋剂规则与竞赛规则一样，都是治理体育比赛环境的体育规则。运动员、运动员辅助人员或其他当事人（包括理事会成员、主管、管理人员、

5 [释义：《条例》条款 23.2.2 规定了必须纳入各反兴奋剂组织规则，且不能作实质性修改的条款。例如，为了协调一致，所有签约方的决定必须基于相同的兴奋剂违规清单、相同的举证责任，并对相同的兴奋剂违规实施相同的后果，这一点至关重要。无论是在国际单项体育联合会、在国家层面还是在国际体育仲裁院（CAS）召开听证会，都必须执行相同的规则。条款 23.2.2 未列出的《条例》条款，尽管反兴奋剂组织无需将其逐字逐句纳入，但实质上仍然是强制性的。这些规定一般分为两类：其一，一些规定要求反兴奋剂组织采取某些行动，但无需在反兴奋剂组织自己的反兴奋剂规则中复述这一规定。例如，各反兴奋剂组织必须依照第 5 条的要求制定检查计划并实施检查，但这些对反兴奋剂组织的指示性条款无需在反兴奋剂组织自己的规则中重复。其二，一些规定在本质上是强制性的，但在执行该规定所述原则方面给予反兴奋剂组织一定的灵活性。例如，只要采用的程序满足《条例》和《结果管理国际标准》中规定的要求，就没有必要为了有效的协调统一而强求所有签约方使用单一的结果管理和听证程序。]

accept these rules as a condition of participation or involvement in sport and shall be bound by these rules.[6] 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*.

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*.

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

指定雇员和受委托的第三方及其雇员）接受这些规则，作为参加或参与体育运动的条件之一，并受这些规则约束。[6] 各签约方应当制定规则和程序，确保签约方及其成员组织管辖下的所有运动员、运动员辅助人员或其他当事人知晓相关反兴奋剂组织的现行反兴奋剂规则，并同意受其约束。

各签约方应当制定规则和程序，确保签约方及其成员组织管辖下的所有运动员、运动员辅助人员或其他当事人知晓依照《条例》的要求或授权，其个人信息将向外界发布，受《条例》规定的反兴奋剂规则的制约，并遵守这些规则；如果违反规则，运动员或其他当事人应当被处以适当的后果。这些专门用于体育运动的规则和程序，旨在全球协调一致地执行反兴奋剂规则，但在本质上有别于刑事程序和民事程序。虽然这些反兴奋剂规则和程序在适用时遵守了比例原则和人权原则，但他们不受适用于此类诉讼的任何国家规定和法律标准的约束或限制。在审查特定案件的事实和规定时，所有法院、仲裁听证小组和其他裁决机构都应当了解并尊重《条例》中反兴奋剂规则的独特性，并认识到这些规则代表了全世界与公平体育有利害关系的利益相关方的广泛共识。

依照《条例》规定，各反兴奋剂组织应当负责开展兴奋剂管制的所有工作。反兴奋剂组织可将兴奋剂管制或反兴奋剂教育工作的任何方面委托给受委托的第三方，但应当要求受委托的第三方依照《条例》和国际标准完成各项工作。反兴奋剂组织应当全权负责，确保受委托事项的开展遵守《条例》的要求。

6 [释义：如果《条例》要求运动员或运动员辅助人员以外的其他当事人受《条例》的约束，则该当事人当然不需要接受样本采集或检查，也不会因使用或持有禁用物质或禁用方法而被认定兴奋剂违规。相反，该当事人只会因违反《条例》条款 2.5（篡改）、2.7（交易）、2.8（施用）、2.9（共谋）、2.10（禁止合作）和 2.11（报复）而受到纪律处分。此外，依照条款 21.3，该当事人将承担附加的责任与义务。此外，要求雇员受《条例》约束的义务也在适用法律的范围内。]

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*.

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.[7]

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

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

第 1 条　使用兴奋剂的定义

使用兴奋剂是指发生了《条例》条款 2.1 至条款 2.11 中规定的一项或多项兴奋剂违规行为。

第 2 条　兴奋剂违规

第 2 条旨在明确说明构成兴奋剂违规的情况和行为。兴奋剂案件的听证会将根据违反一项或多项具体规则的指控而进行。

运动员或其他当事人有责任了解何种情况或行为构成兴奋剂违规，以及《禁用清单》包括哪些物质和方法。

以下情况和行为构成兴奋剂违规：

2.1　在运动员的样本中发现禁用物质或其代谢物或标记物

2.1.1 确保没有禁用物质进入自己体内，是运动员的个人责任。运动员对其样本中发现的任何禁用物质或其代谢物或标记物负责。因此，依照条款 2.1 认定兴奋剂违规时，无需证明运动员的意图、过错、疏忽或明知使用。[7]

2.1.2 有下列情形之一的，依照条款 2.1 都足以证明兴奋剂违规：运动员的 A 样本中存在禁用物质或其代谢物或标记物，运动员放弃检测 B 样本并且 B 样本未进行检测；或者，对运动员的 B 样本进行了检测，而 B 样本的检测结果证实了运动员的 A 样本中存在的禁用物质或其代谢物或标记物；或将运动员的 A 样本或 B 样本分装成两个部分，对分装样本的确证部分的检测证实了在第一部分分装样本中发现的禁用物质或其代谢物或标记物，或运动员放弃对分装样本的

7　[条款 2.1.1 的释义：依照本条款，兴奋剂违规无需考虑运动员的过错。这一规则在 CAS 的各项裁决中被称为“严格责任”。在依照第 10 条确定兴奋剂违规后果时，应当考虑运动员的过错。这一原则得到了 CAS 的一贯支持。]

analysis of the confirmation part of the split *Sample*.[8]

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

2.1.4 As an exception to the general rule of Article 2.1, the *Prohibited List*, *International Standards*, or *Technical Documents* may establish special criteria for reporting or the evaluation of certain *Prohibited Substances*.

2.2 *Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*[9]

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

2.2.2 The success or failure of the *Use* or *Attempted Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping rule violation to be committed.[10]

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8 *[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.]*

9 *[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.]

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

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

确证部分进行检测。[8]

2.1.3 除《禁用清单》或技术文件中明确规定了判定限的物质外，在运动员样本中发现任何达到报告量值的禁用物质或其代谢物或标记物均构成兴奋剂违规。

2.1.4 作为条款 2.1 一般规则的例外，《禁用清单》、国际标准或技术文件可以为报告或评估某些禁用物质确定特殊标准。

2.2 运动员使用或企图使用某种禁用物质或禁用方法[9]

2.2.1 确保没有禁用物质进入自己体内和不使用禁用方法，是运动员的个人责任。因此，认定使用禁用物质或禁用方法的兴奋剂违规时，无需证明运动员的意图、过错、疏忽或明知使用。

2.2.2 使用或企图使用禁用物质或禁用方法是否既遂并不重要。只要使用或企图使用禁用物质或禁用方法就足以构成兴奋剂违规。[10]

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8 [条款 2.1.2 的释义：即使运动员不要求检测 B 样本，负责结果管理的反兴奋剂组织可以自行决定检测 B 样本。]

9 [条款 2.2 的释义：任何可靠的方法都可以用于证明使用或企图使用禁用物质或禁用方法。正如条款 3.2 的释义所指出的，与依照条款 2.1 认定兴奋剂违规所需的证据不同，使用或企图使用还可以通过其他可靠的方法加以证明，例如运动员的自认、证人证言、书面证据、从纵向档案中得出的结论，包括作为运动员生物护照的一部分收集的数据，或不能完全满足条款 2.1 规定的证明“存在”禁用物质的所有要求的其他检测信息。

例如，只要反兴奋剂组织提供了令人满意的解释，即使另一样本未经确证，也可以根据仅从 A 样本（未对 B 样本进行检测确证）或 B 样本检测中得到的可靠检测数据，确定是否使用了禁用物质或禁用方法。]

10 [条款 2.2.2 的释义：证明“企图使用”禁用物质或禁用方法需要证明运动员的意图。可能需要意图证明这一特定兴奋剂违规，但这并不影响为条款 2.1 和条款 2.2 的违规（有关使用禁用物质或禁用方法）而规定的严格责任原则。

运动员使用禁用物质即构成兴奋剂违规，除非该物质在赛外不禁用，而运动员的使用发生在赛外。（但是，在赛内采集的样本中存在禁用物质或其代谢物或标记物，将构成条款 2.1 的违规，无论运动员在何时使用该物质。）]

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*.[11]

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.[12]

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.[13]

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

12 [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.]

13 [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.]

2.3 运动员逃避、拒绝或未完成样本采集

逃避样本采集，或在收到正式授权人员的通知后，在没有令人信服的正当理由的情况下拒绝或未完成样本采集。[11]

2.4 运动员违反行踪信息管理规定

注册检查库中的运动员在 12 个月内累计出现 3 次《结果管理国际标准》中规定的错过检查和 / 或行踪信息填报失败。

2.5 运动员或其他当事人篡改或企图篡改兴奋剂管制过程中的任何环节

2.6 运动员或运动员辅助人员持有某种禁用物质或禁用方法

2.6.1 运动员赛内持有任何禁用物质或禁用方法，或运动员赛外持有任何赛外禁用的禁用物质或禁用方法，除非运动员证明该持有符合依照条款 4.4 批准的治疗用药豁免（以下简称“TUE”），或有其他可接受的正当理由。[12]

2.6.2 运动员辅助人员赛内持有任何禁用物质或禁用方法，或运动员辅助人员赛外持有与运动员、比赛或训练有关的、赛外禁用的任何禁用物质或禁用方法，除非运动员辅助人员证明该持有符合依照条款 4.4 向运动员批准的 TUE，或有其他可接受的正当理由。[13]

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11 [条款 2.3 的释义：例如，如果证明运动员故意避开兴奋剂检查官以逃避通知或检查，则构成违反“逃避样本采集”的兴奋剂违规。违反“未完成样本采集”的违规可能基于运动员的故意或疏忽行为，而“逃避”或“拒绝”样本采集则考虑是运动员的故意行为。]

12 [条款 2.6.1 和条款 2.6.2 的释义：可接受的正当理由不包括，诸如为赠送朋友或亲属而购买或持有禁用物质，除非该当事人有正当的医疗理由和医生开具的处方，例如为糖尿病患儿购买胰岛素。]

13 [条款 2.6.1 和条款 2.6.2 的释义：可接受的理由包括，例如：（a）运动员或队医使用禁用物质或禁用方法（例如肾上腺素自动注射器）处理急性病和应对紧急情况，或（b）在申请和收到 TUE 决定前不久，运动员因治疗原因而持有禁用物质或禁用方法。]

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*.[14]

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:

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

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

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

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

2.7 运动员或其他当事人从事或企图从事任何禁用物质或禁用方法的交易

2.8 运动员或其他当事人赛内对运动员施用或企图施用任何禁用物质或禁用方法，或赛外对运动员施用或企图施用任何赛外禁用的禁用物质或禁用方法

2.9 运动员或其他当事人共谋或企图共谋

协助、怂恿、资助、教唆、策划、包庇他人的兴奋剂违规、企图违规或违反条款 10.14.1 的行为，或者实施任何其他类型的故意共谋或企图共谋。[14]

2.10 运动员或其他当事人禁止合作

2.10.1 禁止反兴奋剂组织管辖下的运动员或其他当事人在职业或与体育相关的范围内与下列运动员辅助人员合作：

2.10.1.1 如果该当事人在反兴奋剂组织的管辖下，正处于禁赛期；或者

2.10.1.2 如果该当事人不在反兴奋剂组织的管辖下，并且依照《条例》的规定尚未在结果管理程序中对其实施禁赛，但如果将与《条例》一致的规则适用于该当事人，其已因兴奋剂问题被认定有罪或在刑事、纪律或职业程序中被发现其行为可能构成兴奋剂违规。该当事人被取消资格的期限应当以下列两个期限中较长的一个为准：从有关刑事、职业或纪律处罚决定作出之日起 6 年，或有关刑事、纪律或职业处罚确定的处罚期。或者

2.10.1.3 如果该当事人作为条款 2.10.1.1 或 2.10.1.2 中所述人员的联系人或中间人。

14 [条款 2.9 的释义：共谋或企图共谋可包括物质和精神援助。]

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*.[15]

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*.

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

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

2.10.2 为证明条款 2.10 的违规，反兴奋剂组织必须证明运动员或其他当事人知晓运动员辅助人员已被取消资格。

运动员或其他当事人有责任证明，任何与条款 2.10.1.1 或条款 2.10.1.2 所述的运动员辅助人员的合作都不是在职业或体育相关的范围内进行的，和 / 或无法合理避免这种合作。

反兴奋剂组织应当将其所了解的、符合条款 2.10.1.1、2.10.1.2 或 2.10.1.3 所述标准的运动员辅助人员的信息提交 WADA。[15]

2.11 运动员或其他当事人阻止或报复向当局举报的行为

如果该行为不构成条款 2.5 的违规：

2.11.1 任何威胁或企图恐吓他人的行为，目的是阻止其向 WADA、反兴奋剂组织、执法机构、监管机构或职业纪律机构、听证机构或为 WADA 或反兴奋剂组织开展调查的人员，善意举报与涉嫌兴奋剂违规或涉嫌不遵守《条例》的行为有关的信息。

15 [条款 2.10 的释义：运动员和其他当事人不得与因兴奋剂违规而被禁赛或因兴奋剂问题已被刑事定罪或受到职业纪律处分的教练员、体能教练、医生或其他运动员辅助人员合作。这项规定还禁止与在禁赛期间担任教练员或运动员辅助人员的任何其他运动员合作。禁止合作的类型包括：获得训练、战术、技术、营养或医学建议；获得理疗、治疗或处方；提供任何身体物质以供检测；或允许运动员辅助人员担任经纪人或代表。禁止合作不需涉及任何形式的补偿。

虽然条款 2.10 不要求反兴奋剂组织将运动员辅助人员已被取消资格的情况通知运动员或其他当事人，但如果提供了此类通知，该通知应当视为证明运动员或其他当事人知晓运动员辅助人员已被取消资格的重要证据。]

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*.[16]

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.[17]

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.[18] 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.

16 *[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.]*

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

18 *[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.]*

2.11.2 对向 WADA、反兴奋剂组织、执法机构、监管机构或职业纪律机构、听证机构或为 WADA 或反兴奋剂组织开展调查的人员，善意提供与涉嫌兴奋剂违规或涉嫌不遵守《条例》的行为相关的证据或信息的人员进行打击报复。[16]

就条款 2.11 而言，报复、威胁和恐吓包括因缺乏善意或做出不适当反应而针对该举报人采取的行为。[17]

第 3 条　使用兴奋剂的举证

3.1 举证责任与证明标准

反兴奋剂组织应当对已发生的兴奋剂违规承担举证责任。证明标准应当为，反兴奋剂组织对兴奋剂违规的证明能否使听证小组认识到所提出指控的严重性，并放心满意地相信存在兴奋剂违规。这一证明标准在所有案件中都高于优势证明的标准，但低于排除合理怀疑的证明标准。[18] 如果《条例》要求被指控兴奋剂违规的运动员或其他当事人承担举证责任，以反驳一项推定或证明具体事实或情况，除条款 3.2.2 和 3.2.3 的规定外，证明标准应当为优势证明的标准。

16 [条款 2.11.2 的释义：本条款旨在保护善意举报人，但不保护故意进行虚假举报的人。]

17 [条款 2.11.2 的释义：报复包括诸如威胁举报人、其家人或相关人员的身心健康或经济利益的行为，不包括反兴奋剂组织善意指控举报人兴奋剂违规。就条款 2.11 而言，如果举报人明知其举报内容虚假，则该举报不属于善意举报。]

18 [条款 3.1 的释义：反兴奋剂组织必须达到的这一证明标准与大多数国家涉及职业不当行为的案件所适用的证明标准相当。]

3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions.[19] The following rules of proof shall be applicable in doping cases:

3.2.1 Analytical methods or *Decision Limits* approved by *WADA* after consultation within the relevant scientific community or which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to challenge whether the conditions for such presumption have been met or to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify *WADA* of the challenge and the basis of the challenge. The initial hearing body, appellate body or *CAS*, on its own initiative, may also inform *WADA* of any such challenge. Within ten (10) days of *WADA's* receipt of such notice and the case file related to such 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.[20]

3.2.2 *WADA*-accredited laboratories, and other laboratories approved by *WADA*, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard* for Laboratories. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the *International Standard* for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*.

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

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

3.2 证明事实的方法与法律推定

与兴奋剂违规有关的事实可以通过任何可靠的方法加以证明，包括自认。[19] 以下举证规则适用于兴奋剂案件：

3.2.1 经 WADA 咨询相关科学界或同行评审后而批准的检测方法或判定限应当被推定为科学有效。任何运动员或其他当事人，如果要质疑是否符合该推定的条件或反驳该科学有效性的推定，应当首先将该质疑和质疑的依据通知 WADA，作为任何此类质疑的先决条件。初审机构、上诉机构或 CAS 也可主动将此类质疑通知 WADA。在 WADA 收到此类通知和与该质疑相关的案件卷宗后 10 天内，WADA 还应当有权作为一方当事人介入，以法庭之友的身份出庭或以其他方式在该程序中提供证据。对于提交给 CAS 的案件，CAS 仲裁庭应当根据 WADA 的要求，任命一名适当的科学家协助仲裁庭评估该质疑。[20]

3.2.2 WADA 认可的实验室和其他 WADA 批准的实验室被推定依照《实验室国际标准》进行了样本检测和监管程序。运动员或其他当事人可抗辩这一推定，证明发生了偏离《实验室国际标准》的情况，从而可能有理由导致了阳性检测结果。

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19 [条款 3.2 的释义：例如，反兴奋剂组织可以根据运动员的自认、第三人的可信证词、可靠的书面证据、条款 2.2 释义中规定的 A 样本或 B 样本中得到的可靠检测数据，或从运动员一系列血样或尿样的档案（例如运动员生物护照中的数据）得出的结论，证明条款 2.2 的兴奋剂违规。]

20 [条款 3.2.1 的释义：对于某些禁用物质，如果禁用物质或其代谢物或标记物的估计浓度低于最低报告水平，WADA 可要求 WADA 认可的实验室不要将该样本报告为阳性检测结果。WADA 在确定最低报告水平或确定哪些禁用物质应当符合最低报告水平的决定不应当受到质疑。此外，实验室对样本中该禁用物质的估算浓度只可能是估计值。在任何情况下，样本中禁用物质的确切浓度可能低于最低报告水平不应当成为因样本中含有禁用物质而构成对兴奋剂违规的抗辩理由。]

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*.[21]

3.2.3 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;[22] 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:

(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*;

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

22 *[Comment to Article 3.2.3: Departures from an International Standard or other rule unrelated to Sample collection or handling, Adverse Passport Finding, or Athlete notification relating to whereabouts failure or B Sample opening – e.g., the International Standard for Education, International Standard for the Protection of Privacy and Personal Information or International Standard for Therapeutic Use Exemptions – 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.]*

如果运动员或其他当事人反驳前述推定，证明发生了偏离《实验室国际标准》的情况，从而可能有理由导致阳性检测结果，则反兴奋剂组织应当有责任证明该偏离标准的情况并没有导致阳性检测结果。[21]

3.2.3 偏离任何其他国际标准或《条例》或反兴奋剂组织的规则中规定的其他反兴奋剂规则或政策，不应当使检测结果或兴奋剂违规的其他证据无效，也不应当构成对兴奋剂违规的抗辩；[22] 但是，如果运动员或其他当事人证明，偏离下列特定国际标准规定之一，可能有理由导致基于阳性检测结果或违反行踪信息管理规定的兴奋剂违规，则反兴奋剂组织应当有责任证明此类偏离并没有导致阳性检测结果或违反行踪信息管理规定：

（i）在样本采集或样本收存方面偏离《检查和调查国际标准》，可能导致基于阳性检测结果的兴奋剂违规，在这种情况下，反兴奋剂组织应当有责任证明该偏离并没有导致阳性检测结果；

21 [条款 3.2.2 的释义：运动员或其他当事人有责任在优势证明的基础上，证明偏离了《实验室国际标准》从而可能有理由导致了阳性检测结果。因此，一旦运动员或其他当事人在优势证明的基础上证明偏离了《实验室国际标准》，则运动员或其他当事人对上述因果关系的举证责任是较低的证明标准，即“可能有理由导致”。如果运动员或其他当事人满足此类标准，则反兴奋剂组织有责任向听证小组证明，使其确信该偏离并未导致阳性检测结果。]

22 [条款 3.2.3 的释义：偏离国际标准或其他与样本采集或收存、生物护照阳性结果，或与运动员违反行踪信息管理规定或B样本开启的运动员通知无关的其他规则，例如《教育国际标准》《隐私和个人信息保护国际标准》或《治疗用药豁免国际标准》，可能会导致 WADA 提起《条例》或国际标准遵守，但不得在兴奋剂违规处理程序中成为抗辩理由，也与运动员是否兴奋剂违规无关。同样，反兴奋剂组织违反条款 20.7.7 所述文件的行为不应当构成对兴奋剂违规的抗辩。]

(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*;[23]

(iv) a departure from the *International Standard* for *Results Management* related to *Athlete* notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case the *Anti-Doping Organization* shall have the burden to establish that such departure did not cause the whereabouts failure.

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

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

23 *[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.]*

（ii）在生物护照阳性结果方面偏离《结果管理国际标准》或《检查和调查国际标准》，可能有理由导致兴奋剂违规，在这种情况下，反兴奋剂组织应当有责任证明该偏离并没有导致兴奋剂违规；

（iii）在向运动员发出开启 B 样本通知要求方面偏离《结果管理国际标准》，可能有理由导致基于阳性检测结果的兴奋剂违规，在这种情况下，反兴奋剂组织应当有责任证明该偏离并没有导致阳性检测结果；[23]

（iv）在通知运动员方面偏离《结果管理国际标准》，可能有理由导致基于违反行踪信息管理规定的兴奋剂违规，在这种情况下，反兴奋剂组织应当有责任证明该偏离并没有导致违反行踪信息管理规定。

3.2.4 如果具有合法管辖权的法院或职业纪律法庭作出的裁决不是未决上诉事宜，则对于该裁决所涉及的运动员或其他当事人而言，该裁决所认定的事实应当是不可辩驳的证据，除非运动员或其他当事人证明该裁决违反了自然公正的原则。

3.2.5 如果在兴奋剂违规听证会前的合理时间内要求被指控兴奋剂违规的运动员或其他当事人出席听证会（根据听证小组的要求亲自出席或接受电话问讯），但运动员或其他当事人拒绝出席，并拒绝回答听证小组或指控兴奋剂违规的反兴奋剂组织提出的问题，则听证小组可以此为由，作出不利于运动员或其他当事人的推论。

23 [条款 3.2.3（iii）的释义：反兴奋剂组织有责任证明这种偏离并没有导致阳性检测结果，例如，一名独立证人观察了 B 样本的开启和检测，没有观察到任何违规行为。

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 (3) months after publication of the *Prohibited List* by *WADA* without requiring any further action by the *Anti-Doping Organization*.[24]

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.[25]

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24 *[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.]*

25 *[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.]*

第 4 条　《禁用清单》

4.1《禁用清单》的公布与修订

WADA 应当根据需要，至少每年一次将《禁用清单》作为国际标准公布。《禁用清单》的拟议内容和所有修订应当及时以书面形式提供给所有签约方和各国政府，以供征求意见和讨论。WADA 应当及时将每年的《禁用清单》和所有修订下发给各签约方、WADA 认可或批准的实验室以及政府，并在 WADA 的网站上公布。各签约方应当采取适当措施，将《禁用清单》下发给其成员组织和个人。各反兴奋剂组织的规则应当明确规定，每年的《禁用清单》及其修订应当在 WADA 公布 3 个月后依照反兴奋剂组织的规则生效，无需反兴奋剂组织另行通知，除非《禁用清单》和修订另有规定。[24]

4.2《禁用清单》中明确规定的禁用物质和禁用方法

4.2.1 禁用物质和禁用方法

《禁用清单》应当明确那些在任何时候（包括赛内检查和赛外检查）都视为使用兴奋剂而禁用的物质和方法，因为这些物质和方法有可能使运动员在未来的比赛中提高运动能力或有潜在的掩蔽作用，并明确那些仅在赛内禁用的物质和方法。WADA 可为某个特定项目扩大《禁用清单》的内容。《禁用清单》中包括的禁用物质和禁用方法可被列为普通类别（例如蛋白同化制剂），或专门列出某种特定物质或方法。[25]

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24 [条款 4.1 的释义：《禁用清单》将在必要时及时修订和公布。但是，为确保可预见性，无论是否进行了修改，每年都将公布新的《禁用清单》。WADA 将始终在其网站上公布最新的《禁用清单》。《禁用清单》是《反对在体育运动中使用兴奋剂国际公约》的组成部分。WADA 将向联合国教科文组织总干事通报《禁用清单》的任何改动。]

25 [条款 4.2.1 的释义：赛外使用仅在赛内禁用的物质不构成兴奋剂违规，除非在赛内采集的样本报告了该物质或其代谢物或标记物的阳性检测结果。]

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*.[26]

4.2.3 *Substances of Abuse*

For purposes of applying Article 10, *Substances of Abuse* shall include those *Prohibited Substances* which are specifically identified as *Substances of Abuse* on the *Prohibited List* because they are frequently abused in society outside of the context of sport.

4.2.4 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;[27]

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26 *[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.]*

27 *[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.]*

4.2.2 特定物质或特定方法

为适用第 10 条，除《禁用清单》中明确列出的以外，所有禁用物质均为特定物质。除非在《禁用清单》上明确规定为特定方法，否则任何禁用方法均不属于特定方法。[26]

4.2.3 滥用物质

为适用第 10 条，滥用物质应当包括那些在《禁用清单》中被特别确定为滥用物质的禁用物质，因为这些禁用物质经常在体育运动以外的社会环境中滥用。

4.2.4 禁用物质或禁用方法的新类别

如果 WADA 依照条款 4.1 增加一类新的禁用物质或禁用方法，从而扩大《禁用清单》的范围，则 WADA 执委会应当确定是否将新类别中的部分或全部禁用物质或禁用方法视为条款 4.2.2 规定的特定物质或特定方法，或条款 4.2.3 规定的滥用物质。

4.3《禁用清单》的物质和方法的评定标准

WADA 在决定是否将某种物质或方法列入《禁用清单》时，应当考虑以下标准：

4.3.1 如果 WADA 自行确定该物质或方法符合以下三项标准中的任何两项，则应当考虑将该物质或方法列入《禁用清单》：

4.3.1.1 医学或其他科学证据、药理作用或经验表明，该物质或方法在单独使用或与其他物质或方法一起使用时，可能提高或能够提高运动能力；[27]

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26 [条款 4.2.2 的释义：条款 4.2.2 中确定的特定物质和特定方法不应当视为没有其他兴奋剂物质或方法重要或危险。相反，这些物质和方法更容易被运动员服用或使用，用于提高运动能力以外的其他目的。]

27 [条款 4.3.1.1 的释义：本条款预见到可能有些物质在单独使用时不被禁用，但与其他某种物质合用则会被禁用。对于仅与其他物质合用后有可能提高运动能力而被列入《禁用清单》的物质，应当予以注明，并且只有在有证据表明这两种物质合用时才应当禁用。]

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*.[28]

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 appellate body described in Article 13.2.2.

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28 *[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.]*

4.3.1.2 医学或其他科学证据、药理作用或经验表明，使用该物质或方法会对运动员的健康造成实际或潜在的危害；

4.3.1.3 WADA 确定，使用该物质或方法违背了《条例》导言所述的体育精神。

4.3.2 如果 WADA 确定，医学或其他科学证据、药理作用或经验表明该物质或方法具有掩蔽使用其他禁用物质或禁用方法的可能性，则该物质或方法也应当被列入《禁用清单》。[28]

4.3.3 WADA 对列入《禁用清单》的禁用物质和禁用方法的确定，对《禁用清单》上物质的分类，将物质分为在任何场合都禁用或仅在赛内禁用，将物质或方法分为特定物质、特定方法或滥用物质的所有决定都是最终的。运动员或其他当事人不得对此提出任何质疑，包括但不限于以该物质或方法不是掩蔽剂、不具有提高运动能力的潜在效力、不具有损害健康的危险或不违背体育精神为由而提出的任何质疑。

4.4 治疗用药豁免（TUE）

4.1.1 如果发现禁用物质或其代谢物或标记物，和 / 或使用或企图使用、持有或施用或企图施用某种禁用物质或禁用方法与获得批准的 TUE 内容一致，并且该 TUE 符合《治疗用药豁免国际标准》的规定，则不应当视为兴奋剂违规。

4.4.2 非国际级运动员应当向其国家反兴奋剂组织申请 TUE。如果国家反兴奋剂组织拒绝其申请，运动员只能向条款 13.2.2 所述的国家级上诉机构提起上诉。

28 [条款 4.3.2 的释义：作为每年必须履行的程序，WADA 邀请所有签约方、政府和其他利害关系人就《禁用清单》的内容向其提出意见及建议。]

4.4.3 *Athletes* who are *International-Level Athletes* shall apply to their International Federation.[29]

4.4.3.1 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 twenty-one (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*) pending *WADA's* decision. If the matter is not referred to *WADA* for review within the twenty-one-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*).

4.4.3.2 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

29 *[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.*

If an International Federation chooses to test an Athlete who is not an International-Level Athlete, it must recognize a TUE granted by that Athlete's National Anti-Doping Organization.]

4.4.3 国际级运动员应当向其所属的国际单项体育联合会申请 TUE。[29]

4.4.3.1 如果运动员已经从其国家反兴奋剂组织获得使用某种物质或方法的 TUE，并且该 TUE 符合《治疗用药豁免国际标准》中规定的标准，则国际单项体育联合会必须予以承认。如果国际单项体育联合会认为该 TUE 不符合这些标准并拒绝承认，必须及时通知运动员及其所属国家反兴奋剂组织，并说明理由。运动员或国家反兴奋剂组织有权在收到通知后的 21 天内将此事项提交 WADA 审查。如果该事项已提交 WADA 审查，在 WADA 作出决定之前，国家反兴奋剂组织批准的 TUE 在国家级比赛和赛外检查中仍然有效（但在国际比赛中无效）。如果未在 21 天期限内将此事项提交 WADA 审查，则运动员所属的国家反兴奋剂组织必须确定该国家反兴奋剂组织批准的原 TUE 是否仍在国家级比赛和赛外检查中有效（前提是该运动员不再是国际级运动员并且不参加国际比赛）。在国家反兴奋剂组织作出决定之前，该 TUE 在国家级比赛和赛外检查中仍然有效（但在国际比赛中无效）。

4.4.3.2 如果运动员未从其国家反兴奋剂组织获得使用某种物质或方法的 TUE，则其在有需要时必须直接向其所属的国际单项体育联合会申请。如果国际单项体育联合会（或同意代表国际单项体育联合会受理申

29 [条款 4.4.3 的释义：如果仅因为证明符合《治疗用药豁免国际标准》所述标准所需的医疗记录或其他信息缺失，国际单项体育联合会就拒绝承认国家反兴奋剂组织批准的 TUE，则不应当将此事项提交至 WADA。相反，应当补齐所需文件并重新提交给国际单项体育联合会。

如果国际单项体育联合会决定检查非国际级运动员，则必须承认该运动员所属国家反兴奋剂组织批准的 TUE。]

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 twenty-one (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 twenty-one (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* may not *Use* the substance or method in question in connection with the *Event*,

请的国家反兴奋剂组织）拒绝运动员的申请，则必须及时通知运动员，并说明理由。如果国际单项体育联合会批准了运动员的申请，则不仅要通知运动员，还要通知运动员所属国家反兴奋剂组织。如果该国家反兴奋剂组织认为该 TUE 不符合《治疗用药豁免国际标准》中规定的标准，可在收到通知后的 21 天内将此事项提交 WADA 审查。如果国家反兴奋剂组织已将该事项提交 WADA 审查，在 WADA 作出决定之前，国际单项体育联合会批准的 TUE 在国际比赛和赛外检查中仍然有效（但在国家级比赛中无效）。如果国家反兴奋剂组织未将此事项提交 WADA 审查，则国际单项体育联合会批准的 TUE 在 21 天审查期限届满后，在国家级比赛中同样生效。

4.4.4 如果运动员需要在赛事期间使用某种禁用物质或禁用方法，则重大赛事组织机构可要求运动员向其申请 TUE。在这种情况下：

4.4.4.1 重大赛事组织机构必须确保有一个 TUE 申请程序，供没有 TUE 的运动员使用。批准的 TUE 仅在该赛事期间有效。

4.4.4.2 如果运动员已经获得其国家反兴奋剂组织或国际单项体育联合会批准的 TUE，并且该 TUE 符合《治疗用药豁免国际标准》中规定的标准，则重大赛事组织机构必须予以承认。如果重大赛事组织机构决定该 TUE 不符合这些标准而拒绝承认，则必须及时通知运动员，并说明理由。

4.4.4.3 对于重大赛事组织机构作出的不承认或不批准 TUE 的决定，运动员可以提起上诉，且只能向重大赛事组织机构为此设立或指定的独立机构上诉。如果运动员不提起上诉（或上诉不成功），则该运动员不得在赛事期间使用该物质或方法，但其所属国家反

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*.[30]

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.[31]

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*.[32]

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30 *[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.]*

31 *[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.]*

32 *[Comment to Article 4.4.7: In such cases, the decision being appealed is the International Federation's TUE decision, not WADA's decision not to review the TUE decision or (having reviewed it) not to reverse the TUE decision. However, the time to appeal the TUE decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given notice of the appeal so that it may participate if it sees fit.]*

兴奋剂组织或国际单项体育联合会批准的使用该物质或方法的任何 TUE 在赛事之外仍然有效。[30]

4.4.5 如果反兴奋剂组织决定采集某非国际级或非国家级运动员的样本，而该运动员出于治疗目的正在使用某种禁用物质或禁用方法，则反兴奋剂组织必须允许该运动员申请追溯性 TUE。

4.4.6 如果国际单项体育联合会拒绝承认运动员所属国家反兴奋剂组织批准的 TUE，而运动员或其所属国家反兴奋剂组织将该决定提交给 WADA，则 WADA 必须予以审查。此外，如果运动员所属国家反兴奋剂组织提交审查申请，则 WADA 必须审查国际单项体育联合会批准的 TUE 决定。无论是应受影响者的要求还是自行决定，WADA 可随时审查任何其他 TUE 决定。如果正在审查的 TUE 决定符合《治疗用药豁免国际标准》中规定的标准，则 WADA 将不会予以改变。但是，如果 TUE 决定不符合这些标准，则 WADA 将予以撤销。[31]

4.4.7 对于任何未经 WADA 审查，或经 WADA 审查后未被撤销的国际单项体育联合会（或同意代表国际单项体育联合会受理申请的国家反兴奋剂组织）作出的 TUE 决定，运动员和/或其所属国家反兴奋剂组织可以提起上诉，且只能向 CAS 上诉。[32]

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30 [条款 4.4.4.3 的释义：例如，CAS 临时仲裁机构或类似机构可作为特定赛事的独立上诉机构，或 WADA 可同意履行该职能。如果 CAS 和 WADA 均不履行该职能，则 WADA 有权（但无义务）依照条款 4.4.6 随时审查与赛事有关的 TUE 决定。]

31 [条款 4.4.6 的释义：WADA 有权收取费用以支付：（a）依照条款 4.4.6 的要求进行任何审查的费用；以及（b）如果撤销被审查的决定，其决定进行任何审查的费用。]

32 [条款 4.4.7 的释义：在这种情况下，正在上诉的决定是国际单项体育联合会作出的 TUE 决定，而非 WADA 不审查 TUE 的决定或（经审查）不撤销 TUE 的决定。但是，对该 TUE 提起上诉的时效应当自 WADA 通知该决定时起算。在任何情况下，无论 WADA 是否审查该决定，都应当通报 WADA 上诉事宜，以便 WADA 在认为合适的时候参与。]

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.[33] 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.

33 *[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 对于 WADA 撤销 TUE 的决定，运动员、国家反兴奋剂组织和 / 或相关国际单项体育联合会可以提起上诉，且只能向 CAS 上诉。

4.4.9 如果未能在合理期限内对正当提交的要求批准或承认 TUE 的申请，或审查 TUE 决定的申请作出决定，应当视为拒绝该申请，从而触发适用的审查 / 上诉权。

4.5 监控程序

WADA 应当与各签约方和各国政府协商，制定一项监控程序，监控那些尚未列入《禁用清单》但 WADA 希望监控的物质，以便发现其在体育运动中潜在的滥用方式。此外，WADA 还可在监控程序中列入《禁用清单》上已有但在某些情况下需要监控的物质，例如，赛外使用某些仅在赛内禁用的物质或低剂量混合使用多种物质（“叠加使用”），以便证明其使用的普遍性，或能够就实验室对其进行的检测或其在《禁用清单》中的状态作出适当的决定。

WADA 应当公布将要监控的物质。[33] 实验室将向 WADA 通报此类物质的使用或发现情况。WADA 应当至少每年一次向国际单项体育联合会和国家反兴奋剂组织通报按运动项目分类的有关监控物质的信息汇总。此类监控程序报告不应当包含可能将监控结果与具体样本相联系的额外细节。WADA 应当采取措施，确保在此类报告中对运动员个人信息严格匿名化处理。此类报告中的使用或发现的监控物质不构成兴奋剂违规。

33 [条款 4.5 的释义：为了提高监控程序的效率，一旦已公布的监控程序中增加了新的物质，实验室可以重新处理数据和以前检测过的样本，以确定是否存在任何新物质。]

ARTICLE 5 *TESTING* AND INVESTIGATIONS

5.1 Purpose of *Testing* and Investigations

Testing and investigations may be undertaken for any anti-doping purpose.[34]

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.[35] Subject to the limitations for *Event Testing* set out in Article 5.3:

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.

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34 *[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.]*

35 *[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 sixty-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.]*

第 5 条　检查和调查

5.1 检查和调查的目的

检查和调查可以用于任何反兴奋剂的目的。[34]

5.1.1 开展检查是为了获取检测性证据，以判定运动员是否违反了《条例》条款 2.1（在运动员的样本中发现禁用物质或其代谢物或标记物）或条款 2.2（运动员使用或企图使用禁用物质或禁用方法）。

5.2 检查权限

任何对运动员有检查权的反兴奋剂组织可随时随地要求运动员提供样本。[35] 在遵循条款 5.3 规定的赛事检查限制的前提下：

5.2.1 各国家反兴奋剂组织对拥有该国国籍、居住在该国、持有该国证件，或属于该国体育组织成员的运动员，或在该国境内的所有运动员，均有实施赛内和赛外检查的权力。

5.2.2 各国际单项体育联合会对受其规则约束的所有运动员，包括参加国际赛事或受该国际单项体育联合会规则管辖的赛事的运动员，或作为该国际单项体育联合会或其成员国家单项体育协会会员或证件持有者的运动员，或其成员组织的运动员，均有实施赛内和赛外检查的权力。

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34 [条款 5.1 的释义：如果为反兴奋剂的目的而实施检查，则检测结果和数据可用于反兴奋剂组织的规则规定的其他合法目的。例如，参见条款 23.2.2 的释义。]

35 [条款 5.2 的释义：各签约方可签订双边或多边协定，授予附加检查权限。除非运动员明确指定了在晚 11 点至早 6 点之间的 60 分钟建议检查时间段，或以其他方式同意在此时间段内接受检查，否则反兴奋剂组织在对运动员实施检查前，应当有充分明确的理由怀疑运动员可能使用兴奋剂，才能在上述检查时间段对运动员实施兴奋剂检查。对反兴奋剂组织在此时间段内是否有充分明确的理由实施检查而提出的质疑，不应当成为当事人由于此类检查或检查尝试发现的兴奋剂违规而进行抗辩的理由。]

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.[36]

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

36 *[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 各重大赛事组织机构，包括国际奥委会和国际残奥委会，对其赛事拥有赛内检查权，并对参加其未来赛事或以其他方式接受该重大赛事组织机构对未来赛事检查权的所有运动员，拥有赛外检查权。

5.2.4 WADA 拥有条款 20.7.10 规定的赛内和赛外检查权。

5.2.5 反兴奋剂组织可以对其有检查权限的、任何未退役的运动员，包括处于禁赛期的运动员，实施检查。

5.2.6 如果国际单项体育联合会或重大赛事组织机构直接或通过国家单项体育协会将全部或部分的检查工作委托或外包给国家反兴奋剂组织，则该国家反兴奋剂组织可采集额外样本或要求实验室进行其他类型的检测，费用由国家反兴奋剂组织承担。如果采集了额外样本或进行了其他类型的检测，应当通知国际单项体育联合会或重大赛事组织机构。

5.3 赛事检查

5.3.1 除非下文另有规定，在赛事期间只能有一个组织有权在赛事场馆实施检查。在国际赛事中，作为赛事管理机构的国际组织（例如，奥运会期间的国际奥委会、世界锦标赛期间的国际单项体育联合会和泛美运动会期间的泛美体育组织）有权实施检查。在国家级赛事中，赛事所在国的国家反兴奋剂组织有权实施检查。应赛事管理机构的要求，赛事期间在赛事场馆外进行的任何检查都应当与该管理机构进行协调。[36]

5.3.2 如果具有检查权限但不负责启动和指导赛事检查的反兴奋剂组织希望在赛事期间在赛事场馆对运动员实施检查，则该反兴奋剂组织应当首先与赛事管理机构协商，以获得实

36 [条款 5.3.1 的释义：一些国际赛事的管理机构可能会在赛事期间在赛场外自行开展检查，因此希望与国家反兴奋剂组织协调开展此类检查。]

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*.[37]

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 *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.

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37 *[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.]*

施和协调检查的许可。如果反兴奋剂组织未从赛事管理机构获得满意的答复，则可依照《检查和调查国际标准》中所述的程序，请求 WADA 批准其实施检查并确定如何协调此类检查。WADA 在与赛事管理机构协商并通知其之前，不得批准此类检查。WADA 的决定应当为最终决定，不得上诉。除非在检查授权中另有规定，此类检查应当视为赛外检查。其结果管理应当由启动检查的反兴奋剂组织负责，除非赛事管理机构的规则另有规定。[37]

5.4 检查要求

5.4.1 反兴奋剂组织应当依照《检查和调查国际标准》的要求，制定检查计划并实施检查。

5.4.2 在合理可行的情况下，应当通过 ADAMS 协调检查，以最大限度地提高检查工作的整体效果，并避免不必要的重复检查。

5.5 运动员行踪信息

已被所属国际单项体育联合会和 / 或国家反兴奋剂组织列入注册检查库的运动员，应当依照《检查和调查国际标准》规定的方式提供行踪信息，并接受条款 10.3.2 规定的条款 2.4 的违规后果。国际单项体育联合会和国家反兴奋剂组织应当协调、确认运动员的身份信息并收集行踪信息。各国际单项体育联合会和国家反兴奋剂组织应当通过 ADAMS 提供一份已被列入其注册检查库的运动员名单。将运动员列入和撤出注册检查库时应当通知运动员。WADA 和依照条款 5.2 对运动员有检查权的其他反兴奋剂组织可通

37 [条款 5.3.2 的释义：WADA 在批准国家反兴奋剂组织在国际赛事中启动和实施检查前，应当与作为赛事管理机构的国际单项体育联合会协商。WADA 在批准国际单项体育联合会在国家级赛事中启动和实施检查前，应当与赛事所在国的国家反兴奋剂组织协商。“启动和指导兴奋剂检查”的反兴奋剂组织可以选择与受委托的第三方签订协议，委托其负责样本采集或兴奋剂管制其他方面的工作。]

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 anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in accordance with the *International Standard* for the Protection of Privacy and Personal Information.

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.[38]

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 known that this was an *International Event* or a *National Event*.

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

过 ADAMS 查询注册检查库中运动员提供的行踪信息。行踪信息应当始终严格保密，并且只能用于以下目的：制定检查计划、协调或实施兴奋剂管制、提供与运动员生物护照或其他检测结果有关的信息，以协助对可能存在的兴奋剂违规开展调查，或支持指控兴奋剂违规的过程。依照《隐私和个人信息保护国际标准》的规定，行踪信息不再用于上述目的后应当予以销毁。

依照《检查和调查国际标准》，反兴奋剂组织可收集未被列入注册检查库的运动员的行踪信息，并依照自己的规则，对违反行踪信息管理规定的运动员处以《条例》条款 2.4 违规后果以外的适当合理的处罚。

5.6 退役运动员复出参赛

5.6.1 如果注册检查库中的国际级或国家级运动员退役后希望重返比赛，则该运动员应当提前 6 个月向其所属的国际单项体育联合会和国家反兴奋剂组织提交书面申请，并确保自己能够接受检查，否则不能参加国际或国家级赛事。如果严格实施提前 6 个月书面申请的规定对运动员不公平，WADA 在与相关国际单项体育联合会和国家反兴奋剂组织协商后，可对该规定予以豁免。该决定可依照第 13 条提起上诉。[38]

5.6.1.1 违反条款 5.6.1 所取得的任何比赛成绩都将被取消，除非运动员能够证明其无法合理地知道这是国际赛事或国家级赛事。

38 [条款 5.6.1 的释义：WADA 将提供确定是否有理由给予豁免的指导。]

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-month prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six (6) months) to 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*.[39]

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.

39 *[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 如果运动员在禁赛期间退役，则必须以书面形式将退役决定通知对其实施禁赛期的反兴奋剂组织。如果运动员退役后希望重返比赛，应当提前 6 个月向其所属国际单项体育联合会和国家反兴奋剂组织提交书面申请（如果运动员退役时剩余的禁赛期长于 6 个月，提前申请的时间应当等于退役时所剩的禁赛期），并确保自己能够接受检查，否则不得参加国际赛事或国家级赛事。

5.7 调查和情报收集

反兴奋剂组织应当具有《检查和调查国际标准》要求的开展调查和收集情报的能力并予以实施。

第 6 条　样本检测

样本检测应当遵循以下原则：

6.1 使用经认可、批准的实验室和其他实验室

为直接证明条款 2.1 所述的阳性检测结果，样本检测只能在经 WADA 认可的实验室或经 WADA 另行批准的实验室进行。只能由负责结果管理的反兴奋剂组织决定选择 WADA 认可或 WADA 批准的实验室进行样本检测。[39]

6.1.1 依照条款 3.2 的规定，与兴奋剂违规相关的事实可以通过任何可靠的方法加以证明。例如，这可包括在 WADA 认可或批准的实验室以外的可靠实验室进行检测或通过其他司法检验。

39 [条款 6.1 的释义：由于费用和地理分布的原因，WADA 可以批准未经 WADA 认可的实验室进行特定检测，例如在规定的时限内从样本采集地点传送到实验室的血液检测。在批准此类实验室之前，WADA 将确保该实验室满足 WADA 要求的严格的检测标准和监管标准。条款 2.1 的违规只能通过 WADA 认可的实验室或 WADA 批准的实验室进行的样本检测才能证明。其他条款的违规，可以使用其他实验室的可靠检测结果加以证明。]

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.[40]

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*.[41] Any research involving *Samples* and related analytical data or *Doping Control* information shall adhere to the principles set out in Article 19.

6.4 Standards for *Sample* Analysis and Reporting[42]

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

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 that *Anti-Doping Organization* and have the same validity and *Consequences* as any other analytical result.

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40 *[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.]*

41 *[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.]*

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

6.2 样本检测与数据分析的目的

通过对样本进行检测，对相关检测数据或兴奋剂管制信息进行分析，以发现《禁用清单》中确定的禁用物质和禁用方法，以及 WADA 依照条款 4.5 可能要求检测的其他物质，或协助反兴奋剂组织记录运动员的尿液、血液或其他类型样本的相关参数，包括 DNA 或基因组图谱，或用于任何其他合法的反兴奋剂目的。[40]

6.3 样本与数据研究

样本、相关检测数据和兴奋剂管制信息可用于反兴奋剂研究的目的，尽管未经运动员书面同意，不得将任何样本用于研究。用于研究目的的样本、相关检测数据或兴奋剂管制信息应当先行处理，以防止从中追溯到某个具体的运动员。[41] 任何涉及样本和相关检测数据或兴奋剂管制信息的研究都应当遵守第 19 条规定的原则。

6.4 样本检测和报告的标准 [42]

实验室应当依照《实验室国际标准》检测样本并报告结果。

6.4.1 实验室可自行承担费用，对样本中未列入标准样本检测清单的禁用物质或禁用方法进行样本检测，或根据启动和指导样本采集的反兴奋剂组织的要求进行样本检测。任何此类检测结果应当报告给反兴奋剂组织，并与任何其他检测结果具有相同的效力和后果。

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40 [条款 6.2 的释义：例如，与兴奋剂管制相关的信息可用于指导目标检查，或支持条款 2.2 所述的兴奋剂违规程序，或二者兼而有之。另见条款 5.1 和条款 23.2.2 的释义。]

41 [条款 6.3 的释义：与大多数医学或科学领域的情况相同，将样本和相关信息用于质量保证、质量改进、方法的改进和提高，或建立参考人群不应当视为研究。用于此类允许的非研究目的的样本和相关信息也必须先行处理，以防止追溯到某一具体的运动员，同时适当考虑第 19 条规定的原则以及《实验室国际标准》和《隐私和个人信息保护国际标准》的要求。]

42 [条款 6.4 的释义：本条款的目的是将“情报导向的检查”原则扩展到样本检测清单，以便最有效和高效地查出兴奋剂。公认的是，可用于打击兴奋剂的资源是有限的，在某些体育项目和国家中，增加样本检测项目可能会减少检测的样本数量。]

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.

6.5 在结果管理之前或期间对样本进一步检测

在反兴奋剂组织通知运动员其样本构成条款 2.1 兴奋剂违规的指控依据前，实验室对样本进行重复检测或额外检测的权限不应当受到限制。如果反兴奋剂组织在通知运动员后，希望对该样本进行额外检测，则在运动员同意或听证机构批准的情况下方可进行。

6.6 样本被报告为阴性或未以其他方式导致兴奋剂违规指控后，对样本进一步检测

实验室将样本报告为阴性后，或者该样本未以其他方式导致兴奋剂违规指控后，只有在启动和指导样本采集的反兴奋剂组织或 WADA 的指示下，才可储存样本并随时进行符合条款 6.2 目的的进一步检测。如果任何有权对运动员实施检查的其他反兴奋剂组织希望对储存的样本进行进一步检测，只可在启动和指导样本采集的反兴奋剂组织或 WADA 的许可下进行，并应当负责任何后续的结果管理。由 WADA 或另一个反兴奋剂组织启动的任何样本储存或进一步检测应当由 WADA 或该反兴奋剂组织承担费用。对样本的进一步检测应当符合《实验室国际标准》的要求。

6.7 拆分 A 样本或 B 样本

如果 WADA、有结果管理权的反兴奋剂组织和/或 WADA 认可的实验室（经 WADA 或有结果管理权的反兴奋剂组织批准）希望拆分 A 样本或 B 样本，以便将拆分后样本的第一部分用于 A 样本检测，第二部分用于确证，则应当遵循《实验室国际标准》中规定的程序。

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.[43] 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.[44]

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

44 [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.]

6.8 WADA 对样本和数据的占有权

无论是否事先通知，WADA 可在任何时候自行决定实际占有实验室或反兴奋剂组织拥有的任何样本及相关检测数据或信息。应 WADA 的要求，拥有该样本或数据的实验室或反兴奋剂组织应当立即准许 WADA 获取该样本并使其能够实际占有该样本或数据。[43] 如果 WADA 在占有样本或数据前未事先通知该实验室或反兴奋剂组织，则应当在占有该样本或数据后的合理时间内通知已被收取了样本或数据的实验室或反兴奋剂组织。在对收取的样本或数据进行检测 / 分析和调查后，如果发现可能存在的兴奋剂违规，WADA 可要求另一个对运动员有检查权的反兴奋剂组织对该样本或数据承担结果管理职责。[44]

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43 [条款 6.8 的释义：抗拒或拒绝 WADA 实际占有样本可能构成篡改、共谋或《签约方条例遵守国际标准》规定的不遵守《条例》行为，也可能构成违反《实验室国际标准》。必要时，实验室和 / 或反兴奋剂组织应当协助 WADA 确保收取的样本和相关数据在离开相关国家时不受延迟。]

44 [条款 6.8 的释义：当然，在缺少相关正当理由，包括可能存在的兴奋剂违规、签约方不遵守《条例》或另一当事人使用兴奋剂的情况下，WADA 不会单方面占有样本或检测数据。但是，是否存在正当理由应当由 WADA 自行决定，不得对此提出质疑。特别是，无论是否有正当理由，都不应当成为对兴奋剂违规或其后果的抗辩理由。]

ARTICLE 7 *RESULTS MANAGEMENT*: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND *PROVISIONAL SUSPENSIONS*[45]

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.

45 *[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 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.]*

第 7 条　结果管理：职责、初步审查、通知和临时停赛[45]

根据《条例》的规定，结果管理（见第 7 条、第 8 条和第 13 条规定）规定了一个旨在公平、迅速、有效解决兴奋剂违规问题的程序。每个实施结果管理的反兴奋剂组织都应当遵照本条规定的原则，建立一个听证前管理程序，处理可能存在的兴奋剂违规。虽然允许每个反兴奋剂组织制定并实施自己的结果管理程序，但各反兴奋剂组织的结果管理应当至少符合《结果管理国际标准》中规定的要求。

7.1 结果管理的职责

除条款 6.6、6.8 以及下述条款 7.1.3 至 7.1.5 另有规定外，结果管理应当由启动和指导样本采集的反兴奋剂组织负责（或者，如果不涉及样本采集，则由最先向运动员或其他当事人发出可能存在兴奋剂违规通知并努力追查该兴奋剂违规的反兴奋剂组织负责），并受其程序规则约束。无论哪个组织实施结果管理，都应当遵守本条（第 7 条）、第 8 条、第 13 条和《结果管理国际标准》中规定的结果管理原则。各反兴奋剂组织的规则应当纳入并执行条款 23.2.2 的规定，不得作实质性更改。

45 [第 7 条的释义：各签约方已制定了各自的结果管理方法。虽然各种方法不尽相同，但很多经证实都形成了公平有效的结果管理体系。《条例》并不取代各签约方的结果管理体系。但是，为了确保结果管理程序的基本公平性，本条和《结果管理国际标准》规定了各签约方必须遵守的基本原则。各签约方具体的反兴奋剂规则应当与这些基本原则一致。并非所有反兴奋剂组织启动的反兴奋剂程序都需要进行听证，因为在某些情况下，运动员或其他当事人可能同意接受《条例》强制规定的处罚或反兴奋剂组织认为适当的灵活处罚。在任何情况下，根据此类协议实施的处罚将依照第 14 条的规定，通报给有权依照条款 13.2.3 提起上诉的当事方，并依照条款 14.3 的规定予以公布。]

7.1.1 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 (7) 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*.

7.1.2 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.

7.1.3 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*.[46]

46 *[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.]*

7.1.1 如果反兴奋剂组织之间就结果管理职责发生争议，应当由WADA 决定哪个反兴奋剂组织具有该职责。涉及争议的反兴奋剂组织可在收到 WADA 决定通知的 7 天内，就该决定向CAS提起上诉。CAS应当快速处理，采取独任审理的方式进行。如果反兴奋剂组织试图在本条款 7.1 规定的权限之外实施结果管理，可向 WADA 申请批准。

7.1.2 如果国家反兴奋剂组织决定依照条款 5.2.6 采集额外样本，则应当视为启动和指导样本采集的反兴奋剂组织。但是，如果国家反兴奋剂组织仅自费要求实验室增加检测类型，则国际单项体育联合会或重大赛事组织机构应当视为启动和指导样本采集的反兴奋剂组织。

7.1.3 如果国家反兴奋剂组织的规则未授予该组织对未拥有该国国籍、不居住在该国、未持有该国证件或非该国体育组织成员的运动员或其他当事人的管辖权，或该国家反兴奋剂组织拒绝行使该管辖权，应当由相关国际单项体育联合会或其规则指定的对运动员或其他当事人有管辖权的第三方实施结果管理。对于 WADA 主动发起的检查或进一步检测，或 WADA 发现的兴奋剂违规，由 WADA 指定的对运动员或其他当事人有管辖权的反兴奋剂组织实施结果管理。[46]

46 [条款 7.1.3 的释义：为避免没有反兴奋剂组织实施结果管理，运动员或其他当事人所属的国际单项体育联合会成为结果管理反兴奋剂组织的最后选择。国际单项体育联合会还可以在其反兴奋剂规则中规定，由运动员或其他当事人所属的国家反兴奋剂组织实施结果管理。]

7.1.4 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* 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 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.[47]

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*.

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47 [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.]

7.1.4 对于在重大赛事组织机构举办的赛事期间启动和采集的样本，或在该赛事期间发生的兴奋剂违规，该赛事的重大赛事组织机构应当在有限的范围内承担结果管理职责，即召开听证会，确定兴奋剂违规是否成立。如果发生了兴奋剂违规，则应当适用第 9 条和条款 10.1 取消比赛成绩，取消在该赛事中获得的任何奖牌、积分或奖金，并追回与兴奋剂违规相关的任何费用。如果重大赛事组织机构仅承担有限的结果管理职责，则应当将该案件移交给相关国际单项体育联合会完成结果管理。

7.1.5 在特定情况下，WADA 可要求有结果管理权的反兴奋剂组织实施结果管理。如果该反兴奋剂组织拒绝在 WADA 规定的合理期限内实施结果管理，该拒绝应当视为不遵守《条例》的行为，WADA 可要求另一个对运动员或其他当事人有管辖权，并且愿意实施结果管理的反兴奋剂组织代替先前拒绝的反兴奋剂组织承担结果管理职责。或者，如果没有这样的反兴奋剂组织，则由愿意实施结果管理的任何其他反兴奋剂组织负责结果管理。在这种情况下，先前拒绝实施结果管理的反兴奋剂组织应当向 WADA 指定的另一反兴奋剂组织偿付结果管理的费用和律师费。未能偿付费用和律师费的行为将视为不遵守《条例》的行为。[47]

7.1.6 如果涉嫌违反行踪信息管理规定（填报失败或错过检查），结果管理应当由要求相关运动员填报行踪信息的国际单项体育联合会或国家反兴奋剂组织依照《结果管理国际标准》的规定实施。确定填报失败或错过检查的反兴奋剂组织应当通过 ADAMS 将该信息提交给 WADA。其他相关反兴奋剂组织也可以在 ADAMS 上获得该信息。

47 [条款 7.1.5 的释义：如果 WADA 要求另一个反兴奋剂组织实施结果管理或其他兴奋剂管制活动，则不应当视为 WADA 将此类活动“委托”给该反兴奋剂组织。]

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*[48]

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 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*

48 *[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.]

7.2 可能存在的兴奋剂违规的审查和通知

可能存在的兴奋剂违规的审查和通知应当依照《结果管理国际标准》进行。

7.3 兴奋剂违规前科的确认

在按照上述规定通知运动员或其他当事人可能存在的兴奋剂违规之前，反兴奋剂组织应当检索 ADAMS，并联系 WADA 和其他相关反兴奋剂组织，以确定是否有任何兴奋剂违规前科。

7.4 临时停赛的适用原则[48]

7.4.1 阳性检测结果或生物护照阳性结果的强制性临时停赛

如果签约方是赛事管理机构（适用于该赛事），负责运动队挑选（适用于运动队挑选），是相关国际单项体育联合会，或是对涉嫌兴奋剂违规有结果管理权的另一个反兴奋剂组织，则本条款所述的各签约方应当制定规则，规定在收到非特定物质或非特定方法的阳性检测结果或生物护照阳性结果（完成生物护照阳性结果审查程序后）后，并且在依照条款 7.2 的要求进行审查和通知时或通知后，应当及时实施临时停赛。在以下情况中，强制性临时停赛可以取消：（i）运动员向听证小组证明该违规可能涉及受污染产品，

48 [条款 7.4 的释义：在反兴奋剂组织单方面实施临时停赛前，必须首先完成《条例》规定的内部审查。此外，实施临时停赛的签约方应当在实施临时停赛之前或之后，确保给运动员一次召开临时听证会的机会，或在实施临时停赛之后依照第 8 条的规定及时召开快速最终听证会。运动员有权依照条款 13.2.3 的规定提起上诉。

在极为罕见的情况下，如果 B 样本检测不能证实 A 样本的结果，只要条件允许，先前已被临时停赛的运动员可以参加该赛事期间的后续比赛。

同样，依照国际单项体育联合会对集体项目的相关规定，如果运动队仍在参赛，该队运动员可以参加其后的比赛。

依照条款 10.13.2 的规定，运动员和其他当事人的临时停赛应当折抵最终实施或接受的禁赛期。]

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 ten (10) days from the report of the B *Sample* (or waiver of the B *Sample*) or ten (10) days from the notice of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notice. Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within ten (10) days from the notice of the anti-doping rule violation. Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.4.1 or 7.4.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such

或（ii）违规涉及滥用物质，并且运动员证明有权依照条款10.2.4.1 缩减禁赛期。对于运动员提出的涉及受污染产品的主张，如果听证机构作出不取消强制性临时停赛的决定，该决定不得上诉。

7.4.2 特定物质、特定方法、受污染产品的阳性检测结果或其他兴奋剂违规的选择性临时停赛

签约方可制定相关规则，在检测运动员的 B 样本或召开第 8 条所述的最终听证会之前，允许对条款 7.4.1 未涵盖的兴奋剂违规实施临时停赛。这些规则适用于签约方作为管理机构的赛事，或签约方负责运动队挑选程序，或签约方为相关国际单项体育联合会，或签约方对涉嫌兴奋剂违规有结果管理权。

7.4.3 听证或上诉的机会

尽管有条款 7.4.1 和 7.4.2 的规定，除非反兴奋剂组织的规则为运动员或其他当事人提供以下机会，否则不得实施临时停赛：（a）在临时停赛之前或在临时停赛之后，一次及时召开临时听证会的机会；或（b）临时停赛之后，依照第 8 条，一次及时召开快速听证会的机会。依照第 13 条，反兴奋剂组织的规则还应当提供对实施临时停赛或不实施临时停赛的决定提起快速上诉的机会。

7.4.4 自愿接受临时停赛

运动员可以主动在下列较晚发生的时间前，自愿接受临时停赛：（i）自收到 B 样本报告（或放弃 B 样本）起 10 天内或自收到任何其他兴奋剂违规通知之日起10天内，或(ii)运动员在收到该报告或通知后首次参加比赛之日。其他当事人可在收到兴奋剂违规通知之日起 10 天内主动、自愿接受临时停赛。自愿接受临时停赛后，临时停赛应当具有完全的效力，并与依照条款 7.4.1 或 7.4.2 实施的临时停赛以相同的方式处理。但是，自愿接受临时停赛后的任何时候，

acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

7.4.5 If a *Provisional Suspension* is imposed based on an A *Sample Adverse Analytical Finding* and a subsequent B *Sample* analysis (if requested by the *Athlete* or *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 *Results Management* Decisions

7.5.1 *Results Management* decisions or adjudications by *Anti-Doping Organizations*, must not purport to be limited to a particular geographic area or sport and shall address and determine 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* .[49]

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 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*

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

运动员或其他当事人可撤回已接受的临时停赛。在这种情况下，运动员或其他当事人已执行的临时停赛不应当获得任何折抵。

7.4.5 如果临时停赛是基于 A 样本的阳性检测结果，但随后的 B 样本检测（如果运动员或反兴奋剂组织提出要求）不能证实 A 样本检测结果，则不应当以条款 2.1 的违规为由对运动员实施任何进一步的临时停赛。如果以条款 2.1 的违规为由取消运动员（或其所在的运动队，根据相关重大赛事组织机构或国际单项体育联合会的规定）的参赛资格，而随后的 B 样本检测不能证实 A 样本检测结果，在对赛事无其他影响的情况下，如果该运动员或其运动队仍有可能被重新安排参赛，则该运动员或运动队可以继续参加该赛事。

7.5 结果管理决定

7.5.1 反兴奋剂组织作出的结果管理决定或裁决不得仅限于某一特定地域或运动项目，应当处理和确定以下事项，但不限于此：（i）兴奋剂违规是否成立或是否应当实施临时停赛，作出该决定的事实依据，以及违反的《条例》具体条款；以及（ii）兴奋剂违规产生的所有后果，包括适用第 9 条和条款 10.10 取消比赛成绩、取消奖牌或奖金、禁赛期（以及禁赛期的起算日期）和任何经济后果，但不得要求重大赛事组织机构确定其赛事范围以外的禁赛或经济后果。[49]

7.5.2 重大赛事组织机构就其赛事作出的结果管理决定或裁定在范围上可能有限，但应当至少处理和确定以下事项：（i）兴奋剂违规是否成立、确定违规的事实依据和违反的具体《条例》条款，以及（ii）适用第 9 条和条款 10.1 取消比赛成绩，取消奖牌、积分和奖金。如果重大赛事组织机构

49 [条款 7.5.1 的释义：结果管理决定包括临时停赛。]

decisions, it must comply with Article 7.1.4.[50]

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[51]

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*.

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50 *[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.]*

51 *[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.]*

对结果管理决定只承担有限的职责，则必须遵守条款 7.1.4 的规定。[50]

7.6 结果管理决定的通知

应当依照第 14 条和《结果管理国际标准》，将结果管理决定通知运动员、其他当事人、签约方和 WADA。

7.7 退役[51]

如果运动员或其他当事人退役，而结果管理程序尚在进行中，实施结果管理程序的反兴奋剂组织有权完成该结果管理程序。如果运动员或其他当事人在结果管理程序开始前退役，在运动员或其他当事人兴奋剂违规时对其有结果管理权的反兴奋剂组织有权实施结果管理。

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50 [条款 7.5.2 的释义：除重大赛事组织机构作出的结果管理决定外，反兴奋剂组织作出的每项决定均应当说明兴奋剂违规是否成立以及该违规导致的所有后果，包括条款 10.1 规定的取消比赛成绩之外的任何取消（由赛事管理机构决定）。依照第 15 条的规定，结果管理决定及实施的后果应当在每个国家的每项运动中自动生效。例如，如果根据赛内采集的样本的阳性检测结果认定运动员兴奋剂违规，则依照第 9 条取消运动员在该项比赛中取得的成绩，并且依照条款 10.10，还应当取消该运动员自样本采集之日起至整个禁赛期间取得的所有其他比赛成绩。如果阳性检测结果来自赛事中的兴奋剂检查，则重大赛事组织机构有责任决定是否依照条款 10.1 的规定，取消该运动员在样本采集之前在该赛事中取得的其他个人成绩。]

51 [条款 7.7 的释义：运动员或其他当事人在接受任何反兴奋剂组织管辖前的行为不构成兴奋剂违规，但可作为拒绝该运动员或其他当事人取得某体育组织会员资格的合法依据。]

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.[52]

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.[53]

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.

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.

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52 *[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.]*

53 *[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.]*

第 8 条　结果管理：获得公平听证和听证决定通知的权利

8.1 公平听证

对于被指控兴奋剂违规的任何当事人，负责结果管理的反兴奋剂组织应当至少在合理的时间内，由一个公平、公正和运行独立的听证小组依照 WADA《结果管理国际标准》召开一次公平听证会。应当依照条款 14.3 的规定公开披露及时作出的合理决定，尤其是要包括对禁赛期和依照条款 10.10 取消比赛成绩的原因的解释。[52]

8.2 赛事听证

与赛事相关的听证会可以依照相关反兴奋剂组织和听证小组的规则，通过快速程序召开。[53]

8.3 放弃听证

运动员或其他当事人可以明确表示放弃听证的权利，或因未能在反兴奋剂组织规则规定的特定期限内，对反兴奋剂组织作出的兴奋剂违规指控提出质疑而放弃听证的权利。

8.4 听证决定的通知

负责结果管理的反兴奋剂组织应当依照第 14 条的规定，向依照条款 13.2.3 有上诉权的运动员或其他反兴奋剂组织提供论述详尽的听证决定，或在放弃听证的情况下，提供论述详尽的决定解释所采取的行动，并依照条款 14.3 的规定予以公布。

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52 [条款 8.1 的释义：本条款要求在结果管理程序的某个环节，应当向运动员或其他当事人提供及时、公平和公正的听证机会。这些原则也见于《保护人权与基本自由公约》（译者注：即《欧洲人权公约》）条款 6.1，在国际法中得到普遍接受。本条款无意取代反兴奋剂组织自己的听证规则，而是旨在确保反兴奋剂组织制定出与这些原则一致的听证程序。]

53 [条款 8.2 的释义：例如，如果在重大赛事之前解决兴奋剂违规可以确定运动员是否有参赛资格，或在赛事期间案件的解决将影响运动员成绩的有效性或能否继续参赛，则可以举行快速听证会。]

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*.[54]

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.[55]

54 *[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.]*

55 *[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.]*

8.5 直接在 CAS 举行一次听证

经运动员或其他当事人、负责结果管理的反兴奋剂组织和 WADA 的一致同意，对国际级运动员、国家级运动员或其他当事人提出的兴奋剂违规指控可以通过直接在 CAS 举行一次听证进行审理。[54]

第 9 条　个人成绩的自动取消

在个人项目的赛内检查中发现的兴奋剂违规，将自动取消运动员在该项比赛中获得的成绩，以及由此产生的所有后果，包括取消所获得的任何奖牌、积分和奖金。[55]

54 [对条款 8.5 的释义：在某些情况下，在国际或国家层面举行初审听证，再由 CAS 重审会产生巨额费用。如果本条款涉及的各方确认各自的利益将会在一次听证中得到充分保护，则运动员或反兴奋剂组织无需承担两次听证会的额外费用。反兴奋剂组织可以作为观察员参加 CAS 听证会。]

55 [第 9 条的释义：就集体项目而言，个人运动员获得的任何奖项将被取消。但是，取消运动队的成绩应当依照第 11 条的规定。在一些非集体项目但将奖项颁发给运动队的比赛项目中，如果一名或多名运动员兴奋剂违规，将依照国际单项体育联合会的适用规则取消该运动队成绩或实施其他纪律处罚措施。]

ARTICLE 10 SANCTIONS ON INDIVIDUALS[56]

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.[57]

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.

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:

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56 *[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.]*

57 *[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).]*

第 10 条　对个人的处罚[56]

10.1 赛事期间因兴奋剂违规而取消比赛成绩

依照赛事管理机构的决定，在赛事期间发生的或与赛事有关的兴奋剂违规，可取消该运动员在该赛事中取得的所有个人成绩，以及由此产生的所有后果，包括取消所有奖牌、积分和奖金，但条款 10.1.1 规定的情况除外。[57]

是否取消赛事的其他比赛成绩，需要考虑的因素可能包括，诸如运动员兴奋剂违规的严重程度以及该运动员在其他比赛中的检测结果是否为阴性。

10.1.1 如果运动员证明自己对违规无过错或无疏忽，则不应当取消该运动员在该赛事其他比赛中的个人成绩，但可能已受到该运动员兴奋剂违规影响的成绩除外。

10.2 因被发现、使用或企图使用或持有某种禁用物质或禁用方法而禁赛

在条款 10.5、10.6 或 10.7 免除、缩减或暂缓禁赛期的前提下，对条款 2.1、2.2 或 2.6 的违规的禁赛期规定如下：

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56 [第 10 条的释义：处罚的一致性一直是反兴奋剂领域中讨论和争议最多的一个问题。一致性意味着适用相同的规则和标准来评估每个案件的特殊情况。反对处罚一致性的观点基于各运动项目之间的差异，例如，在一些运动项目中，运动员是职业运动员，从运动中赚取可观的收入，而在另一些运动项目中，运动员是真正的业余选手；在某些运动项目中，运动员的职业生涯较短，标准的禁赛期对这些运动员的影响要远远大于传统上职业生涯较长的运动员。赞成处罚一致性的一个主要论点是，来自同一个国家的两名运动员在类似的情况下检查出同一种禁用物质的阳性结果，但仅仅因为他们从事的运动项目不同就受到不同的处罚，这显然是不对的。此外，在处罚上过于灵活往往会认为某些体育组织对兴奋剂使用者的处罚过于宽松，这是令人难以接受的。处罚缺乏一致性也是国际单项体育联合会和国家反兴奋剂组织之间经常发生冲突的根源。]

57 [条款 10.1 的释义：第 9 条取消的是运动员在单项比赛（例如仰泳 100 米）中检测结果呈阳性的成绩，而本条款可能导致该运动员在赛事（例如游泳世锦赛）期间所有比赛成绩的取消。]

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

10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance* or a *Specified Method*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.[58]

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 (2) years.

10.2.3 As used in Article 10.2, the term "intentional" is meant to identify those *Athletes* or other *Persons* who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk.[59] 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 Notwithstanding any other provision in Article 10.2, where the anti-doping rule violation involves a *Substance of Abuse*:

58 [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.]

59 [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.]

10.2.1 在不违反条款 10.2.4 规定的情况下，如果出现下列情况，禁赛期为 4 年：

10.2.1.1 兴奋剂违规涉及非特定物质或非特定方法，除非运动员或其他当事人能够证明该兴奋剂违规不是故意行为。[58]

10.2.1.2 兴奋剂违规涉及某种特定物质或特定方法，并且反兴奋剂组织能够证明该兴奋剂违规是故意行为。

10.2.2 如果不适用条款 10.2.1，在不违反条款 10.2.4.1 规定的情况下，禁赛期应当为 2 年。

10.2.3 条款 10.2 使用的“故意”一词是指某些运动员或其他当事人明知自己的行为已经构成兴奋剂违规，或明知该行为具有构成或导致兴奋剂违规的高风险，但仍明显无视该风险而实施的行为。[59] 对于仅在赛内禁用的物质的阳性检测结果所导致的兴奋剂违规，如果该物质是特定物质，并且运动员能够证明该禁用物质是在赛外使用的，则应当推定为非“故意”，但该推定可以被推翻。对于仅在赛内禁用的物质的阳性检测结果所导致的兴奋剂违规，如果该物质是非特定物质，并且运动员能够证明该禁用物质是在赛外使用，并且与运动能力无关的，则不应当视为“故意”行为。

10.2.4 尽管条款 10.2 有其他规定，但是如果兴奋剂违规涉及滥用物质，则：

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58 [条款 10.2.1.1 的释义：虽然在理论上运动员或其他当事人可以在不说明禁用物质是如何进入自己体内的情况下证明其兴奋剂违规不是故意的，但在条款 2.1 的兴奋剂违规案件中，运动员在没有证实禁用物质来源的情况下成功证明其行为是非故意，这是基本不可能的。]

59 [条款 10.2.3 的释义：条款 10.2.3 规定了“故意”的特殊定义，仅适用于条款 10.2 的目的。]

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

In addition, the period of *Ineligibility* calculated under this Article 10.2.4.1 may be reduced to one (1) month if the *Athlete* or other *Person* satisfactorily completes a *Substance of Abuse* treatment program approved by the *Anti-Doping Organization* with *Results Management* responsibility.[60] 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.

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

10.3 *Ineligibility* for Other Anti-Doping Rule Violations

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

10.3.1 For violations of Article 2.3 or 2.5, the period of *Ineligibility* shall be four (4) years except: (i) in the case of failing to submit to *Sample* collection, if the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional, the period of *Ineligibility* shall be two (2) years; (ii) in all other cases, if the *Athlete* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two (2) years to four (4) years depending on the *Athlete* or other *Person's* degree of *Fault*; or (iii) in a case involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range

60 *[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.]*

10.2.4.1 如果运动员能够证明该摄入或使用发生在赛外并且与运动能力无关，则禁赛期应当为 3 个月。

此外，如果运动员或其他当事人令人满意地完成了负责结果管理的反兴奋剂组织批准的滥用物质治疗项目[60]，则依照本条款 10.2.4.1 计算的禁赛期可缩减至 1 个月。本条款 10.2.4.1 规定的禁赛期不得依照条款 10.6 的任何规定而缩减。

10.2.4.2 如果摄入、使用或持有发生在赛内，并且运动员能够证明该情形与运动能力无关，则该摄入、使用或持有不应当视为条款 10.2.1 所指的故意行为，也不应当作为条款 10.4 规定的加重处罚情节的认定依据。

10.3 对其他兴奋剂违规的禁赛

除非适用条款 10.6 或条款 10.7，条款 10.2 规定以外的兴奋剂违规的禁赛期如下：

10.3.1 对于条款 2.3 和条款 2.5 的违规，禁赛期应当为 4 年，但下列情况除外：（i）如果运动员未完成样本采集，并且该运动员能够证明其兴奋剂违规并非故意，则禁赛期应当为 2 年；（ii）在其他情况下，如果运动员或其他当事人能够证明存在特殊情况有理由缩减禁赛期，则禁赛期应当在 2 年至 4 年之间，根据运动员或其他当事人的过错程度而定；或（iii）在涉及受保护人员或大众运

60 [条款 10.2.4.1 的释义：确定治疗项目是否得到批准以及运动员或其他当事人是否令人满意地完成了该项目应当由反兴奋剂组织全权决定。本条款旨在为反兴奋剂组织提供回旋余地，运用其判断确定并批准合法和有信誉的治疗项目，而不是“弄虚作假”。但是，可以预见的是，合法的治疗项目的特点可能会千差万别，并随着时间的推移而改变。因此，WADA 不可能为可接受的治疗项目制定强制性的标准。]

between a maximum of two (2) years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.

10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete's* degree of *Fault*. The flexibility between two (2) years and one (1) year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.

10.3.3 For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Protected Person* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.[61]

10.3.4 For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation.

10.3.5 For violations of Article 2.10, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.[62]

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61 *[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.]*

62 *[Comment to Article 10.3.5: Where the "other Person" referenced in Article 2.10 (Prohibited Association by an Athlete or Other Person) is an entity and not an individual, that entity may be disciplined as provided in Article 12.]*

动员的案件中，禁赛期应当最长为 2 年，最短为警告和不禁赛，根据受保护人员或大众运动员的过错程度而定。

10.3.2 对于条款 2.4 的违规，禁赛期应当为 2 年，但根据运动员的过错程度，禁赛期可以缩减到至少 1 年。如果运动员在即将检查前改变行踪信息或有其他试图逃避兴奋剂检查严重嫌疑的行为，则运动员不得享有本条款规定的禁赛期从 2 年缩减至 1 年的灵活调整。

10.3.3 对于条款 2.7 或 2.8 的违规，禁赛期应当最短为 4 年，最长直至终身禁赛，根据违规严重程度而定。涉及受保护人员的条款 2.7 或 2.8 的违规应当视为特别严重的违规，并且如果是由运动员辅助人员实施的特定物质以外的违规，则该运动员辅助人员应当被处以终身禁赛。此外，条款 2.7 或 2.8 的重大违规也可能违反非体育类法律法规，应当通报给行政主管部门、职业或司法机构。[61]

10.3.4 对于条款 2.9 的违规，禁赛期应当最短为 2 年，最长直至终身禁赛，根据违规严重程度而定。

10.3.5 对于条款 2.10 的违规，禁赛期应当为 2 年，最短可以缩减到至少 1 年，根据运动员或其他当事人的过错程度以及案件的其他情况而定。[62]

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61 [条款 10.3.3 的释义：参与对运动员使用兴奋剂或包庇使用兴奋剂的人员，应当受到比检查结果呈阳性的运动员更为严厉的处罚。由于体育组织的权力通常仅限于取消资格认证、会员资格和其他体育收益，因此向主管部门通报运动员辅助人员是遏制使用兴奋剂的重要措施。]

62 [条款 10.3.5 的释义：如果条款 2.10（运动员或其他当事人禁止合作）中所指的“其他当事人”是实体而非个人，则可依照第 12 条的规定对该实体予以纪律处罚。]

10.3.6 For violations of Article 2.11, the period of *Ineligibility* shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation by the *Athlete* or other *Person*.[63]

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) that *Aggravating Circumstances* are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased by an additional period of *Ineligibility* of up to two (2) years depending on the seriousness of the violation and the nature of the *Aggravating Circumstances*, unless the *Athlete* or other *Person* can establish that he or she did not knowingly commit the anti-doping rule violation.[64]

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.[65]

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63 *[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.]*

64 *[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.]*

65 *[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.]*

10.3.6 对于条款 2.11 的违规，禁赛期应当最短为 2 年，最长直至终身禁赛，根据运动员或其他当事人的违规严重程度而定。[63]

10.4 可能延长禁赛期的加重处罚情节

除条款 2.7（从事或企图从事任何禁用物质或禁用方法的交易）、条款 2.8（施用或企图施用）、条款 2.9（共谋或企图共谋）或条款 2.11（运动员或其他当事人阻止或报复向当局举报的行为）的违规外，在涉及兴奋剂违规的其他个案中，如果反兴奋剂组织证明存在加重处罚情节，并认为有理由对其处以超过标准处罚的禁赛期，则根据违规的严重程度和加重处罚情节的性质，将原本适用的禁赛期延长最长不超过 2 年，除非运动员或其他当事人能够证明自己不知道其行为构成了兴奋剂违规。[64]

10.5 在无过错或无疏忽的情况下免除禁赛期

如果运动员或其他当事人在个案中证明自己无过错或无疏忽，则应当免除其原本适用的禁赛期。[65]

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63 [条款 10.3.6 的释义：被发现同时构成条款 2.5（篡改）和条款 2.11（运动员或其他当事人阻止或报复向当局举报的行为）的违规，应当按照处罚较重的违规予以处罚。]

64 [条款 10.4 的释义：条款 2.7（从事或企图从事任何禁用物质或禁用方法的交易）、条款 2.8（施用或企图施用）、条款 2.9（共谋或企图共谋）和条款 2.11（运动员或其他当事人阻止或报复向当局举报的行为）的违规不包括在条款 10.4 的适用范围内，因为对这些违规的处罚已经考虑到了严重的加重处罚情节的自由裁量问题，最严重的可到终身禁赛。]

65 [条款 10.5 的释义：本条款和条款 10.6.2 仅适用于实施处罚，不适用于确定是否发生了兴奋剂违规。这些条款只适用于特殊情况，例如运动员能够证明，尽管尽到了应尽的注意义务，但还是没能躲过竞争对手的蓄意破坏。相反，无过错或无疏忽不适用于以下情况：（a）因标签错误或受污染的维生素或营养补剂而导致的检测结果阳性（运动员应当对其摄入的任何物质负责（条款 2.1），并已被警告营养补剂可能受到污染）；（b）运动员的私人医生或体能教练在未向运动员透露的情况下对其施用禁用物质（运动员应当对其选择的医务人员负责，并有义务告知医务人员不得向其提供任何禁用物质）；以及（c）运动员的配偶、教练员或与运动员联系的其他当事人蓄意破坏运动员的食物或饮料（运动员应当对其摄入的任何物质负责，并对其委托他人获取食物和饮料的行为负责）。但是，根据特定案件的特殊事实，上述任何一种情况都可能依照条款 10.6 的规定基于无重大过错或无重大疏忽而减轻处罚。]

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

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

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

10.6.1.1 *Specified Substances* or *Specified Methods*

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

10.6.1.2 *Contaminated Products*

In cases where the *Athlete* or other *Person* can establish both *No Significant Fault* or *Negligence* and that the detected *Prohibited Substance* (other than a *Substance of Abuse*) came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Athlete* or other *Person's* degree of *Fault*.[66]

66 *[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 在无重大过错或无重大疏忽的情况下缩减禁赛期

10.6.1 在特殊情况下对条款 2.1、2.2 或 2.6 的违规减轻处罚

条款 10.6.1 规定的所有减轻处罚都是排他性适用，不得累加适用。

10.6.1.1 特定物质或特定方法

如果兴奋剂违规涉及特定物质（滥用物质除外）或特定方法，并且运动员或其他当事人能够证明无重大过错或无重大疏忽，则禁赛期应当最短为警告和不禁赛，最长为 2 年禁赛，根据运动员或其他当事人的过错程度而定。

10.6.1.2 受污染产品

如果运动员或其他当事人既能证明无重大过错或无重大疏忽，又能够证明被发现的禁用物质（滥用物质除外）来自受污染产品，则禁赛期应当最短为警告和不禁赛，最长为 2 年禁赛，根据运动员或其他当事人的过错程度而定。[66]

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66 [条款 10.6.1.2 的释义：为了获得本条款规定的利益，运动员或其他当事人不仅必须证明被发现的禁用物质来自受污染产品，还必须另行证明无重大过错或无重大疏忽。运动员还应当注意的是，他们服用营养补剂的风险自负。除非运动员在服用受污染产品前已经高度谨慎，否则以无重大过错或无重大疏忽为由减轻处罚的做法很少适用于受污染产品的案件。例如，在评估运动员能否确定禁用物质的来源时，对于证明运动员是否实际使用了受污染产品、运动员是否在兴奋剂检查记录单上填报了后来被确定的受污染产品，这都是非常重要的。

本条款的适用范围不应当扩大到需要经过某些制造过程的产品。如果阳性检测结果是由于自来水或湖水等“非产品”的环境污染所致，并且在没有合理理由预期会存在兴奋剂违规风险的情况下，通常依照条款 10.5 的规定判定为无过错或无疏忽。]

10.6.1.3 *Protected Persons* or *Recreational Athletes*

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

10.6.2 Application of *No Significant Fault* or *Negligence* beyond the Application of Article 10.6.1[67]

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

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[68]

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 Or-*

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

68 *[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.]*

10.6.1.3 受保护人员或大众运动员

如果受保护人员或大众运动员的兴奋剂违规不涉及滥用物质，并且受保护人员或大众运动员能够证明自己无重大过错或无重大疏忽，则禁赛期应当最短为警告和不禁赛，最长为 2 年禁赛，根据受保护人员或大众运动员的过错程度而定。

10.6.2 条款 10.6.1 之外的无重大过错或无重大疏忽的适用[67]

对于不适用条款 10.6.1 的个案，如果运动员或其他当事人能够证明自己无重大过错或无重大疏忽，则可以根据运动员或其他当事人的过错程度缩减原本适用的禁赛期，但缩减后的禁赛期不得少于原本适用的禁赛期的一半，并且本条款仍可适用条款 10.7 的规定，进一步缩减或免除禁赛期。如果原本适用的禁赛期为终身禁赛，则依照本条款缩减后的禁赛期不得少于 8 年。

10.7 因过错以外的原因免除、缩减或暂缓禁赛期或其他后果

10.7.1 提供切实协助发现或证明违反《条例》[68]

10.7.1.1 如果运动员或其他当事人向反兴奋剂组织、刑事机构或职业纪律机构提供了切实协助，使得（i）反兴奋剂组织发现或指控另一当事人的兴奋剂违规；或（ii）刑事机构或纪律机构发现或指控另一当事人的刑事犯罪或职业违规行为，并且提供切实协助的当事人所提供的信息会提交给负责结果管理的反兴奋剂

67 [条款 10.6.2 的释义：条款 10.6.2 可适用于任何兴奋剂违规，除了“故意”是兴奋剂违规构成要件之一的条款（例如条款 2.5、条款 2.7、条款 2.8、条款 2.9 或条款 2.11）或是某一特定处罚的构成要件之一的条款（例如条款 10.2.1），或根据运动员或其他当事人的过错程度在某一条款中已规定了禁赛期幅度的条款。]

68 [条款 10.7.1 的释义：运动员、运动员辅助人员和其他当事人承认错误并愿意揭露其他兴奋剂违规，他们的合作对纯洁体育至关重要。]

ganization 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 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 (8) years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.9.3.2.

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

组织；或（iii）WADA 对签约方不遵守《条例》/国际标准或技术文件的行为，对 WADA 认可的实验室或运动员生物护照管理团队（依照《实验室国际标准》的定义）的不合规行为启动程序；或（iv）经 WADA 批准，刑事机构或纪律机构指控兴奋剂以外的违反体育诚信的刑事犯罪或职业违规或体育违规，对兴奋剂违规负有结果管理职责的反兴奋剂组织可在依照第 13 条作出上诉裁决或上诉期限届满前，暂缓对该运动员或其他当事人实施部分后果（取消成绩和强制性公开披露除外）。在依照第 13 条作出上诉裁决或上诉期限届满后，只有经 WADA 和相关国际单项体育联合会批准后，反兴奋剂组织才能暂缓执行部分原本适用的后果。

暂缓原本适用的禁赛期的幅度应当根据运动员或其他当事人兴奋剂违规的严重程度，以及运动员或其他当事人为消除体育运动中使用兴奋剂、不遵守《条例》和/或违反体育诚信所提供的切实协助的价值。可暂缓的禁赛期不得超过原本适用的禁赛期的四分之三。如果原本适用的禁赛期是终身禁赛，则依照本条款，非暂缓的禁赛期不得少于 8 年。为了本款的目的，原本适用的禁赛期不应当包括依照条款 10.9.3.2 可以增加的任何禁赛期。

如果寻求提供切实协助的运动员或其他当事人提出要求，负责结果管理的反兴奋剂组织应当允许运动员或其他当事人依照《互不损害协议》，向反兴奋剂组织提供信息。

如果运动员或其他当事人无法继续合作，也

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.

不能提供暂缓后果所依据的完整可靠的切实协助，则暂缓后果的反兴奋剂组织应当恢复原有后果。无论反兴奋剂组织是否决定恢复已暂缓的后果，任何有权依照第 13 条提起上诉的当事人均可对该决定提起上诉。

10.7.1.2 为进一步鼓励运动员和其他当事人向反兴奋剂组织提供切实协助，应实施结果管理的反兴奋剂组织的要求，或应已经构成兴奋剂违规或涉嫌兴奋剂违规或违反《条例》其他规定的运动员或其他当事人的要求，WADA 可在结果管理程序的任何阶段，包括在依照第 13 条作出上诉裁决后，同意其认为适当的暂缓原本适用的禁赛期和其他后果。在特殊情况下，如果提供的切实协助的价值大于本条款规定的切实协助的价值，则 WADA 可批准暂缓禁赛期和其他后果，甚至不予以禁赛处罚、不强制公开披露和 / 或不要求退还奖金或支付罚款或费用。除非本条款另有规定，WADA 对上述禁赛期或其他后果的批准应当以恢复后果为前提。尽管有第 13 条的规定，但不得对 WADA 在本条款 10.7.1.2 范围内作出的决定提起上诉。

10.7.1.3 如果反兴奋剂组织因切实协助而暂缓任何一部分原本适用的处罚，则应当依照第 14 条的规定，向有权依照条款 13.2.3 对该决定提起上诉的其他反兴奋剂组织发出通知，说明作出该决定的理由。

在 WADA 认为最有利于反兴奋剂工作的特殊情况下，WADA 可以授权反兴奋剂组织签订适当的保密协议，限制或延迟披露切实协助协议或所提供的切实协助。

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

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.[69]

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 (4) or more years (including any period of *Ineligibility* asserted under Article 10.4), admits the violation and accepts the asserted period of *Ineligibility* no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the *Athlete* or other *Person* may receive a one-year reduction in the period of *Ineligibility* asserted

69 [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.]

10.7.2 无其他证据的情况下自认兴奋剂违规

如果运动员或其他当事人在收到可能证明兴奋剂违规的样本采集通知前（或如果是条款 2.1 以外的其他兴奋剂违规，在收到依照第 7 条其自认违规的首次通知前），自愿承认兴奋剂违规，并且该自认在当时是违规的唯一可靠证据，则可以缩减禁赛期，但不得少于原本适用禁赛期的一半。[69]

10.7.3 适用减轻处罚的多重理由

如果运动员或其他当事人证明，其有权依照条款 10.5、10.6 或 10.7 中的多项规定减轻处罚，则在适用条款 10.7 规定的减轻或暂缓处罚前，应当依照条款 10.2、10.3、10.5 和 10.6 确定原本适用的禁赛期。如果运动员或其他当事人证明其有权依照条款 10.7 缩减或暂缓禁赛期，则禁赛期可以缩减或暂缓，但不得少于原本适用的禁赛期的四分之一。

10.8 结果管理协议

10.8.1 基于早自认早接受处罚而对某些兴奋剂违规缩减 1 年禁赛期

运动员或其他当事人在收到反兴奋剂组织可能导致适用 4 年或 4 年以上禁赛期（包括依照条款 10.4 认定的禁赛期）的兴奋剂违规通知后，在收到该兴奋剂违规指控通知后的 20 天内自认违规并接受所判定的禁赛期，则反兴奋剂组织可将对该运动员或其他当事人主张适用的禁赛期缩减 1 年。如果运动员或其他当事人依照本条款

69 [条款 10.7.2 的释义：本条款适用于在反兴奋剂组织尚未意识到已发生兴奋剂违规的情况下，运动员或其他当事人主动自认兴奋剂违规。本条款不适用于运动员或其他当事人认为自己即将被发现违规而自认违规事实的情况。禁赛期的缩减幅度应当根据如果运动员或其他当事人不主动自认而被发现的可能性而定。]

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.[70]

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*

70 *[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 (4) years, then the Athlete may unilaterally reduce the period of Ineligibility to three (3) 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 case without any need for a hearing.]*

10.8.1 的规定缩减了 1 年的禁赛期，则不得再依照其他任何条款进一步缩减禁赛期。[70]

10.8.2 案件解决协议

如果运动员或其他当事人在面对反兴奋剂组织提出的兴奋剂违规指控后自认兴奋剂违规，并同意接受反兴奋剂组织和 WADA 认定的后果，则：（a）根据反兴奋剂组织和 WADA 对条款 10.1 至 10.7 针对被指控的兴奋剂违规的适用性、违规的严重程度、运动员或其他当事人的过错程度以及运动员或其他当事人自认违规的及时性所做的评估，运动员或其他当事人可获得缩减的禁赛期；以及（b）禁赛期可从样本采集之日或最近发生的另一起兴奋剂违规发生之日起算。但是，在适用本条款的各种情况下，运动员或其他当事人应当至少执行商定的禁赛期的一半，从以下两个日期中较早的起算：（1）该运动员或其他当事人接受处罚之日；（2）该运动员或其他当事人随后遵守临时停赛之日。WADA 和反兴奋剂组织是否决定签订案件解决协议、禁赛期的缩减幅度和禁赛期的开始日期不属于由听证机构决定或审查的事项，不得依照第 13 条的规定提起上诉。

如果运动员或其他当事人希望依照本条款签订案件解决协议并提出要求，负责结果管理的反兴奋剂组织应当允许运动员或其他当事人与反兴奋剂组织讨论自认兴奋剂

70 [条款 10.8.1 的释义：例如，如果反兴奋剂组织指控运动员因使用合成类固醇而构成条款 2.1 的违规，并主张适用禁赛期为 4 年，则该运动员可在本条款规定的时限内自认兴奋剂违规并接受 3 年的禁赛期，以此单方面将禁赛期缩减至 3 年，但不得进一步缩减。这样无需召开听证会就可以解决这个案件。]

subject to a *Without Prejudice Agreement*.[71]

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 (8) years to lifetime *Ineligibility*.

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

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71 *[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.]

违规的问题，但须遵守《互不损害协议》。[71]

10.9 多次违规

10.9.1 第二次或第三次兴奋剂违规

10.9.1.1 对于运动员或其他当事人的第二次兴奋剂违规，禁赛期应当为以下两项中较长的一项：

（a）6 个月； 或

（b）禁赛期在以下范围内：

（i）第一次违规的禁赛期加上将第二次违规视为第一次发生的情形下原本适用的禁赛期的总和；以及

（ii）将第二次违规视为第一次发生的情形下原本适用的禁赛期的两倍。

在此范围内的禁赛期根据第二次违规的整体情况和运动员或其他当事人的过错程度而定。

10.9.1.2 第三次兴奋剂违规将导致终身禁赛，除非第三次违规符合条款 10.5 或 10.6 规定的减免禁赛期的条件，或第三次违规是条款 2.4 的违规。在这些特殊情况下，禁赛期应当为 8 年以上直至终身禁赛。

10.9.1.3 条款 10.9.1.1 和 10.9.1.2 规定的禁赛期可通过适用条款 10.7 进一步缩减。

71 [条款 10.8.2 的释义：在达成案件解决协议中规定的后果时，应当考虑第 10 条中规定的任何减轻或加重处罚的因素，这些因素不得在该协议条款之外适用。在某些国家，实施禁赛期完全由听证机构决定。在这些国家，反兴奋剂组织不得为条款 10.8.1 的目的主张具体的禁赛期，也无权同意条款 10.8.2 规定的具体禁赛期。在这些情况下，条款 10.8.1 和 10.8.2 将不适用，但听证机构可以予以考虑。]

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 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.[72]

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 twelve (12) months or more before or after the first-noticed violation, then the period of *Ineligibility* for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of *Ineligibility* is served consecutively, rather than concurrently, with the period of *Ineligibility* imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

72 *[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.]*

10.9.2 运动员或其他当事人已经证明无过错或无疏忽的兴奋剂违规不应当视为条款 10.9 所述的违规。此外，依照条款 10.2.4.1 的规定受到处罚的兴奋剂违规不应当视为条款 10.9 所述的违规。

10.9.3 某些可能存在多次违规的附加规则

10.9.3.1 为实施条款 10.9 规定的处罚，除条款 10.9.3.2 和 10.9.3.3 规定的情况外，只有在反兴奋剂组织能够证明运动员或其他当事人收到依照第 7 条发出的通知后，或在反兴奋剂组织采取合理措施发出第一次兴奋剂违规通知后，该运动员或其他当事人又发生了另一起兴奋剂违规，才能将其视为第二次违规。如果反兴奋剂组织无法证明这一点，则应当将这些违规一并视为初次违规，并根据较重的违规进行处罚，包括适用加重处罚情节。依照条款 10.10 的规定，将追溯取消直至前一次违规期间取得的所有比赛成绩。[72]

10.9.3.2 如果反兴奋剂组织证明运动员或其他当事人在第一次违规通知前还有一次兴奋剂违规，并且该额外违规发生在第一次违规之前或之后的 12 个月或更长时间，则该额外违规的禁赛期应当按单独的初次违规计算，此禁赛期与先前违规的禁赛期连续执行而不是同时执行。在适用本条款 10.9.3.2 的情况下，多次违规应当合并记为条款 10.9.1 所述的单一的一次违规。

72 [条款 10.9.3.1 的释义：如果在实施处罚后，反兴奋剂组织发现在第一次违规通知之前还发生了兴奋剂违规，则同样的规则也适用。例如，反兴奋剂组织应当基于同时裁决这两起违规可能实施的处罚而对本案实施处罚，包括适用加重处罚情节。]

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*, if any, imposed for the underlying anti-doping rule violation. Where this Article 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.4 If 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.

10.9.4 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.[73]

73 *[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.]*

10.9.3.3 如果反兴奋剂组织证明，在指控运动员或其他当事人可能存在兴奋剂违规的相关兴奋剂管制过程中，其又构成了条款 2.5 的违规，则条款 2.5 的违规应当视为单独的初次违规，其禁赛期应当与可能存在的兴奋剂违规所处以的禁赛期（如有）连续执行而不是同时执行。在适用本条款 10.9.3.3 的情况下，多次违规应当合并记为条款 10.9.1 所述的单一的一次违规。

10.9.3.4 如果反兴奋剂组织证明运动员或其他当事人在禁赛期间第二次或第三次兴奋剂违规，则多次违规的禁赛期应当连续执行，而不是同时执行。

10.9.4 10 年内的多次兴奋剂违规

就条款 10.9 而言，每次兴奋剂违规都必须发生在同一个 10 年期间，才能视为多次违规。

10.10 取消样本采集后或兴奋剂违规后的比赛成绩

除依照第 9 条自动取消阳性样本的比赛成绩外，自阳性样本采集之日（无论赛内检查还是赛外检查），或自发生其他兴奋剂违规之日起，直至临时停赛或禁赛期开始，该运动员获得的所有其他比赛成绩应当全部取消，以及由此产生的所有后果，包括取消所有奖牌、积分和奖金，但为公平起见需另作决定的情况除外。[73]

73 [条款 10.10 的释义：《条例》中的任何规定都不妨碍受到兴奋剂违规当事人行为损害的干净运动员或其他当事人向其索赔的任何权利。]

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*.[74]

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 *Ineligi-*

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

10.11 取消的奖金

反兴奋剂组织或其他签约方在追回因兴奋剂违规而被取消的奖金后，应当采取合理措施，将这笔奖金分配给那些在被取消奖金的运动员不参赛的情况下本有权获得奖金的运动员。国际单项体育联合会可在其规则中规定是否为了运动员排名而考虑重新分配奖金。[74]

10.12 经济后果

反兴奋剂组织可在其规则中规定，按比例追偿兴奋剂违规产生的费用或对其进行经济处罚。但是，反兴奋剂组织只可在已经处以原本适用的最长禁赛期的案件中实施经济处罚。只有在符合比例原则的情况下才能实施经济处罚。不得将追偿费用或经济处罚视为缩减禁赛期或减轻依照《条例》原本适用的其他处罚的依据。

10.13 禁赛期的开始

如果运动员已经因兴奋剂违规而处于禁赛期间，则任何新的禁赛期应当从当前禁赛期结束后的第一天开始执行。否则，除非下文另有规定，禁赛期应当从规定禁赛的最终听证会决定作出之日起计算；或者，如果放弃听证会或未召开听证会，则应当从接受禁赛或强制执行禁赛处罚之日起算。

10.13.1 不应当归责于运动员或其他当事人的延误

如果在听证过程或兴奋剂管制的其他方面出现实质性延误，并且运动员或其他当事人能够证明此类延误不应当归责于该运动员或其他当事人，则实施处罚的机构可以将禁赛期的起算日提前到以下较早的日期：样本采集之日或最近发生的另一起兴奋剂违规之日。在禁赛期间，包括可追溯的禁赛期间，取得的所有比赛

74 [条款 10.11 的释义：本条款无意要求反兴奋剂组织或其他签约方承担追缴被取消奖金的积极义务。如果反兴奋剂组织选择不采取任何行动收缴被取消的奖金，则可将其追回奖金的权利转让给本应当收到奖金的运动员。“合理分配和分发奖金的措施”可以包括依照国际单项体育联合会与其所属运动员的约定，使用已追缴的被取消的奖金。]

bility, shall be *Disqualified*.[75]

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.[76]

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.

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

76 *[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.]*

成绩都应当予以取消。[75]

10.13.2 已执行的临时停赛或禁赛期的折抵问题

10.13.2.1 如果运动员或其他当事人遵守临时停赛的规定，则运动员或其他当事人的临时停赛期应当折抵最终可能实施的禁赛期。如果运动员或其他当事人不遵守临时停赛，则该运动员或其他当事人已执行的临时停赛期不得折抵。如果依照某项决定执行了禁赛期，而该决定随后被提起上诉，则运动员或其他当事人已执行的禁赛期应当折抵上诉后最终可能实施的禁赛期。

10.13.2.2 如果运动员或其他当事人以书面形式自愿接受负责结果管理的反兴奋剂组织实施的临时停赛，并在此后遵守临时停赛的规定，则该运动员或其他当事人自愿接受的临时停赛期应当折抵最终可能实施的禁赛期。运动员或其他当事人自愿接受临时停赛的文件副本应当及时提供给条款 14.1 规定的有权收到涉嫌兴奋剂违规通知的各方。[76]

10.13.2.3 临时停赛或自愿接受临时停赛生效日期前的任何时间段均不折抵禁赛期，无论运动员选择不参赛还是受到运动队停赛。

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75 [条款 10.13.1 的释义：如果发生条款 2.1 的违规以外的兴奋剂违规，反兴奋剂组织发现和查明足以证明兴奋剂违规的事实所需的时间可能会很长，特别是在运动员或其他当事人已采取积极措施避免被发现的情况下。在这种情况下，不应当适用本条款规定的在较早日期开始处罚的灵活措施。]

76 [条款 10.13.2.2 的释义：运动员自愿接受临时停赛不等于运动员自认违规，也不得以任何方式作出对运动员不利的推论。]

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

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.[77]

77 *[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.]*

10.13.2.4 针对集体项目，如果对运动队实施禁赛期，禁赛期应当从规定禁赛的最终听证会决定作出之日起计算。如果放弃听证会，则应当从接受或强制实施禁赛之日起算，但为公平起见需另作决定的情况除外。运动队的临时停赛期（不论是强制执行还是自愿接受）都应当折抵最终可能实施的禁赛期。

10.14 禁赛期或临时停赛期间的身份

10.14.1 禁赛期或临时停赛期间禁止参加比赛或活动

已被宣布禁赛或正在临时停赛的运动员或其他当事人，不得在禁赛期或临时停赛期间以任何身份参加由任何签约方、签约方成员组织，或签约方成员组织的俱乐部或其他成员组织授权或组织的比赛或活动（经授权的反兴奋剂教育或矫正项目除外），也不得参加由任何职业联盟或任何国际或国家级赛事组织授权或组织的比赛，或由政府部门资助的任何高水平或国家级体育活动。[77]

77 [条款 10.14.1 的释义：例如，依照下文条款 10.14.2 的规定，被禁赛的运动员不能参加其所属国家单项体育协会或该国家单项体育协会成员俱乐部组织的或由政府机构资助的训练营、表演赛或练习。此外，被禁赛的运动员不得参加非签约方的职业联赛（例如，北美职业冰球联赛、美国职业篮球联赛等）、非签约方国际赛事组织机构或非签约方国家级赛事组织机构举办的赛事，否则将导致条款 10.14.3 规定的后果。“活动”一词还包括行政活动，例如担任本条款所述组织的官员、主管、管理人员、雇员或志愿者等。在一项运动中实施的禁赛也应当得到其他运动项目的承认（见条款 15.1“决定的自动约束力”）。禁赛期间的运动员或其他当事人不得在禁赛期间以任何其他身份担任教练员或运动员辅助人员，否则也可能导致另一名运动员构成条款 2.10 的违规。签约方或其所属国家单项体育协会不得出于任何目的承认运动员在禁赛期间达到的任何运动能力标准。]

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

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing* and any requirement by 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's* member organization during the shorter of: (1) the last two (2) months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.[78]

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.

78 *[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.]*

禁赛期超过 4 年的运动员或其他当事人，可在完成 4 年的禁赛期后，以运动员的身份参加未经《条例》签约方或《条例》签约方成员组织批准或以其他方式授权的地方体育赛事，前提是该地方体育赛事的级别不能使该运动员或其他当事人有资格直接或间接参加全国锦标赛或国际赛事（或累积积分），也不能使该运动员或其他当事人以任何身份与受保护人员合作。

禁赛期间的运动员或其他当事人仍应接受兴奋剂检查，并按照反兴奋剂组织的要求提供行踪信息。

10.14.2 恢复训练

作为条款 10.14.1 的例外情况，运动员可以随队恢复训练，或使用签约方成员组织的俱乐部或其他成员组织的设施的时间，按以下两个期间中较短的为准：（1）运动员禁赛期的最后 2 个月，或（2）禁赛期的最后四分之一。[78]

10.14.3 禁赛期间或临时停赛期间违规参加比赛或活动

如果已被宣布禁赛的运动员或其他当事人违反条款 10.14.1 所述的禁止在禁赛期间参加比赛或活动的规定，则应当取消其比赛成绩，并在原禁赛期结束后追加与原禁赛期长度相等的新禁赛期。新的禁赛期，包括警告和不禁赛，可以根据运动员或其他当事人的过错程度和案件的其他情况进行调整。运动员或其他当事人是否违反了禁止参加比赛或活动的规定以及禁赛期的调整是否合适，应当由最初负责结果管理并实施原禁赛期的反兴奋剂组织决定。可依照第 13 条的规定对这一决定提起上诉。

78 [条款 10.14.2 的释义：在许多集体项目和一些个人项目（例如跳台滑雪和体操）中，运动员无法有效地自行训练，以便在禁赛期结束时做好参赛准备。在本条款所述的训练期间，除训练外，禁赛运动员不得参加或从事条款 10.14.1 所述的任何活动。]

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

Where an *Athlete Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility* or a *Provisional Suspension*, 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.

如果运动员或其他当事人违反条款 10.14.1 所述的临时停赛期间禁止参加比赛或活动的规定，则已执行的临时停赛期不得折抵，且其参赛成绩将被取消。

如果运动员辅助人员或其他当事人协助尚在禁赛期或临时停赛期的某当事人违反禁止参加比赛或活动的规定，对该运动员辅助人员或其他当事人有管辖权的反兴奋剂组织应当对其协助行为按照条款 2.9 的违规予以处罚。

10.14.4 扣发禁赛期间的经济资助

此外，对不涉及条款 10.5 或 10.6 规定的减轻处罚的兴奋剂违规，签约方、签约方成员组织和政府有权扣发向该当事人提供的部分或全部与体育相关的经济资助或其他与体育相关的收益。

10.15 处罚结果的主动公布

依照条款 14.3 的规定，主动公布是每项处罚的强制性内容。

第 11 条　集体项目运动队违规的后果

11.1 集体项目的兴奋剂检查

如果集体项目运动队中有超过一名运动员收到第 7 条规定的与赛事相关的兴奋剂违规通知，则该赛事管理机构应当在赛事期间对该运动队实施适当的目标检查。

11.2 集体项目的违规后果

如果集体项目运动队中有超过两名运动员在赛事期间被发现兴奋剂违规，该赛事管理机构除对兴奋剂违规的运动员个人实施任何后果以外，还应当对该运动队实施适当的处罚（例如，扣除积分、取消比赛成绩或参加赛事的资格，或其他处罚）。

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 purposes of the *Event*.[79] Similarly, an International Federation may elect to establish rules imposing stricter *Consequences* for *Team Sports* within its authority than those in Article 11.2.

ARTICLE 12 SANCTIONS BY *SIGNATORIES* AGAINST OTHER SPORTING BODIES

Each *Signatory* shall adopt rules that obligate 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.[80] 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.[81]

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79 *[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.]*

80 *[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.]*

81 *[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.]*

11.3 赛事管理机构或国际单项体育联合会可为集体项目确定更严格的后果

赛事管理机构可选择为赛事制定规则，对集体项目实施比条款 11.2 规定得更严格的后果。[79] 同样，国际单项体育联合会可选择制定规则，对其权限范围内的集体项目实施比条款 11.2 规定得更严格的后果。

第 12 条　签约方对其他体育团体的处罚

各签约方应当制定规则，责成其各成员组织和受其管辖的任何其他体育团体在其职权范围内遵守、实施、维护和执行《条例》。如果签约方发现其成员组织或受其管辖的其他体育团体未能履行该义务，则签约方应当对该组织或团体采取适当措施。[80] 特别是，签约方的措施和规则应当包括可能禁止该组织或团体的部分或全部成员参加未来特定赛事或在特定时间内举行的所有赛事。[81]

79 [条款 11.3 的释义：例如，国际奥委会可以制定规则，规定奥运会期间根据较少的兴奋剂违规次数而取消运动队参加奥运会的资格。]

80 [对第 12 条的释义：本条无意要求签约方承担积极监督成员组织不遵守《条例》行为的义务，而仅要求签约方在意识到有此类行为时采取行动。]

81 [对第 12 条的释义：本条明确规定，《条例》不限制各组织之间可能存在的纪律处罚权。对不遵守《条例》的签约方的处罚，请参阅条款 24.1。]

ARTICLE 13 *RESULTS MANAGEMENT*: APPEALS[82]

13.1 Decisions Subject to Appeal

Decisions made under the *Code* or under rules adopted pursuant to the *Code* may be appealed as set forth below in Articles 13.2 through 13.4 or as otherwise provided in the *Code* or *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

13.1.1 Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.[83]

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.[84]

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82 *[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.]*

83 *[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.]*

84 *[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.]*

第 13 条　结果管理：上诉[82]

13.1 可上诉的决定

对依照《条例》或依照《条例》制定的规则作出的决定，可以依照下文条款 13.2 至 13.4 的规定或《条例》或国际标准的其他规定提起上诉。在上诉期间此类决定继续有效，除非上诉机构另有指令。

13.1.1 审查范围不受限制

上诉审查范围包括与该事项有关的所有问题，并且明确不限于最初决定作出方审查的问题或审查范围。上诉的任何一方均可提交在初审听证会中没有提出的证据、法律论据和主张，前提是这些证据、法律论据和主张来源于初审听证中提出或处理的相同诉因，或相同的一般事实或情况。[83]

13.1.2 CAS 不受制于被上诉的结论

CAS 在作出裁决时，不受制于被上诉主体作出的判断。[84]

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82 [对第 13 条的释义：《条例》旨在通过公正透明的内部程序，以最终上诉来解决反兴奋剂问题。反兴奋剂组织依照第 14 条作出的反兴奋剂决定是公开透明的。特定当事人和组织，包括 WADA，均有机会对此类决定提起上诉。需要注意的是，依照第 13 条有上诉权的利害关系人或组织，据其定义，不包括可能因其他参赛者被取消资格而获益的运动员或其所属国家单项体育协会。]

83 [对条款 13.1.1 的释义：修订后的措辞无意对 2015 版《条例》进行实质性修改，而只是为了澄清。例如，如果运动员在初审听证中仅被指控篡改，但同样的行为也可能构成共谋，则上诉方可在上诉中对该运动员提出篡改和共谋两项指控。]

84 [条款 13.1.2 的释义：CAS 的程序是重新审理。先前的听证程序不能限制 CAS 仲裁程序过程中的证据考量，也不会对 CAS 仲裁程序产生影响。]

13.1.3 *WADA* Not Required to Exhaust Internal Remedies[85]

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.

13.2 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, or not 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 under Article 10.14.3; 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.

85 *[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.]*

13.1.3 WADA 无需等待用尽内部救济方式[85]

如果 WADA 有权依照第 13 条的规定提起上诉，并且在反兴奋剂组织程序中没有任何其他一方对最终决定提起上诉，则 WADA 可以直接向 CAS 提起上诉，而无需用尽反兴奋剂组织程序中的其他救济方式。

13.2 对兴奋剂违规、违规后果、临时停赛、执行决定和权限等决定的上诉

只有以下决定才能依照本条款 13.2 的规定提起上诉：判定兴奋剂违规成立的决定、对兴奋剂违规实施或不实施后果的决定，或兴奋剂违规不成立的决定；因程序原因（包括，如某项规定）而使得兴奋剂违规处理程序无法继续进行的决定；WADA 依照条款 5.6.1 作出的不得豁免退役运动员复出参赛的 6 个月通知要求的决定；WADA 依照条款 7.1 作出的指定结果管理的决定；反兴奋剂组织不将阳性检测结果或非典型性结果作为兴奋剂违规提交的决定，或依照《结果管理国际标准》进行调查后不继续追究兴奋剂违规的决定；根据临时听证会的结果实施或取消临时停赛的决定；反兴奋剂组织未能遵守条款 7.4 的决定；反兴奋剂组织无权对涉嫌兴奋剂违规或其后果作出裁决的决定；是否依照条款 10.7.1，暂缓后果或恢复后果的决定；未能遵守条款 7.1.4 和 7.1.5 的决定；未能遵守条款 10.8.1 的决定；依照条款 10.14.3 作出的决定；反兴奋剂组织不依照第 15 条执行另一个反兴奋剂组织所作决定的决定；以及依照条款 27.3 作出的决定。

85 [条款 13.1.3 的释义：如果在反兴奋剂组织程序的最后阶段（例如初审听证）之前已作出决定，并且没有任何一方选择将该决定上诉到反兴奋剂组织程序的下一级（例如管理董事会），则 WADA 可以绕过反兴奋剂组织内部程序中的其余步骤，直接向 CAS 提起上诉。]

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*.[86]

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:

- a timely hearing;
- a fair, impartial, and *Operationally Independent* and *Institutionally Independent* hearing panel;
- the right to be represented by counsel at the *Person's* own expense; and
- a timely, written, reasoned decision.

If no such body as described above is in place and available at the time of the appeal, the *Athlete* or other *Person* shall have a right to appeal to *CAS*.

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*.

86 *[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.]*

13.2.1 涉及国际级运动员或国际赛事的上诉

因参加国际赛事而产生的案件或涉及国际级运动员的案件，对其决定只能向 CAS 提起上诉。[86]

13.2.2 涉及其他运动员或其他当事人的上诉

在不适用条款 13.2.1 的情况下，可以依照国家反兴奋剂组织制定的规则，对该决定向上诉机构提起上诉。此类上诉规则应当遵循以下原则：

- 及时召开听证会；
- 公平、公正、运行独立和机构独立的听证小组；
- 当事人自费聘请辩护人代表自己出席听证会的权利；和
- 及时的、书面的和论述详尽的决定。

如果上诉时上述机构不存在、不可用，则运动员或其他当事人有权向 CAS 提起上诉。

13.2.3 有权上诉的当事人

13.2.3.1 涉及国际级运动员或国际赛事的上诉

在条款 13.2.1 规定的情况下，以下各方有权向 CAS 提起上诉：（a）被上诉决定涉及的运动员或其他当事人；（b）作出决定的案件涉及的另一方；（c）相关国际单项体育联合会；（d）当事人居住国或当事人拥有该国国籍或持有该国证件的国家反兴奋剂组织；（e）国际奥委会或国际残奥委会，如果被上诉决定可能影响到奥运会或残奥会，包括影响奥运会或残奥会参赛资格；（f）WADA。

86 [条款 13.2.1 的释义：CAS 的裁决是最终的并具有约束力，除非根据撤销或执行裁决的法律要求作出任何审查。]

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

13.2.3.3 Duty to Notify

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

13.2.3.4 Appeal 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:

13.2.3.2 涉及其他运动员或其他当事人的上诉

在条款 13.2.2 规定的情况下，依照国家反兴奋剂组织的规则，有权向上诉机构提起上诉的当事方应当至少包括以下各方：（a）被上诉决定涉及的运动员或其他当事人；（b）作出决定的案件涉及的另一方；（c）相关国际单项体育联合会；（d）当事人居住国或当事人拥有该国国籍或持有该国证件的国家反兴奋剂组织；（e）国际奥委会或国际残奥委会，如果被上诉决定可能影响到奥运会或残奥会，包括影响奥运会或残奥会参赛资格；和（f）WADA。对于条款 13.2.2 规定的情况，WADA、国际奥委会、国际残奥委会和相关国际单项体育联合会还应当有权对国家级上诉机构的决定向 CAS 提起上诉。提起上诉的任何一方都有权得到 CAS 的协助，从作出被上诉决定的反兴奋剂组织那里获得所有相关信息；如果 CAS 有此要求，该反兴奋剂组织应当提供这些信息。

13.2.3.3 通知义务

向 CAS 上诉的所有当事方必须确保 WADA 和所有其他有上诉权的当事方已及时收到上诉通知。

13.2.3.4 WADA 以外各方的上诉期限

WADA 以外各方的上诉期限应当在实施结果管理的反兴奋剂组织的规则中予以规定。

13.2.3.5 WADA 的上诉期限

WADA 的上诉截止日期应当以下列两个日期中较晚者为准：

(a) Twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed,or

(b) Twenty-one (21) days after *WADA's* receipt of the complete file relating to the decision.[87]

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 *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

13.2.4 Cross Appeals and other Subsequent Appeals Allowed[88]

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.

13.3 Failure to Render a Timely Decision by an *Anti-Doping Organization*[89]

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*.

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87 *[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.]*

88 *[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.]*

89 *[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 International Federation 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.]*

（a）任何有上诉权的其他当事方上诉期截止后的 21 天；或

（b）WADA 收到与该决定有关的完整案卷后的 21 天。[87]

13.2.3.6 对实施临时停赛的上诉

尽管此处另有规定，但可以对临时停赛提起上诉的当事人仅限于被处以临时停赛的运动员或其他当事人。

13.2.4 允许交叉上诉和随后上诉[88]

在依照《条例》提交给 CAS 的案件中，特别允许案件的被上诉人提起交叉上诉和随后上诉。依据第 13 条有上诉权的任何当事方必须最迟在应诉时提起交叉上诉或随后上诉。

13.3 反兴奋剂组织未能及时作出决定[89]

在特殊情况下，如果反兴奋剂组织未能在 WADA 规定的合理期限内就兴奋剂违规是否成立作出决定，则 WADA 可以将其视为反兴奋剂组织已作出未发现兴奋剂违规的决定，而选择直接向 CAS 提起上诉。如果 CAS 听证小组认定兴奋剂违规确有发生，并且 WADA 选择直接向 CAS 上诉是合理的，则反兴奋剂组织应当向 WADA 偿付其支付的上诉费用和律师费。

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87 [条款 13.2.3 的释义：无论是受 CAS 规则还是受条款 13.2.3 的管辖，当事方的上诉期限自收到决定之日起开始计算。因此，如果一方未收到决定，其上诉权就不会终止。]

88 [条款 13.2.4 的释义：这项规定是必要的，因为自 2011 年起，如果反兴奋剂组织在运动员上诉期满后对决定提起上诉，CAS 规则不再允许运动员有交叉上诉的权利。本规定允许各方有进行充分听证的权利。]

89 [条款 13.3 的释义：鉴于每起兴奋剂违规调查、结果管理和听证程序的不同情况，在 WADA 可能直接向 CAS 提起上诉进行介入前，让反兴奋剂组织限期作出决定是不可行的。但是，WADA 在直接上诉前将与反兴奋剂组织协商，给其机会解释尚未作出决定的原因。本条款的任何规定均不禁止国际单项体育联合会也制定规则，授权其对所属国家单项体育协会不当拖延结果管理的事项行使管辖权。]

13.4 Appeals Relating to *TUEs*

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

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*.

13.4 关于 TUE 的上诉

只能依照条款 4.4 的规定对 TUE 决定提起上诉。

13.5 提起上诉决定的通知

作为上诉方的任何反兴奋剂组织应当依照第 14 条的规定，及时将提起上诉的决定通知条款 13.2.3 规定的有上诉权的运动员或其他当事人和其他反兴奋剂组织。

13.6 对依照条款 24.1 作出决定的上诉

对于没有争议并且依照条款 24.1 的规定成为最终决定的通知，包括发现签约方不遵守《条例》并对该行为实施后果，以及恢复签约方资格的条件，均可以依照《签约方条例遵守国际标准》对该通知向 CAS 提起上诉。

13.7 对暂停或取消实验室认可资格决定的上诉

对于 WADA 作出的暂停或取消实验室 WADA 认可资格的决定，只能由该实验室提起上诉，且只能向 CAS 上诉。

第 14 条　保密和报告

关于反兴奋剂结果的协调、公开程度和责任，以及尊重所有运动员或其他当事人隐私，按以下原则处理：

14.1 关于阳性检测结果、非典型性结果和其他涉嫌兴奋剂违规的信息

14.1.1 向运动员和其他当事人通知兴奋剂违规

涉嫌兴奋剂违规的通知形式和方式应当依照负责结果管理的反兴奋剂组织的规则执行。

14.1.2 向国家反兴奋剂组织、国际单项体育联合会和 WADA 通知兴奋剂违规

负责结果管理的反兴奋剂组织在通知运动员或其他当事人的同时，还应当将涉嫌的兴奋剂违规通知该运动员所属的国家反兴奋剂组织、国际单项体育联合会和 WADA。

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 anti-doping 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.[90]

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 justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, the *Anti-Doping Organization* shall provide an English or French summary of the decision and the supporting reasons.

90 *[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.]*

14.1.3 兴奋剂违规通知的内容

通知应当包括：运动员或其他当事人的姓名、国籍、运动项目和小项、运动员的竞技水平、赛内检查或赛外检查、样本采集日期、实验室报告的检测结果以及《结果管理国际标准》要求的其他信息，或对于条款 2.1 以外的其他兴奋剂违规，还应当包括违反的规则和被指控违规的依据。

14.1.4 现状报告

除因调查尚未依照条款 14.1.1 发出兴奋剂违规通知外，条款 14.1.2 提及的反兴奋剂组织应当定期获知依照第 7 条、第 8 条或第 13 条进行的任何审查或程序的最新情况和结果，并应当及时得到论述详尽的书面解释或决定，说明问题的解决情况。

14.1.5 保密

在负责结果管理的反兴奋剂组织依照条款 14.3 的规定进行公开披露前，接到通知的组织除向有必要了解情况的人员（包括相关国家奥委会、国家单项体育协会和集体项目运动队的相关人员）披露外，不得泄露这些信息。[90]

14.2 兴奋剂违规或违反禁赛或临时停赛决定的通知和相关文件的要求

14.2.1 依照条款 7.6、8.4、10.5、10.6、10.7、10.14.3 或 13.5 作出的兴奋剂违规决定或与违反禁赛或临时停赛有关的决定，应当包括作出该决定的全部理由，包括在适用的情况下，说明未实施最严格处罚的理由。如果该决定不是以英文或法文作出，则反兴奋剂组织应当提供该决定的英文或法文摘要及支持理由。

90 [条款 14.1.5 的释义：各反兴奋剂组织应当在其反兴奋剂规则中规定保护保密信息的程序，并对反兴奋剂组织的任何雇员或代理人不当披露保密信息的行为进行调查和纪律处罚。]

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

14.3 *Public Disclosure*

14.3.1 After notice has been provided to the *Athlete* or other *Person* in accordance with the *International Standard* for *Results Management*, and to the applicable *Anti-Doping Organizations* in accordance with Article 14.1.2, the identity of any *Athlete* or other *Person* who is notified of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and 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 (20) days after it has been determined in an appellate decision under Article 13.2.1 or 13.2.2, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8, or a new period of *Ineligibility*, or reprimand, has been imposed under Article 10.14.3, 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 (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.[91]

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

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91 *[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 对依照条款 14.2.1 收到的决定有上诉权的反兴奋剂组织，可在收到该决定后 15 天内要求得到与该决定有关的完整案卷的副本。

14.3 公开披露

14.3.1 依照《结果管理国际标准》向运动员或其他当事人发出通知，并且依照条款 14.1.2 向相关反兴奋剂组织发出通知后，负责结果管理的反兴奋剂组织可以公开披露任何被通知可能存在兴奋剂违规的运动员或其他当事人的身份、涉及的禁用物质或禁用方法和违规性质，以及该运动员或其他当事人是否受到临时停赛。

14.3.2 在依照条款 13.2.1 或 13.2.2 作出上诉裁决，或放弃上诉，或依照第 8 条的规定放弃召开听证会，或未及时对兴奋剂违规指控提出质疑，或依照条款 10.8 的规定解决了问题，或依照条款 10.14.3 的规定实施了新的禁赛期或警告后，负责结果管理的反兴奋剂组织必须在不晚于 20 天内公开披露反兴奋剂事件的处理结果，包括运动项目、违反的反兴奋剂规则、违规运动员或其他当事人的姓名、涉及的禁用物质或禁用方法（如有）以及处罚结果。同一反兴奋剂组织还必须在 20 天内公开披露有关兴奋剂违规上诉裁决的结果，包括上述信息。[91]

14.3.3 在依照条款 13.2.1 或 13.2.2 作出上诉裁决并认定兴奋剂违规成立，或放弃上诉，或依照第 8 条的规定召开听证会认定兴奋剂违规成立或放弃听证会，或未及时对兴奋剂违规指控提出质疑，或已依照条款 10.8 的规定解决了该问题后，负责结果管理的反兴奋剂组织可以公开披露该认定或决定，并就此事件公开发表评论。

91 [条款 14.3.2 的释义：如果条款 14.3.2 要求的公开披露会导致违反其他适用法律，则反兴奋剂组织未公开披露的做法不会认定为《隐私和个人信息保护国际标准》条款 4.1 规定的不遵守《条例》的行为。]

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 (1) 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 name of each *Athlete* tested and the date of each *Testing*. *WADA* shall, at least annually, publish statistical reports summarizing the information that it receives from *Anti-Doping Organizations* and laboratories.

14.3.4 在任何情况下，经过听证会或上诉后，如果认定运动员或其他当事人没有发生兴奋剂违规，则该决定被提起上诉一事可以公开披露。但是，除非经过决定针对的运动员或其他当事人的同意，否则不得公开披露该决定本身和基本事实。负责结果管理的反兴奋剂组织应当采取合理措施获取他们的同意。如果获得同意，负责结果管理的反兴奋剂组织应当按照运动员或其他当事人认可的形式，公开披露全部或编辑后的决定内容。

14.3.5 至少应当在反兴奋剂组织的网站上发布所需信息。信息保留时间为以下期限中较长者：1 个月或整个禁赛期。

14.3.6 除条款 14.3.1 和 14.3.3 规定的情况外，任何反兴奋剂组织或 WADA 认可的实验室或其中任何一方的官员不得公开评论任何未决案件的具体事实（不包括对过程和科学的一般描述），但针对运动员、其他当事人或其随行人员或其他代表公开发表的评论或提供的信息作出的回应除外。

14.3.7 如果兴奋剂违规的运动员或其他当事人是未成年人、受保护人员或大众运动员，则不需要进行条款 14.3.2 要求的强制性公开披露。在涉及未成年人、受保护人员或大众运动员的案件中，任何选择性的公开披露应当与案件的事实和实际情况相适应。

14.4 统计报告

反兴奋剂组织应当至少每年发布一份全面反映其兴奋剂管制活动的统计报告，并向 WADA 提交一份副本。反兴奋剂组织还可以发布报告，显示每位受检运动员的姓名和检查日期。WADA 应当至少每年发布一次统计报告，汇总其从反兴奋剂组织和实验室收到的信息。

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) any decision imposing, lifting or reinstating a *Provisional Suspension*.

14.5 兴奋剂管制信息数据库和遵守《条例》的监督

为使 WADA 能够履行其监督遵守《条例》的职责，并确保反兴奋剂组织之间有效利用资源、实现相关的兴奋剂管制信息共享，WADA 应当开发和管理兴奋剂管制信息数据库，例如 ADAMS。反兴奋剂组织应当依照适用的国际标准的要求，通过此类数据库向 WADA 报告与兴奋剂管制相关的信息，特别包括以下信息：

（a）国际级和国家级运动员的生物护照数据；

（b）运动员的行踪信息，包括注册检查库运动员的行踪信息；

（c）TUE 决定；以及

（d）结果管理决定。

14.5.1 为便于协调检查计划，避免各反兴奋剂组织在检查工作中出现不必要的重复，并确保运动员生物护照档案及时更新，各反兴奋剂组织应当依照《检查和调查国际标准》中规定的要求和时限，通过将兴奋剂检查记录单录入 ADAMS，向 WADA 报告所有赛内和赛外检查。

14.5.2 为便于 WADA 对 TUE 行使监督权和上诉权，各反兴奋剂组织应当依照《治疗用药豁免国际标准》中规定的要求和时限，通过 ADAMS 报告所有 TUE 申请、决定和证明文件。

14.5.3 为便于 WADA 对结果管理行使监督权和上诉权，各反兴奋剂组织应当依照《结果管理国际标准》中规定的要求和时限，通过 ADAMS 报告下列信息：（a）阳性检测结果的兴奋剂违规通知和相关决定；（b）非阳性检测结果的其他兴奋剂违规通知和相关决定；（c）违反行踪信息管理规定；（d）实施、取消或恢复临时停赛的任何决定。

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*.[92]

14.6 Data Privacy[93]

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.

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* 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*.

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92 *[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.]*

93 *[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 (...)]*

14.5.4 本条款所述的信息将酌情依照适用的规则提供给运动员、运动员所属国家反兴奋剂组织和国际单项体育联合会以及对该运动员有检查权的任何其他反兴奋剂组织。[92]

14.6 数据隐私[93]

反兴奋剂组织可以依照《条例》和国际标准（特别包括《隐私和个人信息保护国际标准》)的规定并遵守适用法律，在必要和适当的情况下收集、储存、处理和披露与运动员和其他当事人有关的个人信息，开展反兴奋剂活动。

第 15 条　决定的执行

15.1 签约方反兴奋剂组织所作决定的自动约束力

15.1.1 签约方反兴奋剂组织、上诉机构（条款 13.2.2）或 CAS 作出的兴奋剂违规决定，在通知程序各方后，不仅对程序各方具有约束力，而且自动对所有运动项目的所有签约方具有如下所述的约束力：

15.1.1.1 上述任何机构作出的临时停赛决定（召开临时听证会后或运动员或其他当事人接受临时停赛或放弃条款 7.4.3 提供的临时听证会、快速听证会或快速上诉的权利后）自动禁止运动员或其他当事人在临时停赛期间参加任何签约方权限范围内的所有运动项目（如条款 10.14.1 所述）。

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92 [条款 14.5 的释义：ADAMS 由 WADA 运作、管理和运营，其设计符合适用于 WADA 和使用该系统的其他组织的数据隐私法律和规范。保存在 ADAMS 中的运动员或其他当事人的个人信息无论是现在还是在将来都将严格保密，并依照《隐私和个人信息保护国际标准》的规定处理。]

93 [条款 14.6 的释义：各国政府应当制定法律、法规、政策或行政规范，以便：与反兴奋剂组织合作和共享信息；依照《条例》的规定在反兴奋剂组织之间共享数据等。]

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

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

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

15.1.2 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*.

15.1.3 A decision by an *Anti-Doping Organization*, an 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*.

15.1.4 Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a *Major Event Organization* made in an expedited process during an *Event* shall not be binding on 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.[94]

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

15.1.1.2 上述任何机构作出的禁赛期决定（在召开听证会或放弃听证会后）自动禁止该运动员或其他当事人在禁赛期间参加任何签约方权限范围内的所有运动项目（如条款 10.14.1 所述）。

15.1.1.3 上述任何机构作出的接受兴奋剂违规的决定对所有签约方具有自动约束力。

15.1.1.4 上述任何机构依照条款 10.10 在特定时间内取消成绩的决定，自动取消在特定时间内在任何签约方权限范围内取得的所有成绩。

15.1.2 自签约方收到决定的实际通知之日或该决定发布在 ADAMS 之日起（以较早者为准），各签约方有义务依照条款 15.1.1 的要求承认该决定及其效力，并执行该决定，无需采取任何进一步措施。

15.1.3 自签约方收到该决定的实际通知之日或该决定发布在 ADAMS 之日起（以较早者为准），反兴奋剂组织、上诉机构或 CAS 作出的暂缓或取消后果的决定应当对各签约方具有约束力，无需采取任何进一步措施。

15.1.4 尽管有条款 15.1.1 的规定，但是，重大赛事组织机构在赛事期间通过快速程序作出的兴奋剂违规决定对其他签约方不具有约束力，除非重大赛事组织机构的规则为运动员或其他当事人提供了快速程序以外的上诉机会。[94]

94 [条款 15.1 的释义：例如，如果重大赛事组织机构的规则允许运动员或其他当事人选择快速向 CAS 上诉或依照 CAS 正常程序向 CAS 提起上诉，则不论运动员或其他当事人是否选择快速上诉，重大赛事组织机构的最终决定或裁决对其他签约方具有约束力。]

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 15.1.1 above, such as a *Provisional Suspension* prior to a *Provisional Hearing* or acceptance by the *Athlete* or other *Person*.[95]

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*.[96]

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95 *[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.]*

96 *[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 under Article 15.3, is appealable under Article 13.]*

15.2 执行反兴奋剂组织作出的其他决定

签约方可决定执行反兴奋剂组织作出的上述条款 15.1.1 未述及的其他反兴奋剂决定，例如在临时听证会之前或运动员或其他当事人接受临时停赛之前实施临时停赛。[95]

15.3 执行非签约方机构作出的决定

非《条例》签约方机构作出的反兴奋剂决定应当由各签约方执行，前提是各签约方认为该决定在该机构的权限范围内，并且该机构的反兴奋剂规则与《条例》一致。[96]

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95 [条款 15.1 和 15.2 的释义：反兴奋剂组织依照条款 15.1 作出的决定由其他签约方自动执行，无需签约方作出任何决定或采取进一步行动。例如，如果国家反兴奋剂组织决定对运动员实施临时停赛，则该决定在国际单项体育联合会一级自动生效。需要明确的是，这一“决定”是由国家反兴奋剂组织作出的，不存在由国际单项体育联合会单独作出的决定。因此，如果运动员认为临时停赛的决定不当，只能以国家反兴奋剂组织为对象提出申诉。依照条款 15.2 的规定执行反兴奋剂组织的决定由各签约方自行决定。签约方依照条款 15.1 或 15.2 对决定的执行情况不得与对相关决定的上诉分开上诉。对其他反兴奋剂组织作出的 TUE 决定的承认范围应当由条款 4.4 和《治疗用药豁免国际标准》决定。]

96 [条款 15.3 的释义：如果某个未接受《条例》的组织作出的决定在某些方面与《条例》一致，但在其他方面与《条例》不一致，则签约方在适用该决定时应当努力与《条例》的原则保持一致。例如，如果非签约方在与《条例》一致的程序中，发现运动员体内存在禁用物质而认定其兴奋剂违规，但适用的禁赛期短于《条例》规定的禁赛期，则所有签约方均应当认同兴奋剂违规的判定，该运动员所属国家反兴奋剂组织应当依照第 8 条召开听证会，以确定是否应当实施《条例》规定的较长的禁赛期。对于签约方是否依照条款 15.3 执行该决定，可依照第 13 条提起上诉。]

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

第 16 条　对参赛动物的兴奋剂管制

16.1 在任何有动物参赛的运动项目中，该运动项目的国际单项体育联合会应当为参赛动物制定并实施反兴奋剂规则。该反兴奋剂规则应当包括禁用物质清单、适当的检查程序和批准进行样本检测的实验室名单。

16.2 在确定参赛动物的兴奋剂违规、结果管理、召开公平听证会、违规后果和上诉方面，相关的国际单项体育联合会应当制定和实施与《条例》第 1、2、3、9、10、11、13 和 17 条基本一致的规定。

第 17 条　时效规定

除非已经依照第 7 条的规定，自被指控的兴奋剂违规发生之日起 10 年内，通知运动员或其他当事人兴奋剂违规，或已经采取合理方式尝试通知，否则不得再对运动员或其他当事人提起兴奋剂违规程序。

PART TWO
第二部分

EDUCATION AND RESEARCH
教育与研究

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.[97]

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.[98]

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97 *[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.]*

98 *[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.]*

第 18 条　教育

18.1 原则

教育项目是确保国际和国家层面上一致、协调和有效的反兴奋剂体系的核心。如《条例》导言所述，教育项目旨在维护体育精神，保护运动员的健康和在无兴奋剂的赛场上公平竞争的权利。

教育项目应当提高意识，提供准确信息，培养决策能力，以防止故意和非故意的兴奋剂违规和其他违反《条例》的行为。教育项目及其实施应当树立维护体育精神的个人价值观和原则。

所有签约方应当在其职责范围内相互合作，依照《教育国际标准》的要求，计划、实施、监督、评估和提升教育项目。

18.2 签约方的教育项目和计划

《教育国际标准》中规定的教育项目应当弘扬体育精神，并对运动员和其他当事人的选择产生积极和长远的影响。

签约方应当依照《教育国际标准》的要求制定教育计划，并根据教育计划中的明确理由，合理确定目标群体或活动的优先级别。[97]

签约方应当根据其他签约方的要求向其提供教育计划，以尽可能避免重复工作，并支持《教育国际标准》中规定的承认程序。

反兴奋剂组织的教育项目应当包括以下组成部分：提高认识、提供信息、价值观教育和反兴奋剂教育。这些内容应当至少在网站上发布。[98]

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97 [条款 18.2 的释义：反兴奋剂组织依照《检查和调查国际标准》进行的风险评估提供了一个与体育运动中使用兴奋剂风险有关的框架。该评估可以用于确定教育项目的优先目标群体。WADA 还为签约方提供了教育资源，以支持其实施教育项目。]

98 [条款 18.2 的释义：例如，如果某国家反兴奋剂组织没有自己的网站，则可以在该国国家奥委会或负责该国体育运动的其他组织的网站上发布所需信息。]

- 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

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*.[99]

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*.[100]

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99 *[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.]*

100 *[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 can be implemented.]*

- 纯洁体育的原则和价值观；
- 《条例》规定的运动员、运动员辅助人员和其他团体的权利和责任；
- 严格责任原则；
- 使用兴奋剂的后果，例如对身心健康、社会和经济的影响以及处罚；
- 兴奋剂违规；
- 《禁用清单》中的物质和方法；
- 使用营养补剂的风险；
- 使用药物和治疗用药豁免；
- 检查程序，包括尿检、血检和运动员生物护照；
- 注册检查库的要求，包括行踪信息和使用 ADAMS；
- 公开表达对兴奋剂问题的关切。

18.2.1 签约方建立的教育库和目标群体

签约方应当依照《教育国际标准》的最低要求，确定其目标群体，并建立教育库。[99]

18.2.2 签约方对教育项目的实施

针对教育库开展的任何教育活动应当由受过培训和授权的人员依照《教育国际标准》的要求进行。[100]

99 [条款 18.2.1 的释义：教育库不应当仅限于国家级运动员或国际级运动员，还应当包括在任何签约方、政府或接受《条例》的其他体育组织的管辖下参加体育运动的所有当事人，包括青年。]

100 [条款 18.2.2 的释义：本规定旨在引入教育工作者的概念。教育只能由受过培训的合格人员提供，就像只能由受过培训和任命的兴奋剂检查官才能实施检查一样。在这两种情况中，对受过培训的人员的要求是保护运动员并保持一致的教育标准。关于为教育工作者制定简单的认证项目的更多细节，请参阅 WADA《教育规范指南》，包括可以实施的最佳干预措施实例。]

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.

18.2.3 协调与合作

应当与利益相关方合作，支持实施《教育国际标准》，并发挥中央资料库的作用，汇集由 WADA 或签约方开发的信息和教育资源和 / 或教育项目。各签约方应当相互合作，并与各国政府合作以协调其工作。

在国家层面，应当由国家反兴奋剂组织与各自的国家单项体育协会、国家奥委会、国家残奥委会、政府和教育机构合作，对教育项目进行协调。这种协调应当最大限度地扩大教育项目在各运动项目、运动员和运动员辅助人员中的覆盖面，并尽量减少重复工作。

针对国际级运动员的教育项目应当是国际单项体育联合会的优先事项。赛事教育应当是与国际赛事相关的任何反兴奋剂体系的强制性内容。

所有签约方应当相互合作，并与各国政府合作，鼓励相关体育组织、教育机构和职业协会制定并实施适当的行为守则，体现反兴奋剂体育实践中的良好做法和道德规范。应当明确规定和宣传纪律处罚政策和程序，包括与《条例》一致的处罚措施。此类行为守则应当规定体育机构采取适当的纪律处罚措施，以配合执行任何兴奋剂处罚；或在证据不足难以进一步指控兴奋剂违规的情况下，该组织可以自行采取纪律处罚措施。

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.

第 19 条　研究

19.1 反兴奋剂研究的宗旨和目标

反兴奋剂研究致力于在兴奋剂管制领域制定和实施有效的项目，并致力于开展无兴奋剂的体育运动的宣传和教育。

所有签约方和 WADA 应当相互合作，并同各国政府合作，鼓励和推动此类研究，并采取各种合理措施，确保将此类研究成果用于促进符合《条例》原则的各项目标的实现。

19.2 研究类型

除科学、医学、检测、统计和生理学调查外，相关的反兴奋剂研究还可以包括诸如社会学、行为学、法学和伦理学等方面的研究。除上述内容以外，应当对科学研发所产生的新物质或新方法的使用情况开展研究，以及基于与《条例》原则一致并尊重人体实验对象完整性的、以科学为基础的生理和心理训练方案，对其设计和评估的有效性开展研究。

19.3 协调研究、共享成果

通过 WADA 协调反兴奋剂研究至关重要。在尊重知识产权的前提下，应当将反兴奋剂研究成果提供给 WADA，并在适当情况下与相关签约方、运动员和其他利益相关方共享研究成果。

19.4 研究实践

反兴奋剂研究应当遵循国际公认的道德规范。

19.5 使用禁用物质和禁用方法的研究

研究工作应当避免对运动员施用禁用物质或禁用方法。

19.6 研究结果的滥用

应当采取足够的预防措施，以确保反兴奋剂研究成果不被滥用，不被用于使用兴奋剂的目的。

PART THREE
第三部分

ROLES AND RESPONSIBILITIES
责任与义务

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*.[101]

所有签约方和 WADA 应当密切合作，以确保体育运动中反兴奋剂斗争的胜利，并遵守《条例》。[101]

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101 *[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.]*

101 [释义：签约方、运动员或其他当事人的责任在《条例》的不同条款中都有规定。本部分所列的责任是对上述责任的补充。]

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*.[102]

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*.

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102 [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.]

第 20 条　签约方和 WADA 的附加责任与义务

各反兴奋剂组织可将其负责的兴奋剂管制或反兴奋剂教育工作委托给第三方，但仍应当完全负责，确保其所委托的任何方面都遵守《条例》的规定。如果受委托的第三方为非签约方，则反兴奋剂组织应当与其签订协议，要求其遵守《条例》和国际标准。[102]

20.1 国际奥委会的责任与义务

20.1.1 制定和实施与《条例》和国际标准一致的奥运会反兴奋剂政策和规则。

20.1.2 要求奥林匹克运动中的国际单项体育联合会和国家奥委会遵守《条例》和国际标准，作为国际奥委会认可其参加奥林匹克运动的条件之一。

20.1.3 依照条款 24.1 的要求，对于不遵守《条例》和 / 或国际标准的体育组织，扣发部分或全部奥林匹克资助和 / 或其他收益。

20.1.4 （a）依照条款 24.1 和《签约方条例遵守国际标准》采取适当措施，阻止签约方不遵守《条例》和国际标准的行为，以及 （b）依照第 12 条采取适当措施，阻止其管辖下的其他体育机构不遵守《条例》和国际标准的行为。

20.1.5 授权和推动独立观察员项目。

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102 [第 20 条的释义：显然，如果受反兴奋剂组织委托的作为非签约方的第三方未能遵守《条例》，并且该行为与其为另一个反兴奋剂组织提供的服务有关，则该反兴奋剂组织不对该第三方的行为负责。例如，如果国际泳联（FINA）和国际篮联（FIBA）都将兴奋剂管制工作委托给同一个非签约方的受委托的第三方，而服务提供方在向 FINA 提供服务时未能遵守《条例》，则只有 FINA 而不是 FIBA 应当对此不遵守《条例》的行为负责。但是，反兴奋剂组织应当依照合同，要求承担反兴奋剂责任的受委托的第三方报告其任何不遵守《条例》的行为。]

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, 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*.

20.1.8 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 (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*.

20.1.9 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.

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

20.1.11 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 the *Code* or the *International Standards*.

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

20.1.6 要求所有准备或参加奥运会的运动员，以及与这些运动员有关的所有运动员辅助人员，同意并接受与《条例》一致的反兴奋剂规则的约束，作为参加或参与奥运会的条件之一。

20.1.7 在遵守适用法律的前提下，要求其参与兴奋剂管制工作的所有理事会成员、主管、管理人员和雇员（以及指定受委托第三方的人员）同意就直接和故意的不当行为，受与《条例》一致的反兴奋剂规则的约束，或受签约方制定的类似规则和规定的约束，作为该职位或参与的条件之一。

20.1.8 在遵守适用法律的前提下，不得在知情的情况下雇用依照《条例》被临时停赛或禁赛期间的当事人担任与兴奋剂管制有关的任何职务（经授权的反兴奋剂教育或矫正项目除外）；或者，如果该当事人不受《条例》约束但是对其适用与《条例》一致的规则，发现其过去 6 年内直接和故意从事的行为构成兴奋剂违规，则不得在知情的情况下雇用此类人员。

20.1.9 在其权限范围内积极追查所有可能存在的兴奋剂违规，包括调查运动员辅助人员或其他当事人是否可能参与了兴奋剂案件。

20.1.10 依照《教育国际标准》的要求，计划、实施、评估和提升反兴奋剂教育。

20.1.11 只接受政府已批准、承认、通过或加入联合国教科文组织《公约》的国家申办奥运会，并且（依照条款 24.1.9 的要求）不接受不遵守《条例》或国际标准的国家奥委会、国家残奥委会和 / 或国家反兴奋剂组织的所在国的赛事申办。

20.1.12 依照《实验室国际标准》的规定，尊重实验室的运行独立性。

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.

20.2 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* for direct and intentional misconduct, or to be bound by comparable rules and regulations put in place by the *Signatory*.

20.1.13 依照《实验室国际标准》的规定，尊重实验室的运行独立性。

20.1.14 制定执行条款 2.11 的政策或规定。

20.2 国际残奥委会的责任与义务

20.2.1 制定和实施与《条例》和国际标准一致的残奥会反兴奋剂政策和规则。

20.2.2 要求残疾人奥林匹克运动中的国际单项体育联合会和国家残奥委会遵守《条例》和国际标准，作为国际残奥委会成员资格的条件之一。

20.2.3 依照条款 24.1 的要求，对于不遵守《条例》和 / 或国际标准的体育组织，扣发部分或全部残疾人奥林匹克资助和 / 或其他收益。

20.2.4 （a）依照条款 24.1 和《签约方条例遵守国际标准》采取适当措施，阻止签约方不遵守《条例》和国际标准的行为，以及（b）依照第 12 条采取适当措施，阻止其管辖下的其他体育机构不遵守《条例》和国际标准的行为。

20.2.5 授权和推动独立观察员项目。

20.2.6 要求所有准备或参加残奥会的运动员，以及与这些运动员有关的所有运动员辅助人员，同意并接受与《条例》一致的反兴奋剂规则的约束，作为参加或参与残奥会的条件之一。

20.2.7 在遵守适用法律的前提下，要求其参与兴奋剂管制工作的所有理事会成员、主管、管理人员和雇员（以及指定受委托第三方的人员）同意就直接和故意的不当行为，受与《条例》一致的反兴奋剂规则的约束，或受签约方制定的类似规则和规定的约束，作为该职位或参与的条件之一。

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 (6) 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 enforce 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 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 vi-

20.2.8 在遵守适用法律的前提下，不得在知情的情况下雇用依照《条例》被临时停赛或禁赛期间的当事人担任与兴奋剂管制有关的任何职务（经授权的反兴奋剂教育或矫正项目除外）；或者，如果该当事人不受《条例》约束但是对其适用与《条例》一致的规则，发现其过去 6 年内直接和故意从事的行为构成兴奋剂违规，则不得在知情的情况下雇用此类人员。

20.2.9 依照《教育国际标准》的要求，计划、实施、评估和提升反兴奋剂教育。

20.2.10 在其权限范围内积极追查所有可能存在的兴奋剂违规，包括调查运动员辅助人员或其他当事人是否可能参与了兴奋剂案件。

20.2.11 与相关国家组织、机构以及其他反兴奋剂组织合作。

20.2.12 依照《实验室国际标准》的规定，尊重实验室的运行独立性。

20.3 国际单项体育联合会的责任与义务

20.3.1 制定和实施与《条例》和国际标准一致的反兴奋剂政策和规则。

20.3.2 要求其所属国家单项体育协会和其他成员组织的政策、规则和规划与《条例》和国际标准一致，并采取适当行动予以执行，作为成员资格的条件之一；遵守《条例》的领域应当包括但不限于：（i）要求其所属国家单项体育协会仅在国际单项体育联合会的书面授权下实施检查，并使用其国家反兴奋剂组织或其他样本采集机构依照《检查和调查国际标准》采集样本；（ii）要求其所属国家单项体育协会依照条款 5.2.1 的规定，承认本国国家反兴奋剂组织的权限，采取适当方式协助该国家反兴奋剂组织对其运动项目实施国家检查计划；（iii）要求其所属国家单项体育协会依照条款 6.1 的规定，使用

olation 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, 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*.

20.3.5 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 (6) 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*.[103]

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

WADA 认可或 WADA 批准的实验室对所有采集的样本进行检测；以及（iv）要求其所属国家单项体育协会发现的任何国家级的兴奋剂违规案件由独立运行的听证小组依照条款 8.1 和《结果管理国际标准》进行裁决。

20.3.3 要求所有准备或参加由国际单项体育联合会或其成员组织授权或组织的比赛或活动的运动员，以及与这些运动员有关的所有运动员辅助人员，同意并接受与《条例》一致的反兴奋剂规则的约束，作为参加或参与此类比赛或活动的条件之一。

20.3.4 在遵守适用法律的前提下，要求其参与兴奋剂管制工作的所有理事会成员、主管、管理人员和雇员（以及指定受委托第三方的人员）同意就直接和故意的不当行为，受与《条例》一致的反兴奋剂规则的约束，或受签约方制定的类似规则和规定的约束，作为该职位或参与的条件之一。

20.3.5 在遵守适用法律的前提下，不得在知情的情况下雇用依照《条例》被临时停赛或禁赛期间的当事人担任与兴奋剂管制有关的任何职务（经授权的反兴奋剂教育或矫正项目除外）；或者，如果该当事人不受《条例》约束但是对其适用与《条例》一致的规则，发现其过去 6 年内直接和故意从事的行为构成兴奋剂违规，则不得在知情的情况下雇用此类人员。

20.3.6 要求非国际单项体育联合会正式成员或其所属国家单项体育协会正式成员的运动员接受样本采集，并提供准确和最新的行踪信息，作为国际单项体育联合会注册检查库的一部分，并符合国际单项体育联合会或重大赛事组织机构（如适用）规定的资格条件。[103]

103 [条款 20.3.6 的释义：例如，这可包括职业联赛的运动员。]

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 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.

20.3.8 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 *Person*s 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*.

20.3.7 要求各国家单项体育协会制定规则，要求所有准备或参加由国家单项体育协会或其成员组织授权或组织的比赛或活动的运动员，以及与这些运动员有关的所有运动员辅助人员，同意接受反兴奋剂组织制定的与《条例》一致的反兴奋剂规则和反兴奋剂组织的结果管理权的约束，作为参加此类比赛或活动的条件之一。

20.3.8 要求各国家单项体育协会向其国家反兴奋剂组织和国际单项体育联合会报告任何有兴奋剂违规迹象或与兴奋剂违规有关的信息，并配合有调查权的反兴奋剂组织开展调查。

20.3.9 （a）依照条款 24.1 和《签约方条例遵守国际标准》采取适当措施，阻止签约方不遵守《条例》和国际标准的行为，以及（b）依照第 12 条采取适当措施，阻止其管辖下的其他体育机构不遵守《条例》和国际标准的行为。

20.3.10 授权和推动独立观察员项目。

20.3.11 对于不遵守《条例》和 / 或国际标准的成员国家单项体育协会或其承认的国家单项体育协会，扣发部分或全部资助。

20.3.12 在其权限范围内积极追查所有可能存在的兴奋剂违规，包括调查运动员辅助人员或其他当事人是否可能参与了兴奋剂案件，确保后果的执行，并且如果兴奋剂违规案件涉及受保护人员或向超过一名违规运动员提供支持的运动员辅助人员，则应当对该运动员辅助人员主动开展调查。

20.3.13 依照《教育国际标准》的要求，计划、实施、评估和提升反兴奋剂教育，包括要求各国家单项体育协会与相关国家反兴奋剂组织协调开展反兴奋剂教育。

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* 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 20.7.14.

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.

20.3.14 只接受政府已批准、承认、通过或加入联合国教科文组织《公约》的国家申办世界锦标赛和其他国际赛事，并且（依照条款 24.1.9 的要求）不接受不遵守《条例》或国际标准的国家奥委会、国家残奥委会和 / 或国家反兴奋剂组织的所在国的赛事申办。

20.3.15 与相关国家组织、机构以及其他反兴奋剂组织合作。

20.3.16 依照条款 20.7.14 的规定，充分配合 WADA 开展的调查。

20.3.17 制定纪律处罚规定，并要求各国家单项体育协会制定纪律处罚规定，以防止无正当理由使用禁用物质或禁用方法的运动员辅助人员，为国际单项体育联合会或国家单项体育协会管辖下的运动员提供支持。

20.3.18 依照《实验室国际标准》的规定，尊重实验室的运行独立性。

20.3.19 制定执行条款 2.11 的政策或规定。

20.4 国家奥委会和国家残奥委会的责任与义务

20.4.1 确保其反兴奋剂政策和规则与《条例》和国际标准一致。

20.4.2 要求其国家单项体育协会和其他成员组织的政策、规则和规划与《条例》和国际标准一致，并采取适当措施予以执行，作为成员资格的条件之一。

20.4.3 尊重国家反兴奋剂组织在本国的自主权，不干涉其运行决策和活动。

20.4.4 要求各国家单项体育协会向其国家反兴奋剂组织和国际单项体育联合会报告任何有兴奋剂违规迹象或与兴奋剂违规有关的信息，并配合有调查权的反兴奋剂组织的调查。

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 (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*.

20.4.5 一旦运动员被确定出现在奥运会或残奥会的大名单或随后提交的报名文件上，至少要求非国际单项体育联合会正式成员的运动员依照《检查和调查国际标准》的要求接受样本采集并提供行踪信息，作为参加奥运会和残奥会的条件之一。

20.4.6 与本国反兴奋剂组织合作；如果该国尚未成立国家反兴奋剂组织，则与该国政府合作成立国家反兴奋剂组织，但在此期间，国家奥委会或其指定的代表应当履行国家反兴奋剂组织的责任。

20.4.7 要求各国家单项体育协会制定规则（或其他方式），要求所有准备或参加由国家单项体育协会或其成员组织授权或组织的比赛或活动的运动员，以及与这些运动员有关的所有运动员辅助人员，同意并接受与《条例》一致的反兴奋剂规则和反兴奋剂组织的结果管理权的约束，作为参加或参与此类比赛或活动的条件之一。

20.4.8 在遵守适用法律的前提下，要求其参与兴奋剂管制工作的所有理事会成员、主管、管理人员和雇员（以及指定受委托第三方的人员）同意就直接和故意的不当行为，受与《条例》一致的反兴奋剂规则的约束，或受签约方制定的类似规则和规定的约束，作为该职位或参与的条件之一。

20.4.9 在遵守适用法律的前提下，不得在知情的情况下雇用依照《条例》被临时停赛或禁赛期间的当事人担任与兴奋剂管制有关的任何职务（经授权的反兴奋剂教育或矫正项目除外）；或者，如果该当事人不受《条例》约束但是对其适用与《条例》一致的规则，发现其过去 6 年内直接和故意从事的行为构成兴奋剂违规，则不得在知情的情况下雇用此类人员。

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*[104]

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

104 [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.]

20.4.10 对于禁赛期间的兴奋剂违规运动员或运动员辅助人员，扣发部分或全部资助。

20.4.11 对于不遵守《条例》和 / 或国际标准的成员国家单项体育协会或其承认的国家单项体育协会，扣发部分或全部资助。

20.4.12 依照《教育国际标准》的要求，计划、实施、评估和提升反兴奋剂教育，包括要求各国家单项体育协会与相关国家反兴奋剂组织协调开展反兴奋剂教育。

20.4.13 在其权限范围内积极追查所有可能存在的兴奋剂违规，包括调查运动员辅助人员或其他当事人是否可能参与了兴奋剂案件。

20.4.14 与相关国家组织、机构以及其他反兴奋剂组织合作。

20.4.15 制定纪律处罚规定，以防止无正当理由使用禁用物质或禁用方法的运动员辅助人员，为国家奥委会或国家残奥委会管辖下的运动员提供支持。

20.4.16 依照《实验室国际标准》的规定，尊重实验室的运行独立性。

20.4.17 制定执行条款 2.11 的政策或规定。

20.4.18 （a）依照条款 24.1 和《签约方条例遵守国际标准》采取适当措施，阻止签约方不遵守《条例》和国际标准的行为，以及（b）依照第 12 条采取适当措施，阻止其管辖下的其他体育机构不遵守《条例》和国际标准的行为。

20.5 国家反兴奋剂组织的责任与义务 [104]

20.5.1 运行决策和活动独立于体育和政府，包括但不限于禁止任何人员在参与国际单项体育联合会、国家单项体育协

104 [条款 20.5 的释义：对于一些较小的国家，本条款所述的一些责任可由其国家反兴奋剂组织委托给地区反兴奋剂组织。]

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.[105]

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 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*,

105 [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.]

会、重大赛事组织机构、国家奥委会、国家残奥委会或负责体育或反兴奋剂的政府部门的管理和运作的同时，还参与国家反兴奋剂组织的运行决策或活动。[105]

20.5.2 制定和实施与《条例》和国际标准一致的反兴奋剂规则和政策。

20.5.3 与其他相关国家组织和机构以及其他反兴奋剂组织合作。

20.5.4 鼓励反兴奋剂组织之间的互检。

20.5.5 推进反兴奋剂研究。

20.5.6 在提供资助的情况下，扣发禁赛期间兴奋剂违规运动员或运动员辅助人员的部分或全部资助。

20.5.7 在其权限范围内积极追查所有可能存在的兴奋剂违规，包括调查运动员辅助人员或其他当事人是否可能参与了兴奋剂案件，并确保适当执行后果。

20.5.8 依照《教育国际标准》的要求，计划、实施、评估和提升反兴奋剂教育。

20.5.9 各国家反兴奋剂组织应当主管各国反兴奋剂教育。

20.5.10 在遵守适用法律的前提下，要求其参与兴奋剂管制工作的所有理事会成员、主管、管理人员和雇员（以及指定受委托第三方的人员）同意就直接和故意的不当行为，受与《条例》一致的反兴奋剂规则的约束，或受签约方制定的类似规则和规定的约束，作为该职位或参与的条件之一。

20.5.11 在遵守适用法律的前提下，不得在知情的情况下雇用依照《条例》被临时停赛或禁赛期间的当事人担任与兴奋剂管制有关的任何职务（经授权的反兴奋剂教育或矫正

105 [条款 20.5.1 的释义：例如，这不会禁止国家反兴奋剂组织担任重大活动组织机构或其他反兴奋剂组织的受委托的第三方。]

who has directly and intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to 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.

项目除外）；或者，如果该当事人不受《条例》约束但是对其适用与《条例》一致的规则，发现其过去 6 年内直接和故意从事的行为构成兴奋剂违规，则不得在知情的情况下雇用此类人员。

20.5.12 主动调查其管辖下的、涉及受保护人员兴奋剂违规案件中的运动员辅助人员，或为超过一名兴奋剂违规运动员提供支持的运动员辅助人员。

20.5.13 依照条款 20.7.14 的规定，充分配合 WADA 开展的调查。

20.5.14 依照《实验室国际标准》的规定，尊重实验室的运行独立性。

20.5.15 制定执行条款 2.11 的政策或规定。

20.5.16（a）依照条款 24.1 和《签约方条例遵守国际标准》采取适当措施，阻止签约方不遵守《条例》和国际标准的行为，以及 （b）依照第 12 条采取适当措施，阻止其管辖下的其他体育机构不遵守《条例》和国际标准的行为。

20.6 重大赛事组织机构的责任与义务

20.6.1 为其赛事制定和实施与《条例》和国际标准一致的反兴奋剂政策和规则。

20.6.2 （a）依照条款 24.1 和《签约方条例遵守国际标准》采取适当措施，阻止签约方不遵守《条例》和国际标准的行为，以及 （b）依照第 12 条采取适当措施，阻止其管辖下的其他体育机构不遵守《条例》和国际标准的行为。

20.6.3 授权和推动独立观察员项目。

20.6.4 要求所有准备或参加赛事的运动员，以及与这些运动员有关的所有运动员辅助人员，同意并接受与《条例》一致的反兴奋剂规则的约束，作为参加或参与赛事的条件之一。

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 (6) 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.

20.6.5 在遵守适用法律的前提下，要求其参与兴奋剂管制工作的所有理事会成员、主管、管理人员和雇员（以及指定受委托第三方的人员）同意就直接和故意的不当行为，受与《条例》一致的反兴奋剂规则的约束，或受签约方制定的类似规则和规定的约束，作为该职位或参与的条件之一。

20.6.6 在遵守适用法律的前提下，不得在知情的情况下雇用依照《条例》被临时停赛或禁赛期间的当事人担任与兴奋剂管制有关的任何职务（经授权的反兴奋剂教育或矫正项目除外）；或者，如果该当事人不受《条例》约束但是对其适用与《条例》一致的规则，发现其过去 6 年内直接和故意从事的行为构成兴奋剂违规，则不得在知情的情况下雇用此类人员。

20.6.7 在其权限范围内积极追查所有可能存在的兴奋剂违规，包括调查运动员辅助人员或其他当事人是否参与了兴奋剂案件。

20.6.8 依照《教育国际标准》的要求，计划、实施、评估和提升反兴奋剂教育。

20.6.9 只接受政府已批准、承认、通过或加入联合国教科文组织《公约》的国家申办赛事，并且（依照条款 24.1.9 的要求）不接受不遵守《条例》或国际标准的国家奥委会、国家残奥委会和 / 或国家反兴奋剂组织的国家的赛事申办。

20.6.10 与相关国家组织、机构以及其他反兴奋剂组织合作。

20.6.11 依照《国际实验室标准》的规定，尊重实验室的运行独立性。

20.6.12 制定执行条款 2.11 的政策或规定。

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.[106]

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.[107]

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106 [Comment to Article 20.7.1: WADA cannot be a Signatory because of its role in monitoring Signatory compliance with the Code.]

107 [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.]

20.7 WADA 的责任与义务

20.7.1 接受《条例》，并通过 WADA 理事会批准的声明，承诺履行《条例》规定的责任与义务。[106]

20.7.2 制定和实施与《条例》和国际标准一致的政策和程序。

20.7.3 支持和指导各签约方努力遵守《条例》和国际标准，并依照《条例》条款 24.1 和《签约方条例遵守国际标准》的规定，监督其遵守情况。

20.7.4 批准适用于实施《条例》的国际标准。

20.7.5 对进行样本检测的实验室进行认可和再认可，或批准其他实验室进行样本检测。

20.7.6 制定和公布指南和最佳实施模式。

20.7.7 根据 WADA 运动员委员会的建议，向 WADA 执委会提交《运动员反兴奋剂权利法案》以批准通过。该《法案》将《条例》和国际标准中明确规定的运动员权利以及其他商定的在反兴奋剂领域全面保护运动员权利的最佳实践原则汇编在一起。

20.7.8 促进、开展、委托、资助和协调反兴奋剂研究，并推进反兴奋剂教育。

20.7.9 设计并实施有效的独立观察员项目和其他类型的赛事咨询项目。

20.7.10 在特殊情况下，按照 WADA 总干事的指示，主动或应其他反兴奋剂组织的要求实施兴奋剂检查，并与相关的国家和国际组织和机构合作，包括但不限于协助查询和调查。[107]

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106 [条款 20.7.1 的释义：由于 WADA 在监督签约方遵守《条例》方面所起的作用，WADA 不能成为签约方。]

107 [条款 20.7.10 的释义：WADA 不是检查机构，但保留检查权。在特殊情况下，如果问题已引起相关反兴奋剂组织的关注但尚未得到满意解决，则 WADA 有权自行实施检查。]

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 (6) 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*.

20.7.11 与国际单项体育联合会、国家反兴奋剂组织和重大赛事组织机构协商，批准确定的检查和样本检测计划。

20.7.12 在遵守适用法律的前提下，要求其参与兴奋剂管制工作的所有理事会成员、主管、管理人员和雇员（以及指定受委托第三方的人员）同意就直接和故意的不当行为，受与《条例》一致的反兴奋剂规则的约束，或受签约方制定的类似规则和规定的约束，作为该职位或参与的条件之一。

20.7.13 在遵守适用法律的前提下，不得在知情的情况下雇用依照《条例》被临时停赛或禁赛期间的当事人担任与兴奋剂管制有关的任何职务（经授权的反兴奋剂教育或矫正项目除外）；或者，如果该当事人不受《条例》约束但是对其适用与《条例》一致的规则，发现其过去 6 年内直接和故意从事的行为构成兴奋剂违规，则不得在知情的情况下雇用此类人员。

20.7.14 自行调查兴奋剂违规、签约方不遵守《条例》的情况、WADA 认可的实验室的不合规情况以及为使用兴奋剂提供便利的其他活动。

20.8 与第三方规定有关的合作

签约方应当相互合作，并与 WADA 和各国政府合作，鼓励对不受《条例》约束的运动员辅助人员有管辖权的职业协会和机构实施有关规定，将此类运动员辅助人员视为受《条例》管辖，禁止其实施兴奋剂违规的行为。

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.[108]

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 (10) years.

21.1.6 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.[109]

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.

21.2.3 To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.

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108 *[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.]*

109 *[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.]*

第 21 条　运动员和其他当事人的附加责任与义务

21.1 运动员的责任与义务

21.1.1 了解并遵守依照《条例》制定的所有适用的反兴奋剂政策和规则。

21.1.2 随时准备接受样本采集。[108]

21.1.3 在反兴奋剂领域，对自己摄入的物质和使用的方法负责。

21.1.4 告知医务人员，运动员有义务不使用禁用物质和禁用方法，并有责任确保自己接受的任何治疗不违反依照《条例》制定的反兴奋剂政策和规则。

21.1.5 告知其所属国家反兴奋剂组织和国际单项体育联合会关于非签约方发现该运动员在过去 10 年内兴奋剂违规的任何决定。

21.1.6 配合反兴奋剂组织调查兴奋剂违规。[109]

21.1.7 应任何对运动员有管辖权的反兴奋剂组织的要求，披露其运动员辅助人员的身份。

21.2 运动员辅助人员的责任与义务

21.2.1 了解并遵守依照《条例》制定的，适用于他们自己以及他们所支持的运动员的所有反兴奋剂政策和规则。

21.2.2 配合运动员检查计划。

21.2.3 利用他们对运动员价值观和行为的影响力，培养运动员的反兴奋剂观念。

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108 [条款 21.1.2 的释义：在充分考虑运动员的人权和隐私的情况下，出于合法的反兴奋剂考虑，有时需要在深夜或清晨采集样本。例如，众所周知，有些运动员在这些时间段内使用低剂量的 EPO，以便无法在清晨发现该物质。]

109 [条款 21.1.6 的释义：拒绝合作不属于《条例》规定的兴奋剂违规，但依照签约方的规则可以据此采取纪律处罚措施。]

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 (10) years.

21.2.5 To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.[110]

21.2.6 *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.[111]

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 (10) 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*.

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110 [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.]

111 [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.]

21.2.4 告知其所属国家反兴奋剂组织和国际单项体育联合会关于非签约方发现其在过去 10 年内兴奋剂违规的任何决定。

21.2.5 配合反兴奋剂组织调查兴奋剂违规。[110]

21.2.6 无正当理由，运动员辅助人员不得使用或持有任何禁用物质或禁用方法。[111]

21.3 受《条例》约束的其他当事人的责任与义务

21.3.1 了解并遵守依照《条例》制定的，对其适用的所有反兴奋剂政策和规则。

21.3.2 告知其所属国家反兴奋剂组织和国际单项体育联合会关于非签约方发现其在过去 10 年内兴奋剂违规的任何决定。

21.3.3 配合反兴奋剂组织调查兴奋剂违规。

21.4 地区反兴奋剂组织的责任与义务

21.4.1 确保成员国制定并实施与《条例》一致的规定、政策和规划。

21.4.2 要求成员国签署正式的地区反兴奋剂组织成员资格表，以明确规定将反兴奋剂责任委托给地区反兴奋剂组织，作为成员资格的条件之一。

21.4.3 与其他相关国家和地区组织和机构以及其他反兴奋剂组织合作。

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110 [条款 21.2.5 的释义：拒绝合作不属于《条例》规定的兴奋剂违规，但依照签约方的规则可以据此采取纪律处罚措施。]

111 [条款 21.2.6 的释义：如果运动员辅助人员无正当理由使用或个人持有禁用物质或禁用方法，但不构成《条例》规定的兴奋剂违规，则该运动员辅助人员应当受到其他体育纪律处罚规定的约束。教练员和其他运动员辅助人员是运动员的榜样，有责任要求运动员远离兴奋剂。他们的个人行为不应当与该责任相冲突。]

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[112]

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*.

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

112 [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.]

21.4.4 鼓励国家反兴奋剂组织和地区反兴奋剂组织之间的互检。

21.4.5 促进和协助相关反兴奋剂组织的能力建设。

21.4.6 促进反兴奋剂研究。

21.4.7 依照《教育国际标准》的要求，计划、实施、评估和提升反兴奋剂教育。

第 22 条　政府的参与[112]

各国政府签署 2003 年 3 月 3 日通过的《反对在体育运动中使用兴奋剂哥本哈根宣言》，并批准、承认、通过或加入联合国教科文组织《公约》，以此证明对《条例》的承诺。

签约方意识到，一国政府采取的任何行动都是该国政府的事务，必须遵守国际法和本国法律法规规定的义务。尽管各国政府仅受相关政府间国际公约（特别是联合国教科文组织《公约》）要求的约束，但下列条款阐明了签约方期望政府对他们实施《条例》提供支持。

22.1 各国政府应当采取一切必要行动和措施，以遵守联合国教科文组织《公约》。

22.2 各国政府应当制定法律、法规、政策或行政措施，以便：与反兴奋剂组织合作和共享信息；依照《条例》的规定在反兴奋剂组织之间共享数据；不受限制地传送尿样和血样以确保其安全性和完整性；兴奋剂检查官不受限制地出入境以及进入国际级

112 [第 22 条的释义：大多数政府不能参与签署非政府协议（如本《条例》）或接受此类协议的约束。因此，不要求各国政府成为《条例》的签约方，而是要求他们签署《哥本哈根宣言》，并批准、承认、通过或加入联合国教科文组织《公约》。虽然承认机制也许各不相同，但《条例》中体现的协调一致的反兴奋剂体系，更多是依靠体育界与各国政府之间的共同努力。

本条款阐明了签约方对政府的明确期望。但是，这些仅仅是“期望”，因为各国政府只是“有义务”遵守联合国教科文组织《公约》的要求。]

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 (6) 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.

运动员或国家级运动员居住或训练的所有区域，进行事先无通知的检查，但须遵守适用的边境管制、移民和出入境的要求和规定。

22.3 各国政府应当制定规则、规定或政策，对在体育运动中参与兴奋剂管制、竞赛或医疗的官员和雇员（包括以监管的身份）可能构成兴奋剂违规的行为进行处罚，前提是将与《条例》一致的规则适用于这些当事人。

22.4 各国政府不得允许以下身份的任何当事人在体育运动中从事任何涉及兴奋剂管制、竞赛或医疗的职位，包括以监管的身份：（i）因违反《条例》构成兴奋剂违规而正在禁赛期间，或（ii）如果不在反兴奋剂组织的管辖下，并且依照《条例》的规定尚未在结果管理程序中对其实施禁赛，但是如果将与《条例》一致的规则适用于该当事人，其已被认定有罪或在刑事、纪律或职业程序中发现其行为可能构成兴奋剂违规。在这种情况下，该当事人被取消资格的期限应当以下列两个期限中较长的一个为准：从有关刑事、职业或纪律处罚决定作出之日起 6 年，或有关刑事、纪律或职业处罚确定的处罚期。

22.5 各国政府应当鼓励其所有公共服务部门或机构与反兴奋剂组织合作，在法律允许的情况下，及时与反兴奋剂组织共享对反兴奋剂斗争有用的信息。

22.6 各国政府应当在保护人权、基本权利和遵守适用的国家法律的前提下，尊重仲裁，将其作为解决与兴奋剂有关的争议的首选方式。

22.7 尚未成立国家反兴奋剂组织的政府应当与该国国家奥委会合作，成立国家反兴奋剂组织。

22.8 各国政府应当尊重本国国家反兴奋剂组织，或该国所属的地区反兴奋剂组织，以及该国 WADA 认可或批准的实验室的自主权，不得干涉其运行决策和活动。

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.

22.9 各国政府应当尊重本国国家反兴奋剂组织，或该国所属的地区反兴奋剂组织，以及该国 WADA 认可或批准的实验室的自主权，不得干涉其运行决策和活动。

22.10 如果一国政府未能批准、承认、通过或加入联合国教科文组织《公约》，可能会失去条款 20.1.11、20.3.14 和 20.6.9 规定的申办和 / 或主办赛事的资格。如果联合国教科文组织认定，一国政府此后不遵守联合国教科文组织《公约》，则可能会导致联合国教科文组织和 WADA 各自确定的严肃后果。

PART FOUR
第四部分

ACCEPTANCE, COMPLIANCE, MODIFICATION AND INTERPRETATION
承认、遵守、修改及解释

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*, *National 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 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.[113] 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.

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.

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113 [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.]

第 23 条　承认和实施

23.1 《条例》的承认

23.1.1 下列实体可以成为《条例》的签约方：国际奥委会、国际单项体育联合会、国际残奥委会、国家奥委会、国家残奥委会、重大赛事组织机构、国家反兴奋剂组织和其他与体育有重大关系的组织。

23.1.2 国际奥委会、国际奥委会承认的国际单项体育联合会、国际残奥委会、国家奥委会、国家残奥委会、国家反兴奋剂组织以及上述一个或多个实体承认的重大赛事组织机构等实体，在签署承认《条例》声明或 WADA 规定的其他承认形式后，方可成为签约方。

23.1.3 条款 23.1.1 所述的任何其他实体均可向 WADA 提交成为签约方的申请。该申请将依照 WADA 制定的政策进行审查。WADA 将根据在此类政策中规定的条件和要求确定是否批准该申请。[113] WADA 批准申请后，申请方必须签署承认《条例》声明，并接受 WADA 为其规定的条件和要求，方可成为签约方。

23.1.4 WADA 将公布所有承认《条例》的签约方名单。

23.2 《条例》的实施

23.2.1 各签约方应当根据其权限并在其相关职责范围内，通过政策、法令、规则或规定执行适用的《条例》规定。

113 [条款 23.1.3 的释义：例如，这些条件和要求可以包括该实体提供的财政捐助，以支付 WADA 可能因申请程序和该实体后续的签约方地位而产生的行政、监督和遵守《条例》的费用。]

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.):[114]

- 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*)
- 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

114 *[Comment to Article 23.2.2: Nothing in the Code precludes an Anti-Doping Organization from adopting and enforcing its own specific disciplinary rules for conduct by Athlete Support Personnel related to doping but which does not, in and of itself, constitute an anti-doping rule violation under the Code. For example, a National or International Federation could refuse to renew the license of a coach when multiple Athletes have committed anti-doping rule violations while under that coach's supervision.]*

23.2.2 下列条款适用于反兴奋剂组织开展的反兴奋剂活动的范围，签约方必须在不作实质性修改的情况下执行（允许对语言作任何非实质性修改，例如提及该组织的名称、运动项目、条文编号等）[114]

- 第 1 条（使用兴奋剂的定义）；
- 第 2 条（兴奋剂违规）；
- 第 3 条（使用兴奋剂的举证）；
- 条款 4.2.2 （特定物质或特定方法）；
- 条款 4.2.3（滥用物质）；
- 条款 4.3.3（WADA 确定《禁用清单》）；
- 条款 7.7 （退役）；
- 第 9 条（个人成绩的自动取消）；
- 第 10 条（对个人的处罚）；
- 第 11 条（集体项目运动队违规的后果）；
- 第 13 条（上诉），但条款 13.2.2、13.6 和 13.7 除外；
- 条款 15.1（决定的自动约束力）；
- 第 17 条（时效规定）；
- 第 26 条（对《条例》的解释）；
- 附录一：定义。

114 [条款 23.2.2 的释义：对运动员辅助人员作出的与使用兴奋剂有关的，但本身并不构成《条例》规定的兴奋剂违规的行为，《条例》中的任何规定都不排除反兴奋剂组织制定并执行自己的具体纪律处罚规定。例如，在某教练员监管下的多名运动员构成兴奋剂违规，国家单项体育协会或国际单项体育联合会可以拒绝为该教练员续签教练员资格证。]

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.[115]

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*.

ARTICLE 24 MONITORING AND ENFORCING COMPLIANCE WITH THE *CODE* AND *UNESCO CONVENTION*

24.1 Monitoring and Enforcing Compliance with the *Code*[116]

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*.

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115 *[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.]*

116 *[Comment to Article 24.1: Defined terms specific to Article 24.1 are set forth at the end of Appendix 1 to the Code.]*

签约方不得在其规则中增加任何改变本条款所列举条款效力的补充规定。签约方的规则必须明确承认《条例》的释义，并赋予释义与其在《条例》中相同的地位。但是，《条例》中的任何规定都不阻止签约方制定适用于反兴奋剂目的以外的安全、医疗、资格或行为守则的规定。[115]

23.2.3 在执行《条例》时，鼓励各签约方采用 WADA 推荐的最佳实施模式。

23.3 实施反兴奋剂计划

签约方应当投入足够的资源，在所有符合《条例》和国际标准的领域内实施反兴奋剂计划。

第 24 条 监督和执行遵守《条例》和联合国教科文组织《公约》的情况

24.1 监督和执行遵守《条例》的情况[116]

24.1.1 WADA 应当依照《签约方条例遵守国际标准》，对各签约方遵守《条例》和国际标准的情况进行监督。

24.1.2 为便于监督，各签约方应当根据 WADA 的要求，向 WADA 报告其遵守《条例》和国际标准的情况。作为报告的一部分，签约方应当准确提供 WADA 要求的所有信息，并说明其为整改任何不遵守《条例》的行为所做的工作。

115 [条款 23.2.2 的释义：例如，国际单项体育联合会可以出于名誉和健康的原因，决定制定行为准则，禁止运动员在赛外使用或持有可卡因。在赛外的样本采集中，该国际单项体育联合会可以让实验室对可卡因进行检测，作为执行其行为准则的一部分。另一方面，国际单项体育联合会的行为准则不能对赛内使用可卡因实施额外的处罚，因为《条例》的处罚规定已涵盖了这一点。其他可能的例子包括监督使用酒精或氧气的规定。同样，国际单项体育联合会可以使用兴奋剂检查的数据来监督与变性者有关的参赛资格和其他参赛资格的规则。]

116 [条款 24.1 的释义：专用于条款 24.1 的术语定义载于《条例》附录一末尾。]

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 (21) days of receipt of the formal 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 (21) 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 *Inter-*

24.1.3 如果签约方未能依照条款 24.1.2 的规定提供准确信息，即构成不遵守《条例》。如果签约方未能依照《条例》其他条款或《签约方条例遵守国际标准》或其他国际标准的要求向 WADA 提交准确信息，同样构成不遵守《条例》。

24.1.4 如果出现不符合项的情况（无论是否有报告义务），WADA 应当遵循《签约方条例遵守国际标准》规定的整改程序。如果签约方或其代表未能在规定的时限内整改不符合项，则（在 WADA 执委会批准这一程序后）WADA 应当向签约方发出正式通知，指控签约方不遵守《条例》，具体说明 WADA 依照条款 24.1.12 所列的潜在后果清单对这一不遵守《条例》情况应当适用的后果，并建议签约方必须满足何种条件才能重新被纳入遵守《条例》的签约方名单。该通知将依照《签约方条例遵守国际标准》予以公开发布。

24.1.5 如果签约方在收到正式通知后 21 天内未对 WADA 提出的不遵守《条例》的指控或后果或恢复遵守《条例》签约方资格的条件提出异议，则视为已承认不遵守《条例》指控，并接受 WADA 提出的后果和恢复遵守《条例》签约方资格的条件。该通知将自动成为 WADA 的最终决定并由 WADA 发布，并且（在不影响依照条款 13.6 提起的任何上诉的情况下）依照条款 24.1.9 可立即生效执行。该决定将依照《签约方条例遵守国际标准》或其他国际标准的规定公开发布。

24.1.6 如果签约方希望对 WADA 提出的不遵守《条例》的指控和 / 或后果和 / 或恢复遵守《条例》签约方资格的条件提出异议，则必须在收到 WADA 通知后 21 天内以书面形式通知 WADA。在这种情况下，WADA 应当向 CAS 提交一份正式的异议通知，由 CAS 常设仲裁庭依照《签约方条例遵守国际标准》解决该争议。WADA 有责任在优势证明的基础上，向 CAS 仲裁庭举证证明该签约方存在不遵

national 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 (10) 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

24.1.7.2 an International Federation, where the decision may have an effect on participation in the International Federation's World Championships and/or other *International Events* 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 (10) 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.

守《条例》的情况（如有争议）。如果 CAS 仲裁庭认定 WADA 已经履行了这一责任，并且如果签约方也对 WADA 提出的后果和/或恢复遵守《条例》签约方资格的条件提出异议，则 CAS 仲裁庭还将参考《签约方条例遵守国际标准》的相关规定，决定如下事项：（a）应当依照《条例》条款 24.1.12 规定的潜在后果清单，确定应当适用何种后果；以及（b）要求签约方应当满足哪些条件才能恢复遵守《条例》签约方资格。

24.1.7 WADA 将公开报告该案件已提交 CAS 判定的事实。下列各当事人有权作为当事方加入和参与案件的审理，前提是必须在 WADA 公布上述事实后 10 天内发出参与审理的通知：

24.1.7.1 国际奥委会和/或国际残奥委会（如适用），国家奥委会和/或国家残奥委会（如适用），如果该决定可能对奥运会或残奥会产生影响（包括影响出席/参加奥运会或残奥会资格的决定）；以及

24.1.7.2 国际单项体育联合会，如果该决定可能对参加国际单项体育联合会的世界锦标赛和/或其他国际赛事和/或对某个国家申办国际单项体育联合会的世界锦标赛和/或其他国际赛事产生影响。

任何其他希望作为当事方参与案件的当事人必须在 WADA 公布案件已提交 CAS 判定的事实后 10 天内向 CAS 提出申请。在以下情况下，CAS 应当允许此类参与审理：（i）如果案件中的所有其他当事方都同意；或（ii）申请人证明对案件的结果有充分的法律利益，其有正当理由作为当事方参加。

24.1.8 *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.

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.

24.1.10 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 (21) 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, *CAS's* decision shall be final and enforceable with immediate effect in accordance with Article 24.1.9.

24.1.11 The various requirements imposed on *Signatories* by the *Code* and the *International Standards* shall be classified either as *Critical*, or as *High Priority*, 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.

24.1.8 CAS 解决争议的决定将由 CAS 和 WADA 公开发布。在瑞士法律规定有权就该决定向瑞士联邦法院提出异议的前提下，依照条款 24.1.9 的规定，该决定应当为最终决定并立即执行。

24.1.9 依照条款 24.1.5 或 24.1.8 发布的最终决定在全世界范围内适用，包括确定签约方不遵守《条例》、对此实施处罚和/或规定签约方必须满足的重新列入遵守《条例》签约方名单的条件，以及 CAS 依照条款 24.1.10 作出的决定。所有其他签约方应当根据其权限并在其相关职责范围内承认、尊重和充分实施最终决定。

24.1.10 如果 WADA 主张签约方尚未满足规定的恢复遵守《条例》签约方资格的所有条件，因此无权被重新列入遵守《条例》签约方名单，该签约方希望对此提出异议，则其必须在收到 WADA 主张后 21 天内以书面形式通知 WADA。在这种情况下，WADA 应当向 CAS 提交一份正式的异议通知，由 CAS 常设仲裁庭依照条款 24.1.6 至 24.1.8 的规定解决该争议。WADA 有责任在优势证明的基础上向 CAS 仲裁庭证明，该签约方尚未满足规定的恢复遵守《条例》签约方资格的所有条件，因此无权恢复其资格。在瑞士法律规定有权就 CAS 决定向瑞士联邦法院提出异议的前提下，依照条款 24.1.9，CAS 决定应当为最终决定并立即执行。

24.1.11 《条例》和国际标准对签约方提出的各项要求应当依照《签约方条例遵守国际标准》的规定，根据其在反对在体育运动中使用兴奋剂的相对重要性，应当分为“核心要求”“重要要求”或“一般要求”。依照《签约方条例遵守国际标准》第 10 条，该分类应当成为确定签约方不遵守上述要求时应当承担何种后果的关键因素。签约方有权对要求的分类提出异议。在这种情况下，CAS 将决定适当的分类。

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;

(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 对不遵守《条例》和/或国际标准的签约方，可根据所处理案件的具体事实和情况以及《签约方条例遵守国际标准》第10条的规定，单独或合并实施下列后果：

24.1.12.1 丧失资格或取消WADA特权：

（a）依照WADA章程的有关规定，判定签约方代表在特定时间内无资格担任WADA的任何职务或WADA理事会或委员会或其他机构（包括但不限于WADA理事会、执委会和任何常设委员会）的任何成员职务（但是在没有有效替代者的情况下，WADA可破例允许签约方代表继续担任WADA专家组成员）；

（b）判定签约方无资格主办由WADA组织或共同主办或协办的任何活动；

（c）判定签约方代表无资格参加任何WADA独立观察员项目或WADA拓展项目或WADA的其他活动；

（d）撤销WADA向签约方提供的与开展特定活动或参与特定项目有关的资助（无论是直接还是间接）；以及

24.1.12.2 判定签约方代表在特定时间内无资格担任任何其他签约方（或其成员组织），或签约方协会的理事会，或委员会，或其他机构的任何成员职务或职位。

24.1.12.3 对签约方的部分或全部反兴奋剂活动进行特别监督，直至WADA认为该签约方能够在不受监督的情况下以遵守《条例》的方式实施此类反兴奋剂活动。

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 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*.

24.1.12.4 由经批准的第三方监督和/或接管签约方的部分或全部反兴奋剂活动，直至 WADA 认为该签约方能够在不采取此类措施的情况下以遵守《条例》的方式实施此类反兴奋剂活动。

（a）如果不遵守《条例》的情况涉及不遵守相关规则、规定和/或法律，则应当在 WADA 的要求下，依照（一个或多个其他反兴奋剂组织，如国际单项体育联合会或国家反兴奋剂组织或地区反兴奋剂组织的）其他适用规则开展反兴奋剂活动。在这种情况下，虽然反兴奋剂活动（包括任何检查和结果管理）将由经批准的第三方依照其他适用规则进行管理，费用由不遵守《条例》的签约方承担，但反兴奋剂组织以这种方式使用其规则而产生的任何费用应当由不遵守《条例》的签约方偿付。

（b）如果无法以这种方式弥补签约方反兴奋剂活动中的空白（例如，由于国家法律禁止，而国家反兴奋剂组织尚未对该法律进行修改或采取其他解决办法），则可能有必要作为替代措施，将签约方反兴奋剂活动涵盖的运动员排除在奥运会/残奥会/其他赛事之外，以保护纯洁运动员的权利，并维护公众对这些赛事公正性的信心。

24.1.12.5 罚款。

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*).[117]

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.

117 [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.]

24.1.12.6 在特定时间内暂停或丧失从国际奥委会或国际残奥委会或任何其他签约方获得部分或全部资助和/或其他收益的资格（无论在恢复遵守《条例》签约方资格后是否有权收回在此期间可获得的此类资助和/或其他收益）。

24.1.12.7 建议相关政府机构在特定时间内扣发签约方的部分或全部政府资助和/或其他资助和/或其他收益（无论在恢复遵守《条例》签约方资格后是否有权收回在此期间可获得的此类资助和/或其他收益）。[117]

24.1.12.8 如果签约方为国家反兴奋剂组织或作为国家反兴奋剂组织的国家奥委会，则签约方所在国被判定无资格主办或共同主办和/或被授权主办或共同主办国际赛事（例如奥运会、残奥会、任何其他重大赛事组织机构的赛事、世界锦标赛、地区性或洲际锦标赛和/或任何其他国际赛事）：

（a）如果已将世界锦标赛和/或其他国际赛事的主办权或共同主办权授予相关国家，则授予该主办权的签约方必须评估在法律上和实践上是否可以撤销该主办权，并将赛事重新分配给另一个国家。如果在法律上和实践上可行，则签约方应当这样做。

117 [条款 24.1.12.6 的释义：政府机构不是《条例》的签约方。但是，依照联合国教科文组织《公约》条款 11（c）的规定，缔约国应当酌情扣发不遵守《条例》的任何体育组织或反兴奋剂组织的部分或全部财政资助或其他与体育相关的收益。]

(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）签约方应当确保有权依照其章程、规则和规定，和/或主办协议，遵守这一要求（包括在任何主办协议中规定，如果相关国家已被判定无资格主办赛事，签约方有权取消该协议而不受处罚）。

24.1.12.9 如果签约方为国家反兴奋剂组织或国家奥委会或国家残奥委会，则禁止下列人员在特定时间内参加或出席奥运会和残奥会和/或其他指定赛事、世界锦标赛、区域性或洲际锦标赛和/或任何其他国际赛事：

（a）签约方所在国的国家奥委会和/或国家残奥委会；

（b）该国代表和/或该国国家奥委会和/或国家残奥委会的代表；和/或

（c）隶属于该国和/或该国国家奥委会和/或国家残奥委会和/或国家单项体育协会的运动员和运动员辅助人员。

24.1.12.10 如果签约方为某国际单项体育联合会，则禁止下列人员在特定时间内参加或出席奥运会和残奥会和/或其他赛事：该国际单项体育联合会代表和/或参加该国际单项体育联合会运动项目（或该运动项目的一个或多个小项）的运动员和运动员辅助人员。

24.1.12.11 如果签约方为重大赛事组织机构：

（a）对重大赛事组织机构下一届赛事的反兴奋剂活动进行特别监督或第三方监督或接管；和/或

(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.

24.1.12.12 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.[118]

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.

118 *[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.]*

（b）暂停或丧失从国际奥委会、国际残奥委会、国家奥委会协会或其他赞助机构获得资助和其他收益的资格和/或承认/成员资格/赞助（如适用）；和/或

（c）停止承认其赛事为奥运会或残奥会的资格赛。

24.1.12.12 暂停获得奥林匹克运动的承认和/或残疾人奥林匹克运动的成员资格。

24.1.13 其他后果

各国政府和签约方及签约方协会可在各自的权限范围内对签约方不遵守《条例》的行为实施额外的处罚，前提是这不会以任何方式损害或限制适用本条款 24.1 规定的后果的能力。[118]

24.2 监督遵守联合国教科文组织《公约》的情况

联合国教科文组织国际公约缔约国大会与缔约国和 WADA 协商后确定，将对联合国教科文组织《公约》中所述义务的履行情况进行监督。WADA 应当就签约方实施《条例》的情况向各国政府提出建议，并就各国政府批准、承认、通过或加入联合国教科文组织《公约》向签约方提供建议。

118 [条款 24.1.13 的释义：例如，国际奥委会可决定依照《奥林匹克宪章》对国际单项体育联合会或国家奥委会实施象征性后果或其他后果，例如取消组织国际奥委会会议或奥林匹克大会的资格；而国际单项体育联合会可决定取消原定在不遵守《条例》签约方所在国举行的国际赛事，或将其移至另一个国家举行。]

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 (3) 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 (1) year of approval by the *WADA* Foundation Board.[119]

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.

119 [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 (3) 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.]

第 25 条　修改和撤销

25.1 修改

25.1.1 WADA 应当负责监督《条例》的改进和完善。应当邀请运动员、其他利益相关方和政府参与这一过程。

25.1.2 WADA 应当启动对《条例》的拟议修正案，确保接收和回复建议的协商程序运行，并推动运动员、其他利益相关方和政府对修改建议作出审查和反馈。

25.1.3 经过适当的协商，《条例》修正案应当由 WADA 理事会三分之二的多数批准通过，其中包括政府部门和奥林匹克运动成员的过半数投票通过。除非另有规定，修正案应当在通过后 3 个月内生效。

25.1.4 各签约方应当在 2021 年 1 月 1 日或之前修订其规则，以纳入 2021 版《条例》，并于 2021 年 1 月 1 日生效。签约方应当在 WADA 理事会批准《条例》后续适用修正案后的 1 年内予以实施。[119]

25.2 撤回对《条例》的承认

签约方可在向 WADA 发出撤回承认《条例》书面意向的 6 个月后，撤回对《条例》的承认。签约方一旦撤回对《条例》的承认，则不应当再视为遵守《条例》的签约方。

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119 [条款 25.1.3 和条款 25.1.4 的释义：依照条款 25.1.3，除非另有规定，否则对签约方规定的新义务或变更后的义务在批准后 3 个月内自动生效。相反，条款 25.1.4 涉及了对运动员或其他当事人的新义务或变更后的义务，只能通过修改相关签约方（例如国际单项体育联合会）的反兴奋剂规则对个体运动员或其他当事人执行。因此，条款 25.1.4 为每个签约方提供了较长的时间，以使其规则与 2021 版《条例》保持一致，并采取任何必要措施，确保相关的运动员和其他当事人受到规则的约束。]

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　对《条例》的解释

26.1 《条例》的正式文本应当由 WADA 保存，以英文和法文公布。如果英文与法文版本之间发生任何冲突，应当以英文版本为准。

26.2 《条例》各项规定的释义应当用于解释本《条例》。

26.3 《条例》应当作为一个独立自主的文本来解释，而不能参照各签约方或政府的现行法律或法规进行解释。

26.4 《条例》各部分和各条款的标题仅为阅读方便，不应当视为《条例》实质内容的一部分，也不应当以任何方式影响其所指条款的语义。

26.5 《条例》或国际标准中使用的“天数”一词应当指自然日，除非另有说明。

26.6 《条例》对签约方承认并在其规则中执行《条例》之日前的未决事项不具有溯及力。但是，在确定第 10 条规定的处罚措施时，执行《条例》前发生的兴奋剂违规可继续作为“初次违规”或“二次违规”处理。

26.7 世界反兴奋剂体系和《条例》的宗旨、适用范围和组成，以及附录一（定义）应当视为《条例》的组成部分。

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.

第 27 条　过渡规定

27.1 2021 版《条例》的普遍适用

2021 版《条例》应当于 2021 年 1 月 1 日（“生效日期”）起全面实施。

27.2 除非适用条款 10.9.4 和第 17 条外或适用“从轻”原则，否则不具有溯及力

截至《条例》生效之日仍未决的任何兴奋剂违规案件，以及任何在生效日期前发生而在生效日期后提交的兴奋剂违规案件，应当受被指控的兴奋剂违规发生时正在生效的反兴奋剂实体规则约束，而不受 2021 版《条例》规定的反兴奋剂实体规则约束，除非审理案件的听证小组根据案件的情况，确定以适当的方式适用“从轻”原则。为此，依照条款 10.9.4 的规定，既往违规可视为多次违规的追溯期和第 17 条规定的时效规定是程序规则，而不是实体规则，应当与 2021 版《条例》中的所有其他程序性规则一并追溯适用（但前提是，只有时效规定在《条例》生效日期前尚未届满的情况下才可追溯适用第 17 条）。

27.3 适用于 2021 版《条例》之前作出的决定

对于在《条例》生效日期前已作出的认定兴奋剂违规的最终决定，但截至生效日期运动员或其他当事人仍在禁赛期间的，该运动员或其他当事人可向对兴奋剂违规有结果管理职责的反兴奋剂组织申请，依照 2021 版《条例》的规定考虑缩减禁赛期。该申请必须在禁赛期届满前提出。对反兴奋剂组织作出的决定，可以依照条款 13.2 提起上诉。如果已经做出认定兴奋剂违规的最终决定，并且禁赛期已届满，则 2021 版《条例》不适用于该兴奋剂违规案件。

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.[120]

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 or method from the *Prohibited List*.

120 *[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.]*

27.4 初次违规发生在 2021 年 1 月 1 日前的多次违规

为依照条款 10.9.1 评估第二次违规的禁赛期，如果第一次违规是基于 2021 版之前的《条例》规定作出的处罚，则将第二次违规视为第一次发生时的禁赛期，应适用 2021 版《条例》的规定。[120]

27.5 附加的《条例》修正案

任何附加的《条例》修正案应当依照条款 27.1 的规定生效。

27.6 对《禁用清单》的修改

除非另有明确规定，对《禁用清单》和与《禁用清单》所列物质或方法有关的技术文件所作的修改不得追溯适用。但是，作为例外情况，如果某种禁用物质或禁用方法已从《禁用清单》中删除，因之前的禁用物质或禁用方法而目前正处于禁赛期间的运动员或其他当事人可向对其兴奋剂违规负有结果管理职责的反兴奋剂组织提出申请，请求根据该物质或方法已从《禁用清单》中删除的情况，考虑缩减其禁赛期。

120 [条款 27.4 的释义：除条款 27.4 所述的情况外，如果认定兴奋剂违规的最终决定是在《条例》颁布之前作出，或是依照 2021 版《条例》之前的生效《条例》作出，并且实施的禁赛期已经执行完毕，则不得使用 2021 版《条例》对之前的违规重新定性。]

APPENDIX 1
附录一

DEFINITIONS
定义

DEFINITIONS[121]

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*.

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

定义[121]

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

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

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

生物护照阳性结果：适用的国际标准中所述的确定为生物护照阳性结果的报告。

加重处罚情节：运动员或其他当事人涉及的情况或行为表明有理由对其实施超过标准处罚的禁赛期。此类情况和行为应当包括但不限于：运动员或其他当事人使用或持有多种禁用物质或禁用方法，多次使用或持有某种禁用物质或禁用方法，或多次构成其他兴奋剂违规；正常人有可能在原本适用的禁赛期结束后继续享受兴奋剂违规带来的提高运动能力的效果；运动员或其他当事人进行欺骗性或阻碍性的行为以逃避兴奋剂违规的查处或裁决；或运动员或其他当事人在结果管理过程中有篡改的行为。为免生疑问，本定义所述的情况和行为的实例不具有排他性，其他类似的情况或行为也可能成为实施更长的禁赛期的理由。

121 [定义释义：术语定义应当包括其复数形式和所有格形式，以及用作其他词性的术语。]

Anti-Doping Activities: Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *TUE* applications, *Results Management*, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or on behalf of an *Anti-Doping Organization*, as set out in the *Code* and/or the *International Standards*.

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

Athlete: Any *Person* who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of "*Athlete*." In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any *Athlete* over whom an *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*.[122]

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

反兴奋剂活动：反兴奋剂教育和宣传、制定检查计划、维护注册检查库、管理运动员生物护照、实施检查、组织样本检测、收集情报和开展调查、处理 TUE 申请、结果管理、监督和执行所实施后果的遵守情况，以及反兴奋剂组织或代表反兴奋剂组织依照《条例》和 / 或国际标准开展的所有与反兴奋剂有关的其他活动。

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

运动员：任何参加国际级（以各国际单项体育联合会的定义为准）或国家级（以各国家反兴奋剂组织的定义为准）体育比赛的当事人。反兴奋剂组织有权对既不是国际级也不是国家级的运动员适用反兴奋剂规则，从而将其纳入“运动员”的定义范围。对既不是国际级也不是国家级运动员，反兴奋剂组织可以决定：实施有限的检查或根本不检查；样本可以不对所有禁用物质进行检测；要求提供部分行踪信息或不要求提供行踪信息；或不要求事先申请 TUE。但是，如果反兴奋剂组织选择行使检查权的运动员参加了低于国际或国家级的比赛，并且构成了条款 2.1、2.3 或 2.5 的兴奋剂违规，则必须适用《条例》规定的后果。为实现条款 2.8 和 2.9 的目的以及为进行反兴奋剂宣传和教育，参加承认《条例》的任何签约方、政府或其他体育组织管辖下的体育运动的任何当事人都是运动员。[122]

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

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

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* participating in or preparing for sports *Competition*.

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

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

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

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping *Code*.

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

Consequences of Anti-Doping Rule Violations ("Consequences"): An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 10.14; (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.

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

运动员辅助人员：同运动员一起工作、治疗或协助运动员参加或准备体育比赛的任何教练员、体能教练、领队、经纪人、运动队工作人员、官员、医疗和医护人员、家长或其他当事人。

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

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

非典型性生物护照结果：适用的国际标准所述的非典型性生物护照结果的报告。

CAS：国际体育仲裁院。

条例：《世界反兴奋剂条例》。

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

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

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

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's* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Protected Person*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected

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

判定限：样本中某一阈值物质的结果值，依照《实验室国际标准》的规定，超过该阈值应当报告为阳性检测结果。

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

取消比赛成绩：参见上述“兴奋剂违规的后果”。

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

教育：通过学习，树立价值观，培养弘扬和保护体育精神的行为，并防止故意和非故意地使用兴奋剂的过程。

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

赛事期间：依照赛事管理机构的规定，从赛事开始到赛事结束的时间。

赛事场馆：赛事管理机构指定用于赛事的场馆。

过错：过错是任何失职或任何在特定情况下的疏忽大意。在评估运动员或其他当事人的过错程度时，应当考虑的因素包括，例如，运动员或其他当事人的经验、运动员或其他当事人是否为受保护人员，特别要考虑是否残疾、运动员本应当察觉的风险程度及其对该风险程度所给予的关注和调查情况。在评估运动员或其他当事人的过错程度时，所考虑的情况必须具体，并且足以解释运动员或其他当事人偏离预期的行为标准。因此，例如，

standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.6.1 or 10.6.2.[123]

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

In-Competition: The period commencing at 11:59 p.m. on the day before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an International Federation provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by all *Major Event Organizations* for that particular sport.[124]

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*.

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

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

运动员在禁赛期间有可能损失赚取大笔金钱的机会，或该运动员的职业生涯或体育运动赛程所剩时间不多，都不应当成为依照条款 10.6.1 或 10.6.2 的规定缩减禁赛期时考虑的相关因素。[123]

经济处罚：参见上述“兴奋剂违规的后果”。

赛内：从运动员参赛的前一天晚 11:59 开始，直至该比赛和与之相关的样本采集程序结束为止的一段时间。但是，如果国际单项体育联合会提供令人信服的理由，认为对其运动项目有必要采用不同的定义，则 WADA 可为某一特定运动项目批准一个替代定义；经 WADA 批准后，该运动项目的所有重大赛事组织机构都应当遵循该替代定义。[124]

独立观察员项目：由观察员和/或审核员组成的小组，在 WADA 的监督下，负责在某些赛事之前或期间观察兴奋剂管制过程、提供指导并报告观察结果，作为 WADA 遵守《条例》监控程序的一部分。

个人项目：非集体项目的运动项目。

禁赛：参见上述“兴奋剂违规的后果”。

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

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123 [过错的释义：在考虑过错的所有条款中，运动员过错程度的评估标准都是一致的。但是，依照条款 10.6.2 的规定，除非在评估过错程度时得出结论认定运动员或其他当事人无重大过错或无重大疏忽，否则不宜减轻处罚。]

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

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.[125]

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.

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125 [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.]

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

国际级运动员：与《检查和调查国际标准》一致，由各国际单项体育联合会规定的参加国际赛事的运动员。[125]

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

重大赛事组织机构：担任任何洲际赛事、地区性赛事或其他国际赛事管理机构的洲际国家奥委会协会和其他国际综合性体育组织。

标记物：显示使用了禁用物质或禁用方法的化合物、复合化合物或生物变量。

代谢物：通过生物转化过程产生的任何物质。

最低报告水平：样本中禁用物质或其代谢物或标记物的估计浓度。低于该浓度时，WADA 认可的实验室不应当将该样本报告为阳性检测结果。

未成年人：未年满 18 周岁的自然人。

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

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

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*.

国家级赛事：国际级或国家级运动员参加的、非国际赛事的体育赛事或比赛。

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

国家奥林匹克委员会：国际奥委会承认的组织。“国家奥林匹克委员会”一词还应当包括在反兴奋剂领域承担国家奥委会特有职责的国家单项体育协会。

无过错或无疏忽：运动员或其他当事人证明其不知道或不怀疑，并且在极其谨慎的情况下也不可能合理地知道或怀疑自己使用或被施用了禁用物质或禁用方法，或以其他方式构成兴奋剂违规。除受保护人员或大众运动员外，对于任何条款 2.1 的违规，运动员还必须证明禁用物质是如何进入其体内的。

无重大过错或无重大疏忽：运动员或其他当事人证明，从整体情况判断并考虑到无过错或无疏忽的标准，其任何过错或疏忽与兴奋剂违规的关系不大。除受保护人员或大众运动员外，对于任何条款 2.1 的违规，运动员还必须证明禁用物质是如何进入其体内的。

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

赛外：任何非赛内的时间段。

参赛者：任何运动员或运动员辅助人员。

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

Possession: The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the *Person* knew about the presence of the *Prohibited Substance* or *Prohibited Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.[126]

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

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

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

Protected Person: An *Athlete* or other natural *Person* who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen (16) years; (ii) has not reached the age of eighteen (18) years and is not included in any *Registered Testing Pool* and has never competed in any *International Event* in an open category; or (iii) for reasons other than age has been determined to lack legal capacity under applicable national legislation.[127]

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126 [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.]

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

当事人：自然人、组织或其他实体。

持有：实际的、实质的持有，或推定持有（只有在当事人对禁用物质或禁用方法或对存在禁用物质或禁用方法的处所具有排他性控制或拟行使控制时才应当认定为推定持有）。但是，如果该当事人对禁用物质或禁用方法或对存在禁用物质或禁用方法的处所不具有排他性控制，则只有在该当事人知道存在禁用物质或禁用方法并打算对其实施控制的情况下，才可认定为推定持有。但是，如果该当事人在收到兴奋剂违规通知前，已采取实际行动表明自己从未打算持有禁用物质或禁用方法，并明确向反兴奋剂组织宣布放弃持有，则不得仅以持有为由判定其兴奋剂违规。尽管本定义中有相反的规定，但购买（包括以任何电子方式或其他方式）禁用物质或禁用方法即构成购买者的持有。[126]

禁用清单：确定禁用物质和禁用方法的清单。

禁用方法：《禁用清单》上所述的任何方法。

禁用物质：《禁用清单》上所述的任何物质或物质类别。

受保护人员：兴奋剂违规时符合以下条件的运动员或其他自然人：（i）未年满 16 周岁；（ii）未年满 18 周岁，并且未被列入任何注册检查库，也从未参加过任何国际赛事的公开组别比赛；或（iii）根据适用的国家法律，因年龄以外的原因被认定缺乏法律行为能力。[127]

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

127 [受保护人员的释义：在某些情况下，《条例》对受保护人员与对其他运动员或当事人进行区别对待，这基于以下理解，即运动员或其他当事人在不满年龄或智力能力的情况下可能不具备理解和领会《条例》所述的禁止某些行为的思考能力。例如，这可以包括有文件证明因智力缺陷而缺乏法律行为能力的残奥会运动员。“公开组别”一词是用于排除仅限于青少年或年龄组类别的比赛。]

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.[128]

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

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

Recreational Athlete: A natural *Person* who is so defined by the relevant *National Anti-Doping Organization*; provided, however, the term shall not include any *Person* who, within the five (5) years prior to committing any anti-doping rule violation, has been an *International-Level Athlete* (as defined by each International Federation consistent with the *International Standard* for *Testing* and Investigations) or *National-Level Athlete* (as defined by each *National Anti-Doping Organization* consistent with the *International Standard* for *Testing* and Investigations), has represented any country in an *International Event* in an open category or has been included within any *Registered Testing Pool* or other whereabouts information pool maintained by any International Federation or *National Anti-Doping Organization*.[129]

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

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

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128 [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.]

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

临时听证会： 依照条款 7.4.3 的规定，在第 8 条规定的听证会之前举行的快速简短的听证会，向运动员发出通知提供书面或口头的听证机会。[128]

临时停赛：参见上述“兴奋剂违规的后果”。

公开披露：参见上述“兴奋剂违规的后果”。

大众运动员：由相关国家反兴奋剂组织确定的自然人。但是，该术语不应当包括在兴奋剂违规前 5 年内曾是国际级运动员（由各国际单项体育联合会依照《检查和调查国际标准》界定）或国家级运动员（由各国家反兴奋剂组织依照《检查和调查国际标准》界定），曾代表任何国家参加国际赛事公开组别比赛或已被列入任何国际单项体育联合会或国家反兴奋剂组织维护的任何注册检查库或其他行踪信息库的任何当事人。[129]

地区反兴奋剂组织：由各成员国指定的，负责协调和管理指定区域国家反兴奋剂体系的区域性实体，可包括在区域内制定和实施反兴奋剂规则、计划和采集样本、管理结果、审查 TUE、召开听证会，以及开展教育项目。

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

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

129 [大众运动员的释义：“公开组别”一词是用于排除仅限于青少年或年龄组别的比赛。]

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*.[130]

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.

130 [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.]

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

样本或标本：为进行兴奋剂管制而采集的任何生物材料。[130]

签约方：依照第 23 条的规定，承认《条例》并同意执行《条例》的实体。

特定方法：参见条款 4.2.2。

特定物质：参见条款 4.2.2。

严格责任：该规则规定，依照条款 2.1 和条款 2.2，反兴奋剂组织证明兴奋剂违规时，无需证明运动员的意图、过错、疏忽或明知使用。

滥用物质：参见条款 4.2.3。

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

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

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*.[131]

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

Team Sport: A sport in which the substitution of players is permitted during a *Competition*.

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

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

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.

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131 [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.]

篡改：破坏兴奋剂管制过程，但不属于禁用方法定义范畴的故意行为。篡改应当包括但不限于：收受贿赂以实施或不实施某种行为，阻止样本采集，影响样本检测或使样本检测无法进行，伪造提交给反兴奋剂组织或 TUE 委员会或听证小组的文件，获取证人的虚假证词，对反兴奋剂组织或听证机构实施其他欺诈行为以影响结果管理或实施后果，以及其他类似的故意干扰或企图干扰兴奋剂管制任何方面的行为。[131]

目标检查：依照《检查和调查国际标准》规定的标准挑选特定运动员实施检查。

集体项目：指比赛过程中允许替换运动员的运动项目。

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

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

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

交易：运动员、运动员辅助人员或反兴奋剂组织管辖下的任何其他当事人向任何第三方销售、提供、运输、邮寄、递送或分发（或以任何这些目的持有）禁用物质或禁用方法（无论是以实物或任何电子或其他方式）。但是，该定义不应当包括真正的医务人员将禁用物质用于真实合法的治疗目的或其他可接受的正当理由，也不应当包括使用赛外检查不禁用的禁用物质的行为，除非整体情况表明这些禁用物质并非用于真实合法的治疗目的或企图用于提高运动能力。

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

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*.

联合国教科文组织《公约》：2005 年 10 月 19 日联合国教科文组织第 33 届大会通过的《反对在体育运动中使用兴奋剂国际公约》，包括《反对在体育运动中使用兴奋剂国际公约》缔约国接受和《公约》缔约国大会通过的所有修正案。

使用：以任何方式使用、应用、摄入、注射或消耗的任何禁用物质或禁用方法。

WADA：世界反兴奋剂机构。

《互不损害协议》：为条款 10.7.1.1 和条款 10.8.2 的目的，反兴奋剂组织与运动员或其他当事人之间签订的书面协议。该协议允许运动员或其他当事人在规定的时间内向反兴奋剂组织提供信息，但基于以下谅解，即如果最终未能达成切实协助协议或案件解决协议，则反兴奋剂组织不得在《条例》规定的任何结果管理程序中将运动员或其他当事人在此特定情况下提供的信息用于针对运动员或其他当事人，而运动员或其他当事人不得在《条例》规定的任何结果管理程序中将反兴奋剂组织在此特定情况下提供的信息用于针对反兴奋剂组织。该协议不排除反兴奋剂组织、运动员或其他当事人在协议规定的特定时限以外使用从任何来源收集的任何信息或证据。

专用于条款 24.1 的定义

加重处罚情节：该术语包括蓄意企图规避或破坏《条例》或国际标准和 / 或破坏反兴奋剂体系、企图掩盖不遵守《条例》的情况或相关签约方的任何其他形式的恶意行为；签约方不断拒绝或未作出任何合理努力整改 WADA 通知其的不遵守《条例》的情况；反复违规；以及任何其他加重签约方不遵守《条例》情况的因素。

经批准的第三方：WADA 与不遵守《条例》签约方协商后，选定或批准的一个或多个反兴奋剂组织和 / 或受委托的第三方，负责监督或接管该签约方的部分或全部反兴奋剂活动。如果没有其他合适的机构可用，WADA 可自行履行这一职能作为最后的手段。

核心要求：一种在反对体育运动中使用兴奋剂方面被视为至关重要的要求。参见《签约方条例遵守国际标准》附录一。

***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 *Signa-*

罚款：签约方支付的金额应当反映不遵守《条例》/加重处罚情节的严重程度、持续时间和制止今后发生类似行为的必要性。在不涉及不遵守任何核心要求的情况下，罚款不应当超过以下两者中较低的一项：（a）签约方年度预算支出总额的 10%；（b）10 万美元（US$100,000）。罚款将由 WADA 用于资助今后监督遵守《条例》的活动和/或反兴奋剂教育和/或反兴奋剂研究。

一般要求：一种在反对体育运动中使用兴奋剂方面被视为较为重要，但不属于“核心”或“重要”类别的要求。参见《签约方条例遵守国际标准》附录一。

重要要求：一种在反对体育运动中使用兴奋剂方面被视为重要，但并非至关重要的要求。参见《签约方条例遵守国际标准》附录一。

不符合项：如果签约方不遵守《条例》和/或一项或多项国际标准，和/或 WADA 执委会规定的任何要求，但由于《签约方条例遵守国际标准》中为签约方提供的整改不符合项的期限尚未届满，WADA 还不能正式判定该签约方不遵守《条例》。

恢复资格：先前被宣布不遵守《条例》和/或国际标准的签约方被确定已完成整改，并已满足《签约方条例遵守国际标准》第 11 条规定的所有其他条件，可将该签约方重新纳入遵守《条例》的签约方名单（并作出相应的解释）。

代表：签约方或其他相关机构的官员、主管、管理人员、当选成员、雇员和委员会成员，以及（在有国家反兴奋剂组织或国家奥委会担任国家反兴奋剂组织的情况下）该国家反兴奋剂组织或国家奥委会所在国的政府代表。

特别监督：作为对不遵守《条例》的签约方实施后果的一部分，WADA 对该签约方的部分或全部反兴奋剂活动适用特定而持续的监督制度，以确保签约方以遵守《条例》的方式开展此类活动。

监督：作为对不遵守《条例》的签约方实施后果的一部分，经批准的第三方按照 WADA 的要求，监管和监督该签约方的反兴奋剂活动，相关费用

tory 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*.

由该签约方承担（应当对“监督”作出相应的解释）。如果已宣布签约方不遵守《条例》，并且尚未与经批准的第三方最终签订监督协议，则未经 WADA 事先明确的书面同意，该签约方不得在经批准的第三方将要监管和监督的区域内独立开展任何反兴奋剂活动。

接管：作为对不遵守《条例》的签约方实施后果的一部分，经批准的第三方按照 WADA 的要求，接管该签约方部分或全部反兴奋剂活动，相关费用由该签约方承担。如果已宣布签约方不遵守《条例》，并且尚未与经批准的第三方最终签订接管协议，则未经 WADA 事先明确的书面同意，该签约方不得在经批准的第三方将要接管的区域内独立开展任何反兴奋剂活动。

www.wada-ama.org/code

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