

### **Guidelines for applications under Competition Rule 22.1A**

1. Any athlete seeking exceptional eligibility for International Competition under Competition Rule 22.1A should apply in writing without delay by email to the following email address: [applications.neutralathletes@iaaf.org](mailto:applications.neutralathletes@iaaf.org). Any delay in making the application is at the athlete's own risk; the IAAF will process applications without delay but it cannot guarantee doing so by any particular deadline. Save in exceptional circumstances, the IAAF will not process applications if they are submitted less than 4 weeks before the entry deadline for the International Competition for which eligibility is sought.
2. The application does not need to be made using any special form. However, it must be submitted in the English language and meet the requirements set out in these Guidelines. In particular, the application should identify the specific sub-clause that the applicant is applying under, i.e., either Rule 22.1A(a), Rule 22.1A(b), or Rule 22.1A(c), and the specific International Competition(s) for which eligibility is sought. It should also set out the grounds upon which the applicant claims to meet the requirements set out in the provision relied on (with particular reference, in the case of applications made under Rule 22.1A(b), to the criteria listed at paragraph 7, below). Legible and authentic copies of any documents that the applicant is relying on to demonstrate his/her satisfaction of the criterion/criteria should be filed along with the application, together with certified translations into English of any documents submitted in a foreign language. The IAAF may take steps to verify the authenticity of any documents forwarded as part of an application. The application should end with a signed and dated statement by the applicant affirming that the contents of the application (and any accompanying documents) are true, and that no facts have been omitted that a reasonable person would consider relevant. The applicant may be assisted in making the application by a representative of his or her choice and at his or her own expense. In all cases, the application must be accompanied by an official letter from the applicant's National Federation, providing any relevant information that the federation holds for the applicant, and specifically advising whether it agrees that the applicant meets all relevant requirements and whether it endorses the application.
3. The IAAF Council has delegated its power to consider and determine applications for exceptional eligibility under Competition Rule 22.1A to the Doping Review Board. Upon receipt of an application, the IAAF Secretariat will check to ensure that it meets the requirements of these Guidelines. If it does not, the Secretariat will send it back to the applicant, explaining what changes/additions are needed to meet those requirements. If it does, the Secretariat will send it without delay to the members of the Doping Review Board, who should acknowledge receipt by return.

4. The current members of the Doping Review Board are Robert Hersh (chair), Abby Hoffman,<sup>1</sup> and Antti Pihlakoski. If they deem it necessary or appropriate, they may co-opt a further individual (e.g., a nominee of WADA) onto the Doping Review Board to assist them in considering applications made pursuant to Competition Rule 22.1A, and/or they may obtain legal advice/support in the discharge of their functions.
5. The members of the Doping Review Board will consider the application on the papers. If they see fit, they may contact the applicant for more information, and may ask the applicant to join a conference call with them to discuss the application/provide further information. In his/her application, the applicant may request that the Doping Review Board allow him/her to make oral submissions to it in support of the application, which request should be supported with a detailed explanation of why oral submissions are necessary in all the circumstances of that case. For the avoidance of doubt, however, the applicant shall not have a right to be heard orally by the Doping Review Board (in person or by telephone conference call), and so should ensure that all of the necessary information is provided to the Doping Review Board as part of his/her written application.
6. The Doping Review Board shall grant an application under Competition Rule 22.1A only when the applicant has demonstrated to its comfortable satisfaction that he/she fully satisfies the requirements set out in the sub-clause of Competition Rule 22.1A on which he/she is relying. The more important the International Competition in which the applicant is seeking to compete, the more corroborating evidence the applicant will have to provide in order to meet that burden.
7. Where the application is made pursuant to Competition Rule 22.1A(b), and so requires the applicant to show that (i) he or she is not directly implicated in any way (knowingly or unknowingly) by the National Federation's failure to put in place adequate systems to protect and promote clean athletes, fair play, and the integrity and authenticity of the sport; and (ii) he or she has been subject to other, fully adequate, systems (including fully WADA Code-compliant drug-testing) for a sufficiently long period to provide substantial objective assurance of integrity, the Doping Review Board shall consider all such factors as it deems relevant to those issues, which may include (without limitation):
  - 7.1 The nature and extent of the applicant's contacts with officials, coaches, doctors, other support persons, and other appointees or representatives of his/her (now suspended) National Federation, and the period over which those contacts occurred.
  - 7.2 Any intelligence, investigation(s), and/or results management or other information or evidence of any kind impacting upon or implicating the applicant (whether to his or her knowledge or otherwise).

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<sup>1</sup> Due to her involvement as a member of the IAAF Taskforce for Russia, Ms Hoffman will recuse herself from the Doping Review Board when it considers applications made by Russian athletes. A replacement will be appointed to sit in her place on the Doping Review Board for such applications.

- 7.3 Whether any coach, doctor or other support person with whom the applicant has worked has ever been implicated in the commission of any anti-doping rule violation(s).
- 7.4 Whether any samples previously provided by the applicant are currently in storage and/or subject to re-testing.
- 7.5 What, in all of the circumstances of the case, including the nature and timing of the International Competition(s) for which eligibility is sought, is a 'sufficiently long period' for the athlete to have been subject to other (fully adequate) systems (including fully WADA Code-compliant drug-testing) for purposes of Rule 22.1A(b) (the '**Relevant Period**').
- 7.6 To what extent the applicant was subject to other, fully adequate, anti-doping systems during the Relevant Period. For example:
- 7.6.1 Was he or she in a Registered Testing Pool (as that term is defined in WADA's International Standard for Testing and Investigations) or providing other whereabouts during the Relevant Period? If so, to whom, and what was the quality of that whereabouts information? For example, how many unsuccessful attempts were made to test the applicant based on that information, and were any whereabouts failures declared against the applicant?
- 7.6.2 During the Relevant Period, how many samples (urine, blood, and/or Athlete Biological Passport [ABP] samples), if any, were collected from the applicant for drug-testing purposes? In each case, who was the Testing Authority and who was the Sample Collection Agency (as those terms are defined in WADA's International Standard for Testing and Investigations)? Where were the samples collected? Where were the samples sent for analysis?
- 7.6.3 Were there any times during the Relevant Period when the applicant was not subject to testing by the IAAF or any other Testing Authority?
- 7.6.4 To the extent that the applicant was outside of the Country of the National Federation during the Relevant Period, was he or she there in an individual capacity, or was he/she under the control or supervision of the National Federation (for example, as part of a team or delegation representing the National Federation, or attending a training camp organised by the National Federation)?
- 7.7 Where the applicant has provided samples for the purposes of drug-testing during the Relevant Period, have there been any atypical findings, requiring further investigation? Where the applicant has been subject to ABP testing, have any concerns been raised about his/her ABP profile (steroidal and/or haematological modules)?

8. The Doping Review Board may issue specific guidance in relation to particular International Competitions, in addition to or in place of some or all of the factors set out above.
9. The Doping Review Board will issue its decision on the application as soon as reasonably practicable. It shall provide brief reasons for its decision, which will be communicated to the applicant. Where the application is granted, the Doping Review Board will specify in the decision the conditions of the grant of eligibility, including (without limitation) the need for the applicant to sign an agreement with the IAAF in accordance with Competition Rule 21.1.
10. The Doping Review Board may reconsider a decision to grant or deny eligibility where it deems it appropriate to do so, e.g., if new facts or new evidence emerge.
11. An athlete whose application is granted and has met all specified conditions will as a result hold special eligibility to compete in the International Competition(s) in question in an individual capacity, as a Neutral Athlete (as defined in the Competition Rules). However, in order to compete in that competition, in addition to complying with all of the other eligibility requirements under the Competition Rules, that athlete will still have to obtain an invitation to participate in the International Competition(s) in question from the organiser of that competition. It will also be for the organiser of the International Competition to resolve all logistical and practical arrangements for the participation of such athlete in that competition.
12. The decision of the Doping Review Board on any application made under Competition Rule 22.1A will be subject to appeal to the Court of Arbitration for Sport in accordance with the CAS Code of Sports-related Arbitration. The language of the appeal proceedings shall be English.

11 December 2017