



## **Results Management Procedures Guide**

### **A1/ Analytical ADRV (Anti-Doping Rule Violation) Initial Review:**

- Reception by the TA (Testing Authority) of an Adverse Analytical Finding (AAF) issued by a WADA-accredited laboratory
  - Check if any TUE was granted or shall be granted for the prohibited substance(s) concerned by the AAF, in conformity with the International Standards of TUE
  - Check if there's any apparent non-conformity / departure from the ISTI (International Standard for Testing and Investigations) or from ISL (International Standard for Laboratories) which is impact has caused the AAF
- ⇒ In case it was established that a TUE is granted or that there's a confirmed departure from ISTI / ISL which has impacted the result :  
Athlete with AAF will be considered as NEGATIVE:
- Notification to be sent to the Athlete / National Federation (NF) / National Anti-Doping Organization ( NADO) / World Anti-Doping Agency (WADA)
  - Ask for athlete's consent to publicly divulgate the closure of the case as negative with motives  
Only if athlete's consent is collected: Case to be published with announcement of the Athlete testing result as Negative
- ⇒ If no TUE issue nor departures from International Standards :
- Check Athlete history in terms of ADRVs and sanctions associated before notification by the current ADRV

### **A2/ Non- Analytical ADRV (Anti-Doping Rule Violation) Initial Review:**

- Reception by IBSA Intelligence data or Doping Control personnel reports on a potential non-analytical ADRV
- Data treatment, reports check in order to launch an investigation on the potential non-analytical ADRV
- Launch of the investigation on the non-analytical ADRV with simultaneous notification of WADA about the investigation launch



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If the potential ADRV is established by the investigation output, IBSA goes on notification steps.

### **B/ Notification :**

- Information of the Athlete / his National Federation (NF), his NADO and WADA about the opening of the case : Notification must include :
  - ✓ The charges brought forward against the Athlete (detailed ADRV)
  - ✓ Imposition of a provisional suspension or the opportunity to accept it (if not mandatory)
  - ✓ Opportunity to admit the ADRV with no delay
  - ✓ Possibility to provide a substantial assistance
  - ✓ Hearing date, place and timing
  - ✓ Opportunity to request an express hearing
  - ✓ Opportunity to present his/her arguments
  - ✓ Guaranteed access to all elements of the case file and evidence
  - ✓ Possibility to be represented by a lawyer
  - ✓ Opportunity to hire an interpreter at own expenses of the Athlete
  - ✓ Right to request B sample analysis on his own expense within a deadline of 7 days from confirmed athlete notification reception date :
    - If B sample analysis requested after deadlines : request rejected
    - If B sample analysis requested within deadlines:
      - Athlete information of :
        - \*B sample opening date, place and time
        - \*his right to be present at the B sample opening session and during analysis as well
        - \*his right to have a copy of the Analytical file package of both samples A and B



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- If there's a difference between A and B samples analysis results → Athlete test result is declared NEGATIVE
- If B sample analysis result confirms A sample one: renewal of athlete's notification about the ADRV confirmation + provisional suspension imposition + hearing details etc...

### **C/ Provisional Suspension (PS):**

- If the AAF concerns a non-specified prohibited substance : PS imposition is mandatory upon athlete notification by the AAF
- If the AAF concerns a specified prohibited substance or a non-analytical ADRV : PS imposition is not mandatory but remains possible between Notification and Final audience and Decision steps.

⇒ A PS is imposed only if the Athlete was given the opportunity to :

- Have an expedited hearing on a timely manner, or
- Have his final hearing as soon as the PS is imposed.

⇒ A PS is cancelled only if:

- The Athlete established that the ADRV was caused by a contaminated product
- B sample analysis revealed the athlete test result as negative and it is still possible to the athlete to reintegrate a competition (even after it began) since that does not affect the overall competition

⇒ A PS is removed only in the following cases :

- ADRV file with an obvious defect or deviation
- Presenting tough and defensible arguments highlighting the absence of fault or carelessness ...
- De facto existence showing that PS would be unfair before the final hearing
  - If the case shows :
    - ADRV immediate admission
    - Hearing right waive
    - Consequences acceptance declaration



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- ⇒ No hearing before Decision to be taken by a Disciplinary Committee whose decision must include all ADRV details, its consequences and that decision motives and patterns.

### **D/ Audiences:**

#### **D1/ Preliminary hearing** (if requested):

- Fast action is highly recommended upon reception from the athlete of a request for an expedited hearing.
- Hearing panel composition is to be made different from the one which will deal with the file as Disciplinary Committee
- If the athlete notified by an ADRV announces his/her retirement from sport at the preliminary hearing, result or ADRV case management is to be continued as per normal.

#### **D2/ Audience** (ensured by relevant Disciplinary Committee):

- Composition :
  - At least 3 members
  - Preferably independent members
  - Mandatory to have at least one independent member not involved within the original organization nor the concerned sport
  - Possible presence of members related to the original organization or the concerned sport
- Sanction :
  - Adequate sanction to be decided by the Disciplinary Committee, to run from the (last appeal) hearing date
  - Respect of conditions for reducing or increasing suspension periods
  - Deduction of the PS period from the finally decided period of suspension
  - Application of the Suspension from the sample collection date in case PS period was prolonged with delayed hearing session
- Decision :
  - Issued in written by the Disciplinary Committee



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- Including obligatorily ADRV details, consequences and motives and patterns of the decision
- **Simultaneous Information by the Decision of** different parties with appeal right :
  - ✓ Athlete / National Federation
  - ✓ WADA / NADO
  - ✓ Major Events Organizers if planned to next take place after Decision or ADRV date

### **E/ Appeals:**

- Applicable deadline for appeal request :

21 days from notification reception date by the party with appeal right

- Single hearing/audience before CAS : Possible if agreed between all involved parties with an appeal right
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### **F/ Public disclosure of the case with final decision:**

- Moment : no later than 20 days from exhaustion of all appeal opportunities
- Responsibility : Result Management Authority – RMA (in general, same as Testing Authority)
- Means :  
Publication of the closed case overview on the website indicating athlete identity, detailed ADRV type, detailed associated sanction(s), suspension period... within 20 days from the closure of the case and for a period lasting from 1 month to the total period of the sanction