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# INADO Update #19.2

**Dear Colleagues:**

## Membership

The Lithuanian Anti-Doping Agency (LTU ADA), the Polish Anti-Doping Agency (PANDA) and the Korea Anti-Doping Agency (KADA) have joined iNADO. Welcome to Ieva, to Michal and to Park Byeong Jin, and to their teams. Our membership has increased to 33 Founding Members:

- Dopingautoriteit (Netherlands)
- UKAD (United Kingdom)
- ASADA (Australia)
- JADA (Japan)
- USADA (United States)
- DFSNZ (New Zealand)
- SAIDS (South Africa)
- CCES (Canada)
- ADN (Norway)
- ADD (Denmark)
- NADA Germany
- Antidoping Switzerland
- Singapore AD
- AFLD (France)
- NADA Austria
- NADA Romania
- NADC Barbados
- FINADA (Finland)
- Irish Sports Council
- PRADO (Puerto Rico)
- QADC (Qatar)
- BSADA (Bermuda)
- AEA (Spain)
- NOC of Slovenia
- San Marino CPA
- KADC (Kuwait)
- JADO (Jordan)
- BADC (Bahamas)
- Indian NADA
- CyADA (Cyprus)
- LTU ADA (Lithuania)
- PANDA (Poland)
- KADA (Korea)

## Code/International Standards Review: Comment Period Closes March 1

This is WADA's final reminder about the deadline for Comments during the current phase of the Code/International Standards review: http://playtrue.wada-ama.org/news/code-review-final-reminder-for-wada-stakeholders/?utm_source=rss&utm_medium=rss&utm_campaign=code-review-final-reminder-for-wada-stakeholders

## WADC 2015 Draft Version 2.0 – Suggested NADO Comments

As did iNADO Updates #5 and #6 previously, this Update suggests positions NADOs and RADOs may wish to take in comments to WADA on Version 2.0 of the proposed 2015 World Anti-Doping Code, and Version 1.0 of the proposed 2015 International Standard for Therapeutic Use Exemptions. Please cut and paste into your own comments whichever positions you feel comfortable with, or adapt them as you see fit. **Remember, these are just suggestions:** but they do reflect the views of many NADO experts who have been closely involved with the Code and IS review.

**Proposals in Version 2.0 to Support**

Retaining the B Sample

2.1.1 & 7: We support reintroduction of the B sample analysis. Removing it would create more issues than it would solve. It is not clear that it would save much time in the doping control station or the laboratory or much money in equipment, transportation and analysis costs. (For example, fewer than 2% urine samples produce an adverse analytical finding and in many of these cases the B sample is not analysed. So the B sample analysis costs are not a major burden on ADOs.) Eliminating the B sample analysis would remove a useful safeguard and may reduce athlete, public and legal confidence in doping control and in sport arbitration. While the number is statistically insignificant, over the years there have been B samples that did not confirm the A sample. For those athletes, that outcome has been critical.

"Evading or Refusing" Doping Control

Article 2.3: We support the revision of this ADRV to describe "evading or refusing" doping control.

However, there is an incompatibility between the Comment to Article 2.3 and Article 10.3.1. According to Article 2.3 there is no ADRV for evading or refusing sample collection if intent cannot be established (e.g. if the ADO cannot prove intent on the part of the athlete). But Article 10.3.1 stipulates that when an athlete establishes the absence of intent, there is a reduction of the applicable sanction. This is not compatible with Article 2.3, because under that Article there is no ADRV without intent.

Enhanced Cooperation for Filing Failures

Article 2.4: We support enhanced cooperation between ADOs concerning whereabouts filing failures and missed tests.

Requiring Offensive Conduct Towards Doping Control Officials to be Punishable

Article 2.5: We support the amendment to the Comment that offensive conduct towards doping control officials "shall" be addressed in the disciplinary rules of sport organizations. Sport organizations must deal effectively with any offensive conduct towards doping control officials. WADA should develop a standard template document which could be incorporated into sport organizations' code of conducts that relates to this issue.

Two New Anti-Doping Rule Violations (ADRVs)

Articles 2.9 & 2.10: We support these new ADRVs of Complicity and of Prohibited Association. We also support the amendments to proposed Article 2.10 to require notice about who is subject to the prohibition on association by athletes.

Prohibited List Criteria

Article 4.3: [iNADO takes no position on the List criteria themselves.] But we support raising the threshold for cannabis so that only those clearly "under the influence" at the time of competition will register an AAF.

Testing Coordination and Collection of Whereabouts Information

Article 5.3.2: We support the new and detailed proposal authorising WADA to sort out issues where an ADO wants to test at another ADO's event (for example where a NADO wants to test at an IF event where no testing is to take place).

We also support the significant new proposes for test distribution coordination in Article 5.4 and for the collection of whereabouts information in Article 5.6.

Intelligent Testing

Article 6.4: We support the changes to Article 6.4 which place more emphasis on intelligent testing. The previous proposal to test for all prohibited substances in all samples was contrary to intelligent testing and would waste of resources. Why test a Boccia athlete who has cerebral palsy for the full range of prohibited substances and practices (such as blood doping). Why collect blood samples and conduct the athlete biological passport on athletes within the sport of curling? Does it make sense to be analyzing urine samples for EPO within weightlifting? Should NADOs collect both urine and blood samples from all athletes in every doping control test? There would simply be insufficient resources available to operate testing programs of this nature.

We fully support the notion of intelligence-based testing. Such an approach needs to include reduced analytical screens that are the most appropriate and effective based on certain sports but also dependent upon the level of athlete, risk factors for the athlete, current intelligence on the athlete, etc. This approach would be consistent with intelligence-based testing and would be much more cost effective. We support WADA cooperating to determine appropriate testing menus by sport and even by discipline within a sport. But these determinations must be made before the 2015 Code and International Standards come into effect.

A Hearing is Not Needed in all Cases

Article 7: We support the changes made in the introductory comment of Article 7. This makes it clear that not all anti-doping rule violations require a hearing, for example where there is agreement for the athlete or other person to accept the consequences set out in the Code.

Determining the ADO with Results Management Authority

Article 7.1: We support the placement and content of this proposal about which ADO has results management authority. We also support WADA's role in determining disputes about results management authority, and that such determinations not be appealable.

However, WADA should also have the authority to determine post-event disputes about the exercise of results management authority. When an IF has contracted a NADO to test at an event, and there has been a case of potential evasion, in the past it has been the case that an IF has been inclined to take a more relaxed approach and not bring a case forward. It is critical that NADO's have a means of being able to act further in such circumstances.

New Criteria for "Fair Hearings"

Article 8: We cautiously support the changed scheme for "fair hearings". The current 8 principles to be respected by any hearing are proposed to be replaced by a requirement that hearings respect "Article

6.1 of the European Convention on Human Rights and comparable principles generally accepted in international law."

However, and especially for those countries outside of Europe, and for greater certainty, the Comment to Article 8 should give some explanation of just what is required by Article 6.1 of the European Convention and by "comparable principles generally accepted in international law."

Also, it should be recognised that Article 6.1 of the European Convention requires an "impartial and independent tribunal." Code Article 8 has only ever required an "impartial" hearing panel (in contrast to Article 13 which speaks of an "impartial and independent" appeals body). The introduction of the new requirement of an "independent" hearing panel may require many ADOs (especially IFs) to restructure their hearing panels in a major way.

More Four Year Bans

Article 10.2: The main sanctions provisions in Article 10.2 are proposed to establish as a default a 4 year for any ADRV "involving any Prohibited Method or a Prohibited Substance in the classes of Anabolic Agents, Peptide Hormones, Growth Factors and Related Substances, Hormone and Metabolic Modulators, or Diuretics and Other Masking Agents." Article 10.2.2 proposes a 4 year suspension for and ADRV involving a specified substance where the violation was reckless or intentional.

We support broadening the circumstances in which a four year ban may be imposed. This sends a positive signal to clean athletes. It will allow NADOs to treat serious and deliberate doping more severely than doping due to stupidity or poor athlete support. We also support the proposed reorganisation of Article 10 with the existing "Aggravating Circumstances" provisions eliminated because longer bans are covered elsewhere in Article 10.

Article 10.3.1: Proposes a 4 your suspension as the default sanction for other ADRVs (such as evading doping control or tampering) unless the athlete can establish he/she was no intentional or reckless. Then, the suspension is proposed to be 2 years. Articles 10.3.4 and 10.3.4 propose the suspension for whereabouts filing failures or missed tests, or for prohibited association, be 2 years subject to reduction to I year depending on the athlete's degree of fault. We also support these proposed sanctions.

However, we also believe that the treatment of "minors" under the proposals for more severe sanctions needs more thought. One NADO posed this scenario: a 15 year old swimmer is at a pool with a parent, and observes testing officials arrive. The parent instructs the child to immediately leave, and the parent drives the child away. On the face of it there is "evasion" and "intent". Under the current proposals a sanction would start at 4 years with the best possible outcome "neither intentional nor reckless" being 2 years.

This is not the kind of outcome we would want for a 15 year old who feels bound to obey a parent (and is probably legal obliged to do so under national law). This outcome might also run against the new references to proportionality at the beginning of Version 2.0. The same difficulties would apply for athletes with intellectual impairments.

We propose that there be a general provision added to Article 10 that permits relaxation of any sanction in a case demonstrating to the "comfortable satisfaction" standard that a Minor (or athlete with an

intellectual impairment) acted under the requirements of an adult in a position of legal authority over the Minor (or athlete with an intellectual impairment).

Sanction after Prompt Admission

Article 10.2.4: we support WADA's proposed role in determining the length of sanction where there is a prompt admission. This will ensure consistency.

Sanctions for Specified Substances and Contaminated Products

Article 10.4: We support the proposals of Article 10.4.1 to simplify the treatment of "specified substances" by mere reference to "no significant fault," removing the requirements to show how the substance entered the body and no intent to enhance performance.

We also support the proposals of Article 10.4.2 for a similar treatment for "contaminated products": except that it is the degree of "fault" not "significant fault" that must be considered for a reduction.

Repayment of Prize Money

Article 10.7.1: We support the proposal for repayment of forfeited prize money which has been adjusted to permit return to competition without repayment where "fairness requires."

Payment of CAS Cost Awards Must be Made before Return to Competition

10.12: We support the principle that past costs awards must be paid as a condition to return to competition. This is only fair to clean athletes and to the NADOs which protect them and which have to incur legal costs prosecuting cheaters.

But the proposal should include any cost awards imposed by any national anti-doping hearing body or IF disciplinary body, as well as by CAS. Also, there should be a possibility an athlete having a limited option to competition where that would generate the income needed to pay an award of costs. As well, this principle should be allowed to be addressed either in anti-doping rules or in additional sport eligibility rules.

Education and Prevention

Article 18: We support the additional language inking education and prevention.

Mandatory Education about Whereabouts Requirements

Article 18.2: We continue to support the addition to Article 18.2. We also believe that education should be a mandatory component of any anti-doping program, and that all sport organizations and personnel should receive education.

Automatic Investigations by NADOs

Article 20.5.8: We continue to strongly support that NADOs should always and automatically investigate the athlete's entourage whenever the athlete commits an ADRV.

But we also continue to urge that the same obligation should be placed on International Federations (Article 20.3) and on NOCs/NPCs (Article 20.4) (WADA should not have the only investigative responsibility with respect to IF cases). And cooperation among ADOs in such investigations should be required.

WADA Power to Investigate

Article 20.7.9: We support the proposal to authorise WADA to conduct its own investigations.

Athletes to Disclose ADRVs

Article 21.1: We support the proposal that would require athletes to disclose a decision by a non-Signatory finding that they had committed an ADRV.

RADOs

Article 21.2: We support to proposed new article outlining the roles and responsibilities of RADOs.

Definition of "Contaminated Product"

We support the proposed definition of "contaminated product" for Article 10.4.2.

Definition of "Fault"

We continue to support the proposed definition of "fault." It will respond to the recent CAS decision in *Armstrong* (CAS 2012/A/2756, September 21, 2012) that suggested that "fault" has different content for different Code Articles.

Definition of "International-Level Athlete"

We support the revised definition of "International-Level Athlete."

But every IF must be conscientious and completely transparent in the criteria it uses to define such athletes and, ideally, notify athletes (and their NADOs) of their international-level status. It is equally important that athletes are advised when they are no longer international-level. Athletes themselves must have no doubt about this.

Definition of "National-Level Athlete"

We strongly support the addition to the definition of "national-level athlete" which allows NADOs to determine which group of athlete should be considered "national level."

Definition of "Registered Testing Pool"

We support return to the term "Registered Testing Pool" in place of the earlier proposal "High Priority Athlete Testing Pool." Better the devil you know.

**Proposals in Version 2.0 that Should be Changed**

Expand the Laboratory Presumption to Cover all the Elements of the ISL and the Technical Documents

Article 3.2.1: We continue to be concerned that the presumption in article 3.2.1 regarding WADA-accredited laboratories only speaks to "analysis and custodial procedures", and not all the laboratory procedures as described in the International Standard for Laboratories. While this presumption only covers part of the ISL, an athlete might rebut this presumption by showing that any departure from the ISL occurred. This departure might be directed at an element of the ISL that falls outside the scope of the presumption in article 3.2.1. CAS has addressed this issue by expanding the laboratory presumption to other elements of the ISL in recent case law (see CAS 2009/A/1752 (*Vadim Devyatovskiy v/IOC*), CAS 2009/A/1753 (*Ivan Tsikhan v/IOC*)). The presumption in article 3.2.1 should be expanded to include all elements of the ISL.

Give NADOs the Authority to Make Domestic TUE Rules for Lower-level Athletes

4.4.3: We believe that Article 4.4.3 ought to be amended to give NADOs the ability to make their own rules in relation to athletes below international and national level. (See also the comments on the "Definition of Athlete," below.)

Currently there is a clear intent for different rules for lower level athletes, but the grammar of Article 4.4.3.1 suggests that any application for a TUE by a lower-level athlete must be assessed in accordance with the International Standard for Therapeutic Use Exemptions. We suggest amending the sentence, "…All therapeutic use exemption requests shall be evaluated in accordance with the International Standard for Therapeutic Use Exemptions…" to read "… All therapeutic use exemption requests shall be evaluated in accordance with the International Standard for Therapeutic Use Exemptions, except those requests by athletes participating in sport at levels below the national level where the NADO has determined a different process …".

Do Not Automatically Invalidate NADO TUEs

Article 4.4: We strongly object to the concept is that if an IF refuses a TUE application from an athlete with a NADO TUE (or otherwise refuses to recognise that NADO TUE), the NADO TUE is "reversed." It is equally objectionable that such a "reversed" TUE would only remain valid for national competitions, and then only pending a review by the WADA TUEC or an appeal to CAS.

Many established NADOs find the approach proposed in Version 2.0 unacceptable. It presumes that all NADO TUECs are incompetent. It is contrary to the spirit of "mutual recognition." It gives IF and Major Event Organiser TUECs a review authority over NADO TUECs quite different from the current system of oversight of ADO TUEC decisions. There has been no evidence presented to support the need for such a radical realignment of TUEC responsibilities. That there are differences from country-to-country on TUE issuance is most often a reflection of national medical prescribing practices. This is a fact of life that cannot be ignored; but the current proposal appears to, thereby losing credibility. If there continue to be poor TUE decisions from some NADO TUECs, those should be dealt with on a case-by-case basis, through some enhanced Code-compliance system aimed at improving those TUECs, not punishing individual athletes for the perceived sins of their country's medical professionals.

The proposals are also written in a way that every time there is a reversal, there must be either a request for review to the WADA TUEC or appeal to CAS for that NADO TUE to have even continuing status at the national level (because of the "pending" review or appeal language). As a result, an athlete competing at a national level with a NADO TUE who seeks to compete at a higher level might suddenly lose his or her TUE. Forever. Resulting in no international competition. And no further national competition if they are unable to give up use of the prohibited substance for medical reasons, or their appeal or review fails. Yet other athletes who have received a TUE for the same substance in the same sport would continue to be able to compete nationally.

Why place that risk on athletes with rising careers who happen to require a TUE? The focus ought to be on the NADO TUEC whose TUE was found to be unacceptable, and if need be on correcting the decision-making of that NADO TUEC.

It would be more appropriate for the athlete who fails to get the IF or Major Event Organiser TUE to remain in national competition on a level national playing field.

Do Not Discourage Mutual Recognition of TUEs

Article 4.4.3: We believe that this Article should make it clear that an ADO may recognise another ADO's TUE without applying the full TUE application procedure required by the ISTUE. Only when an IF/Major Games Organiser refuses to recognise a NADO TUE should there be the need for a formal TUE application to the IF/Major Event organiser TUEC.

Unfortunately, the literal wording of the current proposed Article (and the related proposed ISTUE provisions) requires a complete TUE application to the other ADO for recognition of an existing valid TUE. This is because of use of the phrase "should apply" in the basic proposed WADC articles on obtaining a TUE, especially in proposed Article 4.4.3.2 which requires an application even if the athlete already holds a valid TUE from the NADO:

> "4.4.3.1 If the Athlete competes only at the national level or below, he or she should apply to his or her National Anti-Doping Organization for a TUE.
>
> "4.4.3.2 If an Athlete is or becomes an International-Level Athlete, he or she should apply to his or her International Federation for a TUE, even if he or she already holds a TUE for the same substance or method granted by his or her National Anti-Doping Organization." [emphasis added]

The language of the proposed Comment to Article 4.3.2.2 is consistent as to the requirement for "an application" to an IF even when there is a valid NADO TUE:

> "An International Federation is encouraged to recognize the TUE granted by the National Anti-Doping Organization, unless it is not satisfied that the relevant conditions for such grant have been met. If the International Federation denies the Athlete's TUE application, that denial automatically reverses the TUE granted by the National Anti-Doping Organization for National Events." [emphasis added]

In other words, there is no provision for simple submission of an existing TUE for mutual recognition. In the absence of some other provision or a carve-out, the requisite "application" would have to be as required by proposed Article 6.0 of the proposed ISTUE, and meet all of the requirements it establishes. The net result is that the IF/Major Event Organiser "recognition" of NADO TUEs that is encouraged in the proposed WADC and ISTUE requires a new TUE application and the full TUEC consideration of that application in accordance with the ISTUE.

The principle should be automatic mutual recognition of any "recognized" TUEC (with athlete right to seek WADA TUEC review of denial). Except that any NADO or IF TUE for a substance or method mentioned in proposed WADC Article 10.2.1 (the "worst" doping, subject to 4 year suspension) should be reviewed automatically by the WADA TUEC.

Do Not Permit Appeals on Mutual Recognition

Article 13.2: This proposal would now permit an appeal to CAS of an ADO's decision not to give mutual recognition to another ADO's decision. We do not support this. Consistent with WADA's role as mediator/decision-maker according to other proposals (such as Articles 5.3.2, 6.4, 7.1, 10.2.4 and 10.5.3), such question would be better, more-efficiently and more cost-effectively settled through WADA, than through an adversarial proceeding before CAS.

**Additional Proposals for Version 3.0**

Athletes with an Impairment

We believe that the Code should address this group of athletes in an appropriate fashion, likely in parallel with treatment of "Minors."

Further Analysis of Samples

Article 6.5: We propose the following change that reflects the ownership of the sample and the importance of ensuring that one ADO does not prevent a full consideration of possible doping by an individual:

> "… at any time exclusively at the direction of the Anti-Doping Organization that has the ownership of the samples or WADA if the Organization with the ownership of the sample will not further analyze the sample itself……"

Athlete Blood Passport Data

Article 14.5: We propose that ABP data should not be made accessible too early because these information could be misused (as it has been shown by different testimonies from high level athletes) to refine doping. Therefore, ABP data should not be mentioned simultaneously and on the same level as "normal" test results. Therefore, the article should be written as:

> "WADA shall act as a central clearinghouse for Doping Control Testing data and results for RTP athletes."

Definition of Athlete

We believe that the Code should explicitly provide that not all sub-national athletes need be subject to full Code-compliant anti-doping programmes. It is currently implicit in the Code, and it is a fact in a number of countries. For greater certainty, this should be made clearer. Otherwise NADOs may be forced to choose between administering sub-national anti-doping programmes that are very valuable, but not fully Code-compliant, or administering none at all. Any suggestion that all anti-doping must be fully Code-compliant, or not exist at all, would be completely counter-productive under many national sport systems (and for public health reasons).

We fully agree that all of the Code provisions must apply to all International- and National-Level Athletes. However, the reality is that in many countries the majority (and sometimes the vast majority) of athletes under the NADO's authority are neither. They are in non-Code-compliant sports, or are masters athletes, or university or college athletes, or recreational athletes. They can number in the tens and hundreds of thousands, and even in the millions, in a country.

For example, some NADOs have special rules in place for lower level athletes who require prohibited medications. For all sub-national athletes not specifically requiring a TUE, they have designed more flexible mechanisms to deal with the proper medical use of prohibited substances, sometimes with very different procedures than the TUE rules in the Code (less documentation, always retroactive, etc).

Similarly, at least one NADO administers sport-specific anti-doping rules for such lower-level athletes that do not impose Code-complaint sanctions for ADRVs within that particular sport and at that lower level. Such rules are strictly limited and customized to the particular sport, and the age and level of athlete. This includes, critically, transitional provisions that would apply if an athlete in that sport (whether serving a sanction or not) were to move-up to a level in that sport (such as to a junior national team programme), or to a different sport, where the full Code-compliant rules would apply. In most cases, a Code-compliant sanction would apply if and when the athlete moved up (or over) to participate in Code-compliant sport. This is a sort of reverse-contamination rule.

We believe that it is inappropriate to impose the full rigor of the Code on each and every one of these assorted classes of athletes. Doing would be prohibitively expensive, inefficient and, most importantly, could lead to violations and sanctions being imposed on sub-national level athletes when there is far less than ideal education provided regarding anti-doping duties and responsibilities. We believe that modifications to all areas of the Code's rules should be permissible for the various classes of athletes who were never meant to face the full and robust application of the Code's rules. The Code should make this clear.

To explicitly permit this approach, this definition of "Athlete" should be adopted:

> ***Athlete***: Any *Person* who participates in sport at the international level (as defined by each *International Federation*) or national level (as defined by each *National Anti-Doping Organization),* or any other competitor or participant in sport who is otherwise subject to the authority of any *Signatory* or other *Sport Organization* accepting the *Code* and who has been made expressly subject to the provisions of the Code by a *National Anti-Doping Organization.* All provisions of the *Code* including, for example, *Testing*, and *Therapeutic Use Exemptions* must be applied to *International* and *National-level Athletes* and to any other competitors or participants in sport who have been made expressly subject to the Code by a *National Anti-Doping*

*Organization.* Some *National Anti-Doping Organizations* may elect to test and apply anti-doping rules, whether the same rules contained in the Code or rules modified as desired by the *National Anti-Doping Organization,* to competitors under their jurisdiction who are not *National–level Athletes* (i.e. recreational-level or masters competitors) but they are not required to do so. For purposes of Article 2.8 (*Administration* or *Attempted Administration*) and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, *Government*, or other *Sport Organization* accepting the *Code* is an *Athlete*.

[Comment: This definition makes it clear that all *International* and *National-level Athletes* and any other specifically designated competitors are subject to all of the anti-doping rules of the Code with the precise definitions of international sport and national-level sport and the identification of specifically designated competitors to be set forth in the anti-doping rules of the International Federations and the National Anti-Doping Organizations, respectively. In this manner the scope and breadth of each country's fully Code complaint anti-doping program (and the *Athletes* thereby affected) can be precisely defined depending on national sporting priorities and the desired allocation of resources. The definition also allows each *National Anti-Doping Organization*, if it chooses to do so, to expand its anti-doping program, modified as it desires, beyond *National-Level Athletes* to competitors at lower levels of competition. Thus, a *National Anti-Doping Organization* could, for example, elect to test recreational-level competitors but not require advance Therapeutic Use Exemptions, use a modified Prohibited List or impose modified sanctions for any violations. In the same manner, a *Major Event Organization* holding an *Event* only for masters-level competitors could elect to test the competitors but not require advance Therapeutic Use Exemptions. Competitors at all levels of competition should receive the benefit of anti-doping information and education.]

Definition of International Event

We believe the definition of "International Event" needs to be amended. The past has shown that some IFs have defined too many events as "International Events" at a too low level, thus excluding NADOs from testing in their own country. The experience of the Armstrong case makes it clear that testing by only an IF is a potential conflict of interest, may not result in optimal testing and - in the public's view – not credible testing. Therefore:

- The mere appointment of a technical official should not be sufficient to classify an event as an International Event; and
- Where qualified NADOs exist, it should be those organizations that should be responsible for testing at all events in their countries. It goes without saying that an IF may have a function as a supervisor for such tests.

## ISTUE Version 1.0 – Suggested NADO Comments

ISTUE v. 1.0 is very constructive in a number of respects. We support these aspects in particular:

- The proposed reorganisation is more logical.
- Moving provisions from the Code to the ISTUE makes sense.

- The clarity on dealing with national and sub-national level athletes, and for granting retroactive TUEs, is very useful.
- The proposed requirements of ISTUE Articles 4.2(b)(ii) and c(ii) (IFs and major event organisers are encouraged to recognise NADO TUEs, and they should each publish a list of those NADO TUEs they will recognise automatically) clearly support "mutual recognition."

**Concluding Words**

Never hesitate to contact me if you need assistance. Let me know what is happening in your country and in your organisation. Tell me how INADO can help you do a better job. See you March 18th.

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**iNADO is the Institute of National Anti-Doping Organisations. It promotes best practices by NADOs and RADOs, and is their collective voice.**