



European Olympic Committees

Anti-Doping Rules applicable to the First European Games in Baku in June 2015

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PREAMBLE

The European Olympic Committees (“EOC”) is the supreme authority of the European Games. Any person or organization belonging in any capacity whatsoever to the EOC is bound by the provisions of the EOC Constitution and shall abide by the decisions of the EOC.

The EOC has established these Anti-Doping Rules in accordance with the WADA Code, expecting that, in the spirit of sport, it will contribute to the fight against doping in the Sport Movement in Europe. The EOC Executive Committee (“Executive Committee” or “EC”) is responsible for establishing policies, guidelines and procedures with respect to the fight against doping, including anti-doping rule violation management and compliance with applicable internationally accepted regulations, including the Code.

Anti-doping rules, like Competition rules are sport rules governing the conditions under which sport is played. All Participants (Athletes and Athlete Support Personnel) accept these Rules as a condition of participation and are presumed to have agreed to comply with the Rules.

The EC of the EOC appoints a Medical and Anti-Doping Commission, which is responsible, in accordance with directions from the EOC Executive Committee, for the implementation of these *Rules*. The EOC Medical and Anti-Doping Commission will work under the direction of the EOC Medical and Anti-Doping Commission Chairman to implement these Rules. Unless specifically directed in the Code, the person responsible for the administration of the provisions thereof shall be the EOC Medical and Anti-doping Commission Chairman. The EOC Medical and Anti-doping Commission Chairman may delegate specific responsibilities to such Person or Persons at his discretion.

The EOC Therapeutic Use Exemption sub Committee (“TUEC”) is the sub committee appointed by the EOC Medical and Anti-doping Commission Chairman to assess each Therapeutic Use Exemption application (“TUE”).

The EOC Constitution reflects the importance that the EOC places on the fight against doping in sport and its support for the World Anti-Doping Code (the Code) which was accepted by the EOC upon the occasion of its General Assembly held in Brussels, Belgium on 8th December, 2006.

Scope of these Anti-Doping Rules

These Anti-Doping Rules shall apply automatically to (a) EOC; (b) all *Athletes* entered in one of EOC’s *Events* or who have otherwise been made subject to the authority of EOC; (c) all *Athlete Support Personnel* supporting such



Athletes; (d) other *Persons* participating in the activities of EOC; and (e) any organization, body or entity operating (even if only temporarily) under the authority of EOC.

Athletes entered in one of EOC's *Events* or who have otherwise been made subject to the authority of EOC for a future *Event* are automatically bound by these Anti-Doping Rules as a condition of eligibility to participate in such *Events*.

The *Athlete Support Personnel* supporting such *Athletes* and other *Persons* participating in the activities of EOC are automatically bound by these Anti-Doping Rules as a condition of such support/participation.

Organizations, bodies or entities operating (even if only temporarily) under the authority of EOC are automatically bound by these Anti-Doping Rules as a condition of their participation in the EOC's activities.

These Anti-Doping Rules shall apply to all *Doping Controls* over which EOC has jurisdiction.

Clarification of Doping Control Responsibilities:

The collection of samples for Doping Control will take place during the European Games in accordance with these Rules. The EOC is solely responsible for the initiation and direction of testing during the European Games; however, it may delegate responsibility for conducting Doping Control to EGO. Doping Control procedures will be undertaken in conformance with the EOC and WADA rules and applicable International Standards.

In these Rules, the masculine gender used in relation to any physical person shall, unless there is a specific provision to the contrary, be understood as including the feminine gender.

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 **2.10** of these Rules.

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 each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *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.

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 B Sample* is split into two bottles and the analysis of the second bottle confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first bottle.

2.1.3 Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any 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* or *International Standards* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

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

2.2.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body 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.

2.3 Evading, Refusing or Failing to Submit to *Sample* Collection

Evading *Sample* collection, or without compelling justification, refusing or failing to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules or other applicable anti-doping rules.

2.4 Whereabouts Failures

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Testing and Investigations, 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*

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, intentionally interfering or attempting to interfere with a *Doping Control* official, providing fraudulent information to an *Anti-Doping Organization* or intimidating or attempting to intimidate a potential witness.

2.6 *Possession* of a *Prohibited Substance* or a *Prohibited Method*

- 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.
- 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.

2.7 *Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method*

2.8 *Administration or Attempted Administration 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*

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation or violation of Article 10.12.1 of the *Code* by another *Person*.

2.10 *Prohibited Association*

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

2.10.2 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 years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.3 Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

In order for this provision to apply, it is necessary that the *Athlete* or other *Person* has previously been advised in writing by an *Anti-Doping Organization* with jurisdiction over the *Athlete* or other

Person, or by WADA, of the *Athlete Support Person's* disqualifying status and the potential *Consequence* of prohibited association and that the *Athlete* or other *Person* can reasonably avoid the association. The *Anti-Doping Organization* shall also use reasonable efforts to advise the *Athlete Support Person* who is the subject of the notice to the *Athlete* or other *Person* that the *Athlete Support Person* may, within days, come forward to the *Anti-Doping Organization* to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her. (Notwithstanding Article 16, this Article applies even when the *Athlete Support Person's* disqualifying conduct occurred prior to the effective date provided in Article 25 of the *Code*.)

The burden shall be on the *Athlete* or other *Person* to establish that any association with *Athlete Support Personnel* described in Article 2.10.1 or 2.10.2 is not in a professional or sport-related capacity.

Anti-Doping Organizations that are aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1, 2.10.2, or 2.10.3 shall submit that information to WADA.

ARTICLE 3: PROOF OF DOPING

3.1 Burdens and Standards of Proof

The EC of the EOC shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether EOC has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Anti-Doping Rules place 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, the standard of proof shall be by a balance of probability.

3.2 Methods of Establishing Facts and Presumptions

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

- 3.2.1 Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking 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. *CAS* on its own initiative may also inform *WADA* of any such challenge. At *WADA*'s request, the *CAS* panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of *WADA*'s receipt of such notice, and *WADA*'s receipt of the *CAS* file, *WADA* shall also have the right to intervene as a party, appear *amicus curiae* or otherwise provide evidence in such proceeding.

- 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*. 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 EOC shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.
- 3.2.3 Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or these Anti-Doping Rules which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such evidence or results. If the *Athlete* or other *Person* establishes a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or other anti-doping rule violation, then EOC shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.
- 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 Disciplinary Committee 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 Disciplinary Committee) and to answer questions from the Disciplinary Committee or EOC.

ARTICLE 4: THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

4.1.1 The *Prohibited List* is the list published and revised by WADA. The EOC requires that EGOC will include the current *Prohibited List* in its Doping Control Guide which will be distributed to the NOCs and the European Federations prior to the European Games. The NOCs shall be responsible for ensuring that their delegation, including their Athletes, is made aware of such *Prohibited List*.

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 *Prohibited Substances and Prohibited Methods*

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Rules three months after publication of the *Prohibited List* by WADA without requiring any further action by the EOC.

4.2.2 For the purposes of these Anti-Doping Rules, the Prohibited List, and any revisions shall bind all Athletes and other Persons subject to these Anti-Doping Rules, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

4.2.3 *Specified Substances*

For purposes of the application of Article 10, all *Prohibited Substances* shall be *Specified Substances* except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. The category of *Specified Substances* shall not include *Prohibited Methods*.

4.3 WADA's Determination of the *Prohibited List*

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*, and the classification of a substance as

prohibited at all times or *In-Competition* only, is final and shall not be subject to challenge by an *Athlete* or other *Person* 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

- 4.4.1 Athletes with a documented medical condition requiring the use of a Prohibited Substance or a Prohibited Method must first obtain a Therapeutic Use Exemption ("TUE").
- 4.4.2 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.
- 4.4.3 It is expected that most Athletes entered to compete in the European Games who require a TUE would have already received the TUE from their International Federation or from EOC. These Athletes are required to notify any other relevant Anti-Doping Organizations of their receipt of a TUE. Therefore it is required that, no later than the date of the opening of the Athletes Village for the European Games, the International Federations concerned must also notify the Athlete's NOC, WADA and the EOC Medical and Anti-doping Commission.
- 4.4.4 The EOC Medical and Anti-doping Commission Chairman shall appoint a sub-committee of three (3) physicians (the "TUEC") to monitor existing TUEs and to consider new requests for TUEs. Athletes who do not already have an approved TUE may apply to obtain a TUE from EOC as soon as the need arises and in any event (save in emergency or exceptional circumstances) at least 30 days before the relevant *Event*. The TUEC shall promptly evaluate such new requests in accordance with the International Standard for Therapeutic Use Exemptions and render a decision on such request, which shall be reported to WADA. The EOC Medical and Anti-doping Commission shall promptly inform the Athlete, the Athlete's NOC, WADA and the relevant International and European Federation of its decision. Such decision shall only be valid during the Event Period.
- 4.4.5 Where the *Athlete* already has a *TUE* granted by his or her *National Anti-Doping Organization* or International Federation, he/she should apply to the TUEC for recognition of that *TUE*. If that *TUE* meets the criteria set out in the International Standard for Therapeutic Use Exemptions, the TUEC must recognize it. If the TUEC decides the



TUE does not meet those criteria and so refuses to recognize it, it must notify the *Athlete* promptly, explaining its reasons.

- 4.4.6 A decision by EOC not to recognize or not to grant a *TUE* may be appealed by the *Athlete* exclusively to the independent TUE Appeal Committee established by EOC for that purpose. If the *Athlete* does not appeal (or the TUE Appeal Committee decides to uphold the refusal to grant/recognize the *TUE* and so rejects the appeal), the *Athlete* may not *Use* the substance or method in question in connection with the *Event*, but any *TUE* granted by his/her *National Anti-Doping Organization* or International Federation for that substance or method remains valid outside of that *Event*.
- 4.4.7 WADA, at any time and at the request of an Athlete or on its own initiative, may review the granting or denial of any TUE to an Athlete in connection with the European Games. If WADA determines that the granting or denial of a TUE did not comply with the International Standard for Therapeutic Use Exemptions then WADA may reverse that decision.
- 4.4.8 A failure to take action 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.

ARTICLE 5: DOPING CONTROL

5.1 Right to Conduct Doping Controls

The EOC shall have the right to conduct Doping Controls during the Event Period, and is responsible for the subsequent handling of cases that arise during this time. The EOC shall also have the right to re-analyze samples (taken during the Event Period), subsequent to the closing ceremony of the European Games. Any anti-doping rule violation discovered as a result thereof shall be dealt with in accordance with these Rules.

During the Event Period, the Doping Controls shall include Testing for all Prohibited Substances and all Prohibited Methods referred to in the Prohibited List.

Testing and investigations shall be conducted in conformity with the provisions of the International Standard for *Testing* and Investigations and the specific protocols of EOC supplementing that International Standard.

- 5.1.1 *Testing* shall be undertaken to obtain analytical evidence as to the *Athlete's* compliance (or non-compliance) with the strict prohibition on the presence/*Use* of a *Prohibited Substance* or *Prohibited Method*.

Test distribution planning, *Testing*, post-*Testing* activity and all related activities shall be conducted by EOC in conformity with the International Standard for *Testing* and Investigations. EOC shall determine the number of finishing placement tests, random tests and target tests to be performed in accordance with the criteria established by the International Standard for Testing and Investigations. All provisions of the International Standard for Testing and Investigations shall apply automatically in respect of all such *Testing*.

5.1.2 Investigations shall be undertaken:

5.1.2.1 in relation to *Atypical Findings*, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Article 2.1 and/or Article 2.2; and

5.1.2.2 in relation to other indications of potential anti-doping rule violations, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Articles 2.2 to 2.10.

5.1.3 EOC may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing, and/or to form the basis of an investigation into a possible anti-doping rule violation(s).

5.2 Right to Conduct Doping Controls

5.2.1 Subject to the jurisdictional limitations for *Event Testing* set out in Article 5.3 of the *Code*, EOC shall have *In-Competition Testing* authority for the *Event Period* 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 EOC for a future *Event*. At the request of EOC any *Testing* during the *Event Period* outside of the *Event Venues* shall be coordinated with EOC.

5.2.2 All *Athletes* participating at the European Games shall be subject, during the *Event Period*, to Doping Controls initiated by the EOC at any time or place, with No Advance Notice.

5.2.3 Subject to Article 5.3.1 of the *Code*, EOC shall have exclusive authority to initiate and direct *Testing* at the *Event Venue* during the *Event Period*. In accordance with Article 5.3 of the *Code*, not only EOC but also other *Anti-Doping Organizations* with *Testing* authority



over *Athletes* participating at the *Event* may test such *Athletes* during the *Event Period* outside of the *Event Venues*. Such *Testing* shall be coordinated with EOC

5.2.4 WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.8 of the *Code*.

5.3 Responsibility for EOC Doping Control

5.3.1 The EOC has the authority to appoint any other Anti-Doping Organization or other suitable entity it deems appropriate to carry out Doping Control on its behalf. Such organization shall comply with the International Standard for Testing and all applicable Rules.

5.3.2 The EOC will delegate the responsibility for conducting the actual Doping Control at the European Games to the EGOC.

5.3.3 The EOC Medical and Anti-doping Commission Chairman shall be responsible for overseeing all Doping Control conducted by EGOC and any other organizations providing services under its authority. Doping Control may be monitored by members of the EOC Medical and Anti-doping Commission or by other qualified persons so authorized by the EOC.

5.4 Test Distribution Planning

Consistent with the International Standard for Testing and Investigations, and in coordination with other *Anti-Doping Organizations* conducting *Testing* on the same *Athletes*, EOC shall develop and implement an effective, intelligent and proportionate test distribution plan for its *Event* that prioritizes appropriately between sports, disciplines, categories of *Athletes*, types of *Testing*, types of *Samples* collected, and types of *Sample* analysis, all in compliance with the requirements of the International Standard for Testing and Investigations. EOC shall provide WADA upon request with a copy of its test distribution plan.

A Doping Control Guide prepared by the EGOC and approved by the EOC will address the technical operations of the doping control program at the European Games. This Guide will be distributed to the NOCs and the International and European Federations prior to the European Games and will include the relevant Prohibited List in force for the European Games. The NOCs shall be responsible for ensuring that their delegations, including their *Athletes*, are made aware of such Doping Control Guide.

5.5 Coordination of Doping Control

In order to deliver an effective anti-doping programme for the European Games and to avoid unnecessary duplication in Doping Control, the EOC will work with the WADA, International and European Federations and the NOCs to ensure that there is coordination of the Doping Control during the Event Period.

The EOC shall also report information about all completed tests, including results, to WADA.

5.6 Athlete Whereabouts Requirements

5.6.1 The EOC requires each NOC to ensure that each Athlete participating on its behalf at the European Games provides to EOC whereabouts information (if applicable as per the Athlete's registration in a *Registered Testing Pool*) or information as to his or her location during the *Event Period* so that the *EOC* can locate each such *Athlete* accordingly during that period. The *NOC* may achieve this by the following means (or a combination of them):

By ensuring that all *Athletes* registered in their *International Federation or National Anti-Doping Organization's Registered Testing Pool* comply with their obligations and make their whereabouts information for the *Event Period* available to the *EOC*; or

Where an *Athlete* is not in a *Registered Testing Pool* in the period for which the *Athlete* is subject to *EOC's Testing* authority, *EOC* may require him/her to provide such information about his/her whereabouts in that period as it deems necessary and proportionate in order to conduct *Testing* upon him/her, up to and including information equivalent to the Whereabouts Filings that an *Athlete* would have to make in accordance with Annex I to the International Standard for Testing and Investigations if he/she were in a *Registered Testing Pool*.

The NOCs are expected to monitor and manage the whereabouts information during the Event Period in the manner described above for all *Athletes* specifying on a daily basis the locations and times where the *Athlete* will be residing, training and competing. *Athletes* shall update this information as necessary so that it is current at all times. NOCs are required to notify *Athletes* of the obligations on them in accordance with the requirements of the International Standards for Testing and Investigations.

The ultimate responsibility for providing whereabouts information rests with each *Athlete*, however, it shall be the responsibility of each NOC to obtain whereabouts information as requested by the EOC.

During the Event Period the chef de mission is responsible for collecting all whereabouts information of the *Athletes* staying in Azerbaijan (from the date of arrival to the date of departure) on a daily basis.

- 5.6.2 Whereabouts information shall be shared with WADA and other Anti-Doping Organizations having jurisdiction to test an Athlete on the strict condition that it be kept confidential and be used only for Doping Control purposes.

5.7 Selection of Athletes to be tested

- 5.7.1 At the European Games, the EOC Medical and Anti-doping Commission Chairman in consultation with the EGOC and the relevant International Federations shall determine the number of tests to be performed.
- 5.7.2 The EOC may also select Athletes or teams for Target Testing so long as such Target Testing is not used for any purpose other than legitimate Doping Control purposes.

5.8 Independent Observers:

EOC may provide access to Independent Observers who are responsible for and conduct the *Independent Observer Program* for the Doping Control upon the occasion of the European Games.

ARTICLE 6: ANALYSIS OF SAMPLES

Doping Control Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited and Approved Laboratories

Doping Control Samples shall be analyzed only in WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis shall be determined by EGOC however this choice is subject to the approval of the EOC.

6.2 Purpose of Analysis of Samples

- 6.2.1 Doping Control Samples 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 the Monitoring Programme described in Article 4.5 of the *Code*; or to assist in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purposes. *Samples* may be collected and stored for future analysis.

Blood (or other non-urine) *Samples* may be used either to detect Prohibited Substances or Prohibited Methods or for screening procedure purposes only. If the blood is expressly collected for screening only, it will have no other consequences for the *Athlete* other than to identify him for a urine test under these anti-doping rules. In these circumstances, the EOC will follow WADA guidelines which indicate which blood parameters are to be measured in the screening *Sample* and what levels of those parameters will be used to indicate that an *Athlete* should be selected for a urine or any other biological specimens test.

6.3 Research on Samples

No *Sample* may be used for any purpose other than the detection of substances (or classes of substances) or methods on the Prohibited List, or as otherwise identified by WADA pursuant to its Monitoring Program, without the *Athlete's* written consent.

6.4 Standards for Sample Analysis and Reporting

The laboratory shall analyze Doping Control *Samples* and report results in conformity with the International Standard for Laboratories. To ensure effective *Testing*, the Technical Document referenced at Article 5.4.1 of the *Code* will establish risk assessment-based *Sample* analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze *Samples* in conformity with those menus, except as follows:

- 6.4.1 EOC may request that laboratories analyze its *Samples* using more extensive menus than those described in the Technical Document.
- 6.4.2 EOC may request that laboratories analyze its *Samples* using less extensive menus than those described in the Technical Document only if it has satisfied WADA that, because of the particular circumstances of the country or sport, as set out in its test distribution plan, less extensive analysis would be appropriate.
- 6.4.3 As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the

Sample analysis menu described in the Technical Document or specified by the *Testing* authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

6.5 Storage of Samples and further analysis of Samples

Samples shall be stored in a secure manner at the laboratory and may be further analyzed for the purposes set out in Article 6.2.1: (a) by WADA at any time; and/or (b) by EOC at any time before both the A and B *Sample* analytical results (or A *Sample* result where B *Sample* analysis has been waived or will not be performed) have been communicated by EOC to the *Athlete* as the asserted basis for an Article 2.1 anti-doping rule violation. Such further analysis of *Samples* shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

ARTICLE 7: MANAGEMENT OF ANTI-DOPING RULE VIOLATIONS

7.1 Procedures and general provisions with respect to anti-doping rule violations arising upon the occasion of the European Games.

The EOC Executive Committee has delegated its authority to a Disciplinary Committee, comprised of 3 members and 3 substitute members, at least one of which shall be a doctor and another a lawyer with a long established experience in the field of anti-doping regulations as set out in further detail below (the "Disciplinary Committee"). Such Disciplinary Committee has the jurisdiction to hear the Athletes and other persons concerned in relation to all anti-doping rule violations (including but not limited to the handling of adverse analytical findings) arising upon the occasion of the European Games. The right of any person who may be subject to a measure or sanction will be exercised before the Disciplinary Committee. The Disciplinary Committee will then provide to the EOC Executive Committee a report of the hearing, including a proposal as to the decision related thereto. The proposal of the Disciplinary Committee is not binding upon the EOC Executive Committee, who retains the ultimate authority to decide. However, the EOC Executive Committee may automatically ratify the Disciplinary Committee's proposal if it agrees with its content and conclusion.

7.1.1 The EOC Executive Committee shall be responsible for results management and the conduct of hearings for anti-doping rule violations arising under these Anti-Doping Rules in relation to the consequences that are specified at Articles 9 and 10.1.

7.1.1.1 The EOC Executive Committee will appoint the Disciplinary Committee, comprised of 3 members and 3 substitute

members, at least one of which shall be a doctor and another a lawyer with a long established experience in the field of anti-doping regulations. The three members will elect amongst themselves the Chair who shall be either a doctor or a lawyer.

When a potential violation is referred to the Chair of the Disciplinary Committee, he will set up the 3-member Panel) (which may include the Chair) to conduct the review discussed in this Article 7. No *Person* may be a member of the Disciplinary Committee dealing with a specific case if he/she (i) has the same nationality as the *Athlete* or other *Person* concerned; (ii) has any declared or apparent conflict of interest with such *Athlete* or other *Person*, the *National Olympic Committee*, the *National Federation* or International Federation of such *Athlete* or other *Person*, or with any *Person* involved in the case in any way whatsoever; or (iii) in any way whatsoever, does not feel him/herself to be free and independent.

- 7.1.2 Responsibility for results management and the conduct of hearings for anti-doping rule violations arising under these Anti-Doping Rules in relation to *Consequences* that extend beyond EOC's *Event(s)* (e.g., period of *Ineligibility* for other *Events*) shall be referred to the applicable International Federation.

7.2 Review of Adverse Analytical Findings

Results management in respect of the results of tests initiated by EOC (including any tests performed by *WADA* pursuant to agreement with EOC) shall proceed as follows:

- 7.2.1 The head of a laboratory which identifies an adverse analytical finding (e.g. with respect to the A sample), or the person who believes that any other anti-doping rule violation has been committed, shall immediately inform the Chairman of the EOC Medical and Anti-doping Commission and provide him, in a confidential letter, with a detailed report containing the results of the adverse analytical finding and the documentation relating to the analyses performed or the relevant information relating to such other apparent anti-doping rule violation.

The results from all analyses must be sent via email or fax to the Chair of the Medical and Anti-Doping Commission in encoded form, in a detailed report containing the results of the adverse analytical finding and the documentation relating to the analyses performed or the relevant information relating to such other apparent anti-doping rule

violation signed by an authorized representative of the laboratory. All communication must be conducted confidentially and in conformity with *ADAMS*.

- 7.2.2 The Chairman of the EOC Medical and Anti-doping Commission shall identify the Athlete, or other person being charged with an anti-doping rule violation and verify whether it is in fact an adverse analytical finding (i.e. that there is no TUE or no TUE application will be granted). The Chairman of the EOC Medical and Anti-doping Commission shall also determine whether there is any apparent departure from the International Standards for Testing or the International Standards for Laboratories that undermines the validity of an adverse analytical finding.
- 7.2.3 If the review of an *Adverse Analytical Finding* under Article 7.2.2 reveals an applicable *TUE* or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, the entire test shall be considered negative for the purposes of an Article 2.1 violation.
- 7.2.4 If the review under Article 7.2.2 above does not reveal a TUE or departure that undermines the validity of the adverse analytical finding, the Chairman of the EOC Medical and Anti-doping Commission shall immediately inform the EOC President (in his absence, the Vice-President) of the existence of the adverse analytical finding, or other apparent anti-doping rule violation, and the essential details available to him concerning the case. The Chair of the Medical and Anti-Doping Commission or a person designated by him shall, in confidence, promptly notify the Athlete, and simultaneously the Athlete's National Anti-Doping Organization, the chef de mission, the Athlete's International Federation and WADA in the manner set out in Article 14, of,
 - (a) any adverse analytical finding;
 - (b) the anti-doping rule violation;
 - (c) the Athlete's right to promptly request the analysis of the B sample or, failing such request, that the B sample analysis may be deemed waived;
 - (d) the scheduled date, time and place for the B Sample analysis if the Athlete or EOC chooses to request an analysis of the B Sample;
 - (e) the right of the Athlete and/or the Athlete's representative to attend the B sample opening and analysis in accordance with the International Standard for Laboratories if such analysis is requested; and

- (f) the Athlete's right to request copies of the A and B sample laboratory package, which includes information as requested by the International Standards for Laboratories.
- 7.2.5 Where requested by the *Athlete* or EOC arrangements shall be made to analyse the *B Sample* in accordance with the International Standard for Laboratories. An *Athlete* may accept the *A Sample* analytical results by waiving the requirement for *B Sample* analysis. EOC may nonetheless elect to proceed with the *B Sample* analysis.
- 7.2.6 The *Athlete* and/or his representative shall be allowed to be present at the analysis of the *B Sample*. Also, a representative of EOC shall be allowed to be present.
- 7.2.7 If the *B Sample* analysis does not confirm the *A Sample* analysis, then (unless EOC takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the *Athlete*, the *Athlete's National Anti-Doping Organization*, the *Athlete's* International Federation and *WADA* shall be so informed.
- 7.2.8 If the *B Sample* analysis confirms the *A Sample* analysis, the findings shall be reported to the *Athlete*, the *Athlete's National Anti-Doping Organization*, the *Athlete's* International Federation and to *WADA*.

7.3 Review of Atypical Findings

- 7.3.1 As provided in the International Standard for Laboratories, in some circumstances, laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously, as *Atypical Findings*, i.e., as findings that are subject to further investigation.
- 7.3.2 Upon receipt of an *Atypical Finding*, the Chair of the Medical and Anti-Doping Commission shall conduct a review to determine whether: (a) an applicable *TUE* has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Atypical Finding*.
- 7.3.3 If the review of an *Atypical Finding* under Article 7.3.2 reveals an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the entire test shall be considered negative for the purposes of an Article 2.1 violation.

- 7.3.4 If that review does not reveal an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the Chair of the Medical and Anti-Doping Commission shall conduct the required investigation or cause it to be conducted. After the investigation is completed, either the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*, in accordance with Article 7.2.4, or else the *Athlete*, the *Athlete's National Anti-Doping Organization*, the *Athlete's International Federation* and *WADA* shall be notified that the *Atypical Finding* will not be brought forward as an *Adverse Analytical Finding*.
- 7.3.5 The Chair of the Medical and Anti-Doping Commission will not provide notice of an *Atypical Finding* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:
- 7.3.5.1 If the President of the Medical and Anti-Doping Commission determines the *B Sample* should be analysed prior to the conclusion of its investigation, it may conduct the *B Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 7.2.4(d) - (f).
- 7.3.5.2 If EOC Executive Committee is asked (a) by another *Major Event Organization* shortly before one of its *Events*, or (b) by a sport organization responsible for meeting an imminent deadline for selecting team members for an *International Event* or *National Event*, to disclose whether any *Athlete* identified on a list provided by the other *Major Event Organization* or sport organization has a pending *Atypical Finding*, EOC Executive Committee shall so advise the other *Major Event Organization* or sports organization after first providing notice of the *Atypical Finding* to the *Athlete*.

7.4 Review of Whereabouts Failures

- 7.4.1 EOC shall refer potential filing failures and missed tests (as defined in the International Standard for Testing and Investigations) to whichever of the *Athlete's International Federation* and *National Anti-Doping Organization* receives that *Athlete's* whereabouts filings and so has responsibility for results management of whereabouts failures by that *Athlete*.
- 7.4.2 Where an *Athlete* who is not in a *Registered Testing Pool* is required to submit whereabouts information to EOC in accordance with Article

5.5.2, but fails to do so, EOC will immediately liaise with the relevant NOC about whether the *Athlete* should be included in a relevant *Registered Testing Pool*.

7.5 Review of Other *Anti-Doping Rule Violations* Not Covered by Articles 7.2 – 7.4

EOC Executive Committee shall conduct any follow-up investigation required into a possible anti-doping rule violation not covered by Articles 7.2 to 7.4. At such time as EOC Executive Committee is satisfied that an anti-doping rule violation has occurred, it shall promptly give the *Athlete* or other *Person* (and simultaneously the *Athlete's* or other *Person's National Anti-Doping Organization*, the *Athlete's International Federation* and *WADA*) notice of the anti-doping rule violation asserted, and the basis of that assertion.

7.6 Provisional Suspension

The Chairman of the Disciplinary Committee may impose a provisional suspension on the *Athlete* or other *Persons* concerned until the EOC Executive Committee has pronounced its decision, in the circumstances described below.

- 7.6.1 Mandatory Provisional Suspension:** If analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, or for a *Prohibited Method*, and a review in accordance with Article 7.2.2 does not reveal an applicable *TUE* or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, a *Provisional Suspension* shall be imposed upon or promptly after the notification described in Article 7.2.4.
- 7.6.2 Optional Provisional Suspension:** In case of an *Adverse Analytical Finding* for a *Specified Substance*, or in the case of any other anti-doping rule violations not covered by Article 7.6.1, The EC of EOC may impose a *Provisional Suspension* on the *Athlete* or other *Person* against whom the anti-doping rule violation is asserted at any time after the review and notification described in Articles 7.2-7.5 and prior to the final hearing as described in Article 8.
- 7.6.3** A *Provisional Suspension* cannot be imposed, whether pursuant to Article 7.6.1 or Article 7.6.2, unless the *Athlete* or other *Person* is given either: (a) an opportunity for a *Provisional Hearing* either before or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited final hearing in accordance with Article 8 on a timely basis after imposition of the *Provisional Suspension*. Furthermore, the *Athlete* or other *Person* has

a right to appeal from the *Provisional Suspension* in accordance with Article 13.2 (save as set out in Article 7.6.3.1).

7.6.3.1 The *Provisional Suspension* may be lifted if the *Athlete* demonstrates to the Disciplinary Committee that the violation is likely to have involved a *Contaminated Product*. A Disciplinary Committee's decision not to lift a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

7.6.4 If a *Provisional Suspension* is imposed based on an A *Sample Adverse Analytical Finding* and subsequent analysis of the B *Sample* 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) has been removed from a *Competition* based on a violation of Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, then if it is still possible for the *Athlete* or team to be reinserted without otherwise affecting the *Competition*, the *Athlete* or team may continue to take part in the *Competition*. In addition, the *Athlete* or team may thereafter take part in other *Competitions* in the same *Event*.

7.6.5 In all cases where an *Athlete* or other *Person* has been notified of an anti-doping rule violation but a *Provisional Suspension* has not been imposed on him or her, the *Athlete* or other *Person* shall be offered the opportunity to accept a *Provisional Suspension* voluntarily pending the resolution of the matter.

7.7 Resolution Without a Hearing

7.7.1 An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may admit that violation at any time, waive a hearing, and accept the consequences that are mandated by these Anti-Doping Rules or, where some discretion as to *Consequences* exists under these Anti-Doping Rules, that have been determined by EOC.

7.7.2 Alternatively, if the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the EOC asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the consequences that are mandated by these Anti-Doping Rules or (where some discretion as to *Consequences* under these Anti-Doping Rules) that have been determined by EOC.

7.7.3 In cases where Article 7.7.1 or Article 7.7.2 applies, a hearing before a hearing panel shall not be required. Instead the EC of EOC shall promptly issue a written decision confirming the commission of the anti-doping rule violation and the *Consequences* imposed as a result. EOC Executive Committee shall send copies of that decision to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.2, and shall *Publicly Disclose* that decision in accordance with Article 14.3 of the Code.

7.8 Notification of Results Management Decisions

In all cases where the EC of the EOC has asserted the commission of an anti-doping rule violation, withdrawn the assertion of an anti-doping rule violation, imposed a *Provisional Suspension*, or agreed with an *Athlete* or other *Person* on the imposition of *Consequences* without a hearing, EOC shall give notice thereof in accordance with Article 14.2.1 of the Code to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.2.

7.9 Retirement from Sport

If an *Athlete* or other *Person* retires while EOC is conducting the results management process, EOC retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun, and EOC 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, EOC has authority to conduct results management in respect of that anti-doping rule violation.

ARTICLE 8: RIGHT TO A FAIR HEARING

8.1 Setting up a Disciplinary Committee:

The EOC Executive Committee has delegated to a disciplinary Committee, as set out in further detail in Article 7.1.1.1 (the "Disciplinary Committee"), its powers to hear the Athletes and other Persons concerned in relation to all anti-doping rule violations (including but not limited to the handling of adverse analytical findings) arising upon the occasion of the European Games. The right of any person who may be subject to a measure or sanction will be exercised before the Disciplinary Committee. The Disciplinary Committee will then provide to the EOC Executive Committee a report of the hearing, including a proposal as to the decision related thereto. The proposal of the Disciplinary Committee is not binding upon the EOC Executive Committee, who retains the ultimate authority to decide. However, the EOC Executive Committee may automatically ratify the Disciplinary Committee's proposal if it agrees with its content and conclusion

The Disciplinary Committee will be assisted by a secretary from the secretarial staff of EOC in Rome (and some of the Secretarial staff should stay until the receipt of the all results upon the EOC Medical and Anti-doping Commission Chairman requests).

8.2 Attendance at the Hearing:

- 8.2.1 Included in the notification referred to in Article 7.2.4 above, the EOC President or a person designated by him shall summon the Athlete, or other person, and his chef de mission to attend a hearing of the Disciplinary Committee. The Athlete, or other person, may be accompanied or represented at the hearing by persons of their choice (e.g. lawyer, doctor, etc.), with a maximum of three for each of the Athlete or other Person. The President of the International and European Federations concerned, or his representative, shall also be invited to attend the hearing. The Athlete or Person concerned may also choose to submit a defense in writing.
- 8.2.2 If the Athlete or other person concerned and/or his delegation have already left the European host city, the Chairman of the Disciplinary Committee shall take all measures reasonably possible in the circumstances to ensure that the rights of the Athlete or other person concerned are respected, whilst the procedure normally follows its course so that a decision can be made as quickly as possible.

8.3 Time Limit:

The entire disciplinary procedure should not exceed 48 hours from (i) in the case of an adverse analytical finding, the conclusion of the sample analysis (i.e. on the A sample and, if requested, the B sample) or (ii) in the case of another anti-doping rule violation, the time the Athlete or other person concerned is informed of such anti-doping rule violation.

However, the EOC President may decide not to apply this time limit with regard to anti-doping rule violations which become apparent prior to one week before the Opening Ceremony of the European Games or on the last two days of such European Games.

The EOC President, or a person designated by him, shall promptly notify the Athlete or other Person concerned, as well as those informed of the case pursuant to Article 7.2.4 above, of the decision of the EOC Executive Committee.

8.4 Nature and circumstances of violation; adducing evidence:

The Disciplinary Committee shall determine the nature and circumstances of any anti-doping rule violation which may have been committed. It shall allow the Athlete or other Person concerned an opportunity to adduce any evidence, which does not require the use of disproportionate means (as decided by the Disciplinary Committee), which he deems helpful to the defense of her\his case in relation to the result of the test, or other anti-doping rule violation, either orally, before the Committee, or in writing, as the Athlete or other person concerned so wishes.

8.5 Opinion of experts, adducing other evidence:

The Disciplinary Committee may seek the opinion of experts or adduce other evidence of its own motion. The Disciplinary Committee shall be assisted by the EOC Medical and Anti-doping Commission.

8.6 Intervention of International and European Federation concerned:

The International and European Federation concerned, if it has chosen to take part in the discussions, may intervene as an interested third party and adduce evidence.

8.7 Communication of Disciplinary Committee report to EOC President and EOC Executive Committee:

After hearing all the parties and taking all the evidence admitted, the Disciplinary Committee shall deliberate and shall promptly communicate its report to the EOC President and the EOC Executive Committee.

8.8 Decision:

Based upon the report and an opinion of the Disciplinary Committee, the EOC Executive Committee shall decide upon the case and as far as it agrees with the Disciplinary Committee's opinion, it should proceed by way of automatic ratification.

8.9 Extending the procedure to other persons:

If, at any time (i.e. before, during or after the hearing), circumstances suggest such a course of action, the Disciplinary Committee may propose extending the procedure to any other person(s) (particularly among the Athlete's entourage) subject to EOC jurisdiction who, in one way or another, may have contributed to the apparent anti-doping rule violation. In such an event, it shall submit a specific report to the EOC President, who will take a decision

in this regard. If the EOC President decides to initiate a procedure with regard to such other person(s), he will decide if this will take place in the form of an independent procedure or as part of the on-going procedure. In any event, these rules of procedure and general provisions shall apply *mutatis mutandis* to such other person(s).

8.10 Notifying the Athlete and other parties concerned of decision:
The EC of EOC shall promptly notify the *Athlete*, the chef de mission, the related International Federation and WADA of the decision.

8.11 General Provisions

8.11.1 Confidentiality:

Any person who has access to the file or who takes part in any stage of the procedure is bound by the duty of third party confidentiality.

8.11.2 Conflict of interest: No person may be a member of the Disciplinary Committee if he has the same nationality as the *Athlete*, or other *Persons* concerned, has any declared or apparent conflict of interest with such *Athlete*, the NOC or the International Federation of such *Athlete* or any *Person* whatsoever involved in the case; or in any way whatsoever, does not feel himself to be free or independent.

8.11.3 Violation of procedures and general provisions:

No violation of the above-noted procedures and general provisions can be invoked if the person involved has not been prejudiced by such violation.

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.

ARTICLE 10: SANCTIONS ON INDIVIDUALS

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 Disciplinary Committee, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.

- 10.1.1 If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified*, unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.
- 10.1.2 In accordance with Article 7.1.2, responsibility for results management in terms of sanctions beyond the *Event* itself shall be referred to the applicable International Federation. In this context, the *Consequences* for anti-doping rule violations as mentioned and specified under the following Articles 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.11 and 10.12 shall apply.

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 reduction or suspension pursuant to Article 10.4, 10.5 or 10.6:

- 10.2.1 The period of *Ineligibility* shall be four years where:
- 10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.
 - 10.2.1.2 The anti-doping rule violation involves a *Specified Substance* and the EOC Executive Committee can establish that the anti-doping rule violation was intentional.
- 10.2.2 If Article 10.2.1 does not apply, the period of *Ineligibility* shall be two years.

10.2.3 As used in Articles 10.2 and 10.3, the term “intentional” is meant to identify those *Athletes* who cheat. The term, therefore, requires that the *Athlete* or other *Person* engaged in conduct which he or she knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall be rebuttably presumed to be not “intentional” if the substance is a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered “intentional” if the substance is not a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.

10.3 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 10.5 or 10.6 are applicable:

- 10.3.1 For violations of Article 2.3 or Article 2.5, the period of *Ineligibility* shall be four years unless, in the case of failing to submit to *Sample* collection, the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional (as defined in Article 10.2.3), in which case the period of *Ineligibility* shall be two years.
- 10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of one year, depending on the *Athlete’s* degree of *Fault*. The flexibility between two years and one year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.
- 10.3.3 For violations of Article 2.7 or 2.8 the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Minor* 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.

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

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

10.4 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.

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

10.5.1 Reduction of Sanctions for *Specified Substances* or *Contaminated Products* for Violations of Article 2.1, 2.2 or 2.6.

10.5.1.1 *Specified Substances*.

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

10.5.1.2 *Contaminated Products*.

In cases where the *Athlete* or other *Person* can establish *No Significant Fault or Negligence* and that the detected *Prohibited Substance* 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 years *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.

10.5.2 Application of *No Significant Fault or Negligence* beyond the Application of Article 10.5.1.

If an *Athlete* or other *Person* establishes in an individual case where Article 10.5.1 is not applicable, that he or she bears *No Significant Fault or Negligence*, then, subject to further reduction or elimination as provided in Article 10.6, 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 years.

10.6 Elimination, Reduction, or Suspension of Period of *Ineligibility* or other *Consequences* for Reasons Other than *Fault*.

10.6.1 *Substantial Assistance* in Discovering or Establishing Anti-Doping Rule Violations.

10.6.1.1 An *Anti-Doping Organization* with results management responsibility for an anti-doping rule violation may, prior to a final appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in: (i) the *Anti-Doping Organization* discovering or bringing forward an anti-doping rule violation by another *Person*, or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to the *Anti-Doping Organization* with results management responsibility. After a final 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 period of *Ineligibility* 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. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable

period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than eight years. If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of the period of *Ineligibility* was based, the *Anti-Doping Organization* that suspended the period of *Ineligibility* shall reinstate the original period of *Ineligibility*. If an *Anti-Doping Organization* decides to reinstate a suspended period of *Ineligibility* or decides not to reinstate a suspended period of *Ineligibility*, that decision may be appealed by any *Person* entitled to appeal under Article 13.

- 10.6.1.2 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, *WADA* may agree at any stage of the results management process, including after a final 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*, and/or no return of prize money or payment of fines or costs. *WADA*'s approval shall be subject to reinstatement of sanction, as otherwise provided in this Article. Notwithstanding Article 13, *WADA*'s decisions in the context of this Article may not be appealed by any other *Anti-Doping Organization*.
- 10.6.1.3 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 13.2.2 as provided in Article 14.2 of the Code. In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA* may authorize an *Anti-Doping Organization* to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

10.6.2 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.

10.6.3 Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Article 10.2.1 or Article 10.3.1.

An *Athlete* or other *Person* potentially subject to a four-year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing *Sample Collection* or *Tampering with Sample Collection*), by promptly admitting the asserted anti-doping rule violation after being confronted by an *Anti-Doping Organization*, and also upon the approval and at the discretion of both *WADA* and the *Anti-Doping Organization* with results management responsibility, may receive a reduction in the period of *Ineligibility* down to a minimum of two years, depending on the seriousness of the violation and the *Athlete* or other *Person's* degree of *Fault*.

10.6.4 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 10.4, 10.5 or 10.6, before applying any reduction or suspension under Article 10.6, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.4, and 10.5. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Article 10.6, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

10.7 Multiple Violations.

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

- (a) six months;
- (b) one-half of the period of *Ineligibility* imposed for the first anti-doping rule violation without taking into account any reduction under Article 10.6; or
- (c) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of *Ineligibility* established above may then be further reduced by the application of Article 10.6.

10.7.2 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 10.4 or 10.5, or involves a violation of Article 2.4. In these particular cases, the period of *Ineligibility* shall be from eight years to lifetime *Ineligibility*.

10.7.3 An anti-doping rule violation for which an *Athlete* or other *Person* has established *No Fault or Negligence* shall not be considered a prior violation for purposes of this Article.

10.7.4 Additional Rules for Certain Potential Multiple Violations.

10.7.4.1 For purposes of imposing sanctions under Article 10.7, 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 second 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.

10.7.4.2 If, after the imposition of a sanction for a first anti-doping rule violation, an *Anti-Doping Organization* discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then the *Anti-Doping Organization* shall impose an additional sanction based on the sanction that could have been imposed if the two violations had been

adjudicated at the same time. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 10.8.

10.7.5 Multiple Anti-Doping Rule Violations During Ten-Year Period.

For purposes of Article 10.7, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

10.8 *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.

10.9 Allocation of CAS Cost Awards and Forfeited Prize Money.

The priority for repayment of *CAS* cost awards and forfeited prize money shall be: first, payment of costs awarded by *CAS*; second, reallocation of forfeited prize money to other *Athletes* if provided for in the rules of the applicable International Federation; and third, reimbursement of the expenses of the *Anti-Doping Organization* that conducted results management in the case.

10.10 *Financial Consequences.*

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10.11 Commencement of *Ineligibility* Period.

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.

10.11.1 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* not attributable to the *Athlete* or other *Person*, the body imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.

10.11.2 Timely Admission.

Where the *Athlete* or other *Person* promptly (which, in all events, for an *Athlete* means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the *Anti-Doping Organization*, 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 period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This Article shall not apply where the period of *Ineligibility* already has been reduced under Article 10.6.3.

10.11.3 Credit for *Provisional Suspension* or Period of *Ineligibility* Served.

10.11.3.1 If a *Provisional Suspension* is imposed and 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 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.

10.11.3.2 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.

10.11.3.3 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 his or her team.

10.11.3.4 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.

10.12 Status During *Ineligibility*.

10.12.1 Prohibition Against Participation During *Ineligibility*.

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, 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.

An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate as an *Athlete* in local sport events not sanctioned or otherwise under the jurisdiction 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 *Minors*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

10.12.2 Return to Training.

As an exception to Article 10.12.1, 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 months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.

10.12.3 Violation of the Prohibition of Participation During *Ineligibility*.

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.12.1, 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* 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.

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

10.12.4 Withholding of Financial Support during *Ineligibility*.

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.4 or 10.5, 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.

10.13 Automatic Publication of Sanction.

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

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*, EC of EOC 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 Disciplinary Committee shall impose an appropriate sanction on the team (e.g., loss of points, *Disqualification* from a *Competition* or *Event*, or other sanction) in addition to any consequences imposed upon the individual *Athletes* committing the anti-doping rule violation.

11.3 *Event Ruling Body may Establish Stricter Consequences for Teams Sports*

EOC 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*.

11.4 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 relevant International Federation.

ARTICLE 12: FINANCIAL AND OTHER SANCTIONS ASSESSED AGAINST NATIONAL OLYMPIC COMMITTEES

12.1 The EOC Executive Committee has the authority to withhold some or all funding or other non financial support to NOCs that are not in compliance with these Rules.

12.2 The EOC may elect to take additional disciplinary action against NOCs with respect to recognition and the eligibility of its officials and athletes to participate in European Games.

ARTICLE 13: APPEALS

13.1 Decisions Subject to Appeal.

Decisions made under these Anti-Doping Rules 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. Before an appeal is commenced, any post-decision review provided in the these Anti-Doping Rules must be exhausted, provided that such review respects the principles set forth in Article 13.2.2 below (except as provided in Article 13.1.3).

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.

13.1.2 CAS Shall Not Defer to the Findings Being Appealed.

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

13.1.3 WADA Not Required to Exhaust Internal Remedies.

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

13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Recognition of Decisions and Jurisdiction.

In respect of decisions for which appeals are granted under Article 13.2 of the Code, the provisions set out in this Article 13 shall apply.

13.2.1 Appeals arising from the *European Games*.

In cases arising from the *European Games*, the decision may be appealed exclusively to *CAS*.

13.2.2 *Persons* Entitled to Appeal.

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

13.2.3 Time for Filing Appeals

The time to file an appeal to *CAS* shall be twenty-one days from the date of receipt of the decision by the appealing party.

The above notwithstanding, the filing deadline for an appeal filed by *WADA* shall be the later of:

- (a) Twenty-one days after the last day on which any other party in the case could have appealed, or
- (b) Twenty-one days after *WADA's* receipt of the complete file relating to the decision.



Notwithstanding any other provision herein, the only *Person* who may appeal from 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.

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 EOC.

Where, in a particular case, EOC 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 EOC 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 EOC.

13.4 Appeals Relating to TUEs.

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

13.5 Notification of Appeal Decisions.

EOC 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 13.2.2 as provided under Article 14.2 of the Code.

ARTICLE 14: CONFIDENTIALITY AND REPORTING

The EOC, the relevant International and European Federations and the NOC shall use their best endeavours to maintain confidentiality of the results of all Doping Control and the identities involved in proceedings under these Rules until it has been determined in a hearing in accordance with Article 7 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged or the Athlete has been Provisionally Suspended. Once a violation of these Rules has been established, it shall be publicly reported no later than twenty (20) days after such decision.



The EOC shall comply with the notification, publication and confidentiality requirements set out in Article 14 of the Code.

Notice to an Athlete or other Person who is a member of an NOC, including the NOC's delegation attending the European Games, may be accomplished by delivery of the notice to the National Olympic Committee.

ARTICLE 15: APPLICATION AND RECOGNITION OF DECISIONS

15.1 Subject to the right to appeal provided in Article 13, *Testing*, hearing results or other final adjudications of any *Signatory* which are consistent with the *Code* and are within that *Signatory's* authority, shall be applicable worldwide and shall be recognized and respected by EOC.

15.2 EOC shall recognize the measures taken by other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

ARTICLE 16: STATUTE OF LIMITATIONS

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

ARTICLE 17: AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES

17.1 These Rules may be amended from time to time by the EOC Executive Committee.

17.2 These Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes (except as provided in Articles 17.4 and 17.6 below).

17.3 If any part of these Rules is held invalid, unenforceable or illegal for any reason, these Rules shall remain otherwise in full force apart from such part, which shall be deemed deleted insofar as it is invalid, unenforceable or illegal.

- 17.4** The Code, the International Standards and Prohibited List shall be considered integral parts of these Rules and shall prevail in case of conflict.
- 17.5** The Preamble and the APPENDIXES shall be considered integral parts of these Rules.
- 17.6** These Rules have been adopted pursuant to the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The comments annotating various provisions of the *Code* are incorporated by reference into these Anti-Doping Rules, shall be treated as if set out in full herein, and shall be used to interpret these Anti-Doping Rules.

ARTICLE 18: LANGUAGES

The English version of these Rules shall prevail.

Final Note:

The EGOE will compile all information and send a detailed report to the EOC within 60 days of the Closing Ceremony of the European Games. This report will contain Technical and Administration information related to the Doping Control and results of all samples collected during the Games.

APPENDIX 1

DEFINITIONS

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

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

ADO: Anti Doping Organization.

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

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

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

Athlete: 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." For purposes of Doping Control, any



Person who participates, or who may potentially participate, in the European Games.

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 10.12.1 of the *Code*;

(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 or Public Reporting 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.

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.

Disciplinary Committee: The Disciplinary Committee for Legal, Eligibility, Disciplinary and Doping Matters as referred to in Article 7.1.

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 including all steps and processes in between such as provision of whereabouts information, *Sample* collection and handling, laboratory analysis, *TUEs*, results management and hearings.

EGOC: European Games Organizing Committee.

EOC and EGOC Doping Control Guide: The rules of Doping Control applicable to the European Games issued by the European Olympic Committees.

EOC: European Olympic Committees.

European Federation or EF: An international non-governmental organization, recognized by the EOC, administering one or several sports at continental level and encompassing organizations administering such sports at national level.

European Games: European Games organized under the jurisdiction of the EOC.

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

Event Venues: Those venues so designated by EOC, and which for the 1st European Games in Baku shall include those venues listed in Appendix 3 to



these Rules (although, for the avoidance of doubt, the EOC may add further Event Venues if necessary subsequent to adopting these Rules).

Event Period: The period commencing on the date of the opening of the athlete village for the *Event*, namely, June 8, 2015, up until and including the day of the closing ceremony of the *athlete village*, namely, June 28, 2015.

Fault: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete* or other *Person's* degree of *Fault* include, for example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Minor*, 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 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 his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.5.1 or 10.5.2 of the *Code*.

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

In-Competition: The Period of the European Games.

Independent Observer Program: A team of observers, under the supervision of WADA, who observe and provide guidance on the *Doping Control* process at certain *Events* and report on their observations.

Individual Sport: Any sport that is not a *Team Sport*.

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

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 Federation or IF: An international non-governmental organization, recognized by the IOC, administering one or several sports at



world level and encompassing organizations administering such sports at national level.

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.

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*.

International Standard for Laboratories: A standard adopted by WADA in support of the Code with regard to Laboratory Analysis.

International Standard for Testing: A standard adopted by WADA in support of the Code with regard to the Testing processes.

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*. For purposes of these Anti-Doping Rules, the *Major Event Organization* is EOC.

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.

Minor: A natural Person under 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, the management of test results, and the conduct of hearings at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee.

National Event: A sport *Event* or *Competition* involving *International-* or *National-Level Athletes* that is not an *International Event*.

National Federation: A national or regional entity which is a member of or is recognized by an International Federation as the entity governing the International Federation's sport in that nation or region.

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

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 *Minor*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

No Significant Fault or Negligence: The *Athlete* or other *Person's* establishing that his or her *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 *Minor*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

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

Participant: Any Athlete or Athlete Support Person.

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

Possession: The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control over the *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.

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

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

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

Provisional Hearing: For purposes of Article 7.6, 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.

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

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

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 5.6 of the *Code* and the International Standard for Testing and Investigations.

Rules: These EOC Anti-Doping Rules.

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

Signatories: Those entities signing the *Code* and agreeing to comply with the *Code*, as provided in Article 23 of the *Code*.

Specified Substance: See Article 4.2.3.

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.

Substantial Assistance: For purposes of Article 10.6.1 of the *Code*, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case 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 which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering: Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.

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.

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

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 jurisdiction 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.

TUE: Therapeutic Use Exemption, as described in Article 4.4.

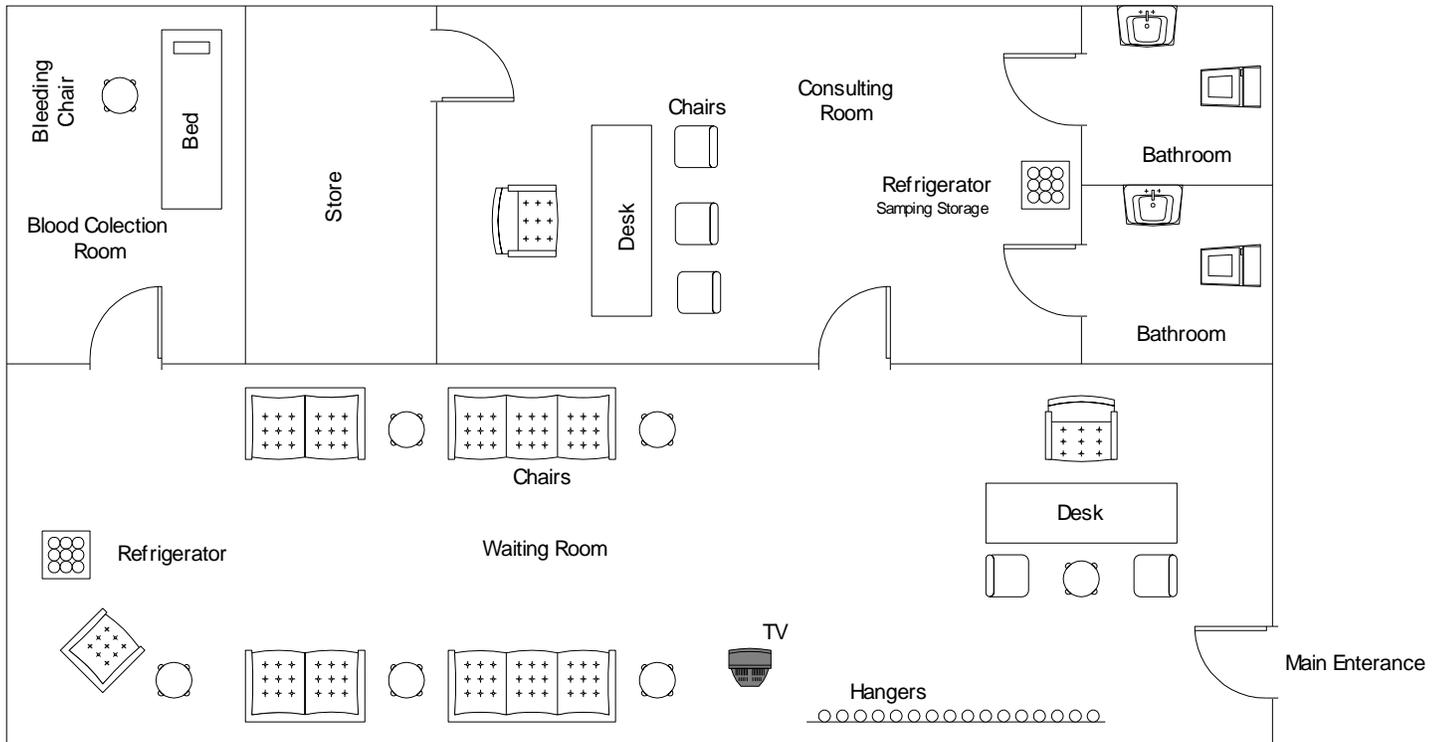
UNESCO Convention: The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against 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.

APPENDIX 2

Doping Control Station – LAYOUT



APPENDIX 3

List of competition venues

Venue Name	Venue Address
Baku Aquatics Centre	Avropa oyunlari parki Sabail district, A.Yagubov street (Bayil), Baki
Basketball Arena	Avropa oyunlari parki Sabail district, A.Yagubov street (Bayil), Baki
Beach Arena	Avropa oyunlari parki Sabail district, A.Yagubov street (Bayil), Baki
Bilgah Beach	
BMX Velopark	Bibiheybat, Sebail, Salyanski hw, AZ1023 Baki
Baku Sports Hall	Neftchilar ave.26A, AZ1000 Baki
Crystal Hall 1	Agil Guliyev str., Sabail, AZ1003 Baki
Crystal Hall 2	Agil Guliyev str., Sabail, AZ1003 Baki
Crystal Hall 3	Agil Guliyev str., Sabail, AZ1003 Baki
Freedom Square	Freedom Square, Baki
Heydar Aliyev Arena	Abbas Sahhat str.2, AZ1078 Baki
Mingachevir	A.Islamzade 98 A, AZ 4500 Mingachevir
National Gymnastics Arena	H.Aliyev ave. AZ1072 Baki
Baku Shooting Centre	Binagadi, Ipek Yolu, 3 D, AZ1117 Baki
Stadium	Boyukshor Highway, AZ1034 Baki
Tofiq Bahramov Stadium	Xoyski küçəsi 98 A, AZ1072 Baki
Mountain Bike Velopark	Binagadi, Ipek Yolu, 3 D, AZ1117 Baki
Water Polo Arena	Avropa oyunlari parki Sabail district, A.Yagubov street (Bayil), Baki
Athletes Village	AVL, 117 Heydar Aliyev Prospect, Baku
Canoe Sprint Village	Mingachevir