**Athletes’ Anti-Doping Declaration (Athletes’ Declaration)**

The athlete

Athlete’s name and address

makes the following Declaration to the *Deutscher Alpenverein* (German Alpine Association/DAV):

**Preamble**

The DAV has made a commitment to actively fight doping in the DAV anti-doping rules, and its commitment includes the implementation of NADA and WADA anti-doping regulations.

The WADA Code, as amended from time to time, forms part of the World Anti-Doping Program, which has been adopted by the German government, the German Olympic Sports Confederation (DOSB), the German National Anti-Doping Agency (NADA), the International Federation of Sport Climbing (IFSC), the International Ski Mountaineering Federation (ISMF) and the DAV. It pursues the following objectives:

* the recognition of sport as making an indispensable contribution to stabilising the well-being of society, particularly in view of accelerating social change;
* the insight that doping is incompatible with the fundamental values of sport, in particular the principle of equal opportunity, and that doping threatens athletes’ health and compromises the public perception of sport;
* the aim to fight doping with all available resources in order to preserve the educational function of sport as a positive model and to protect athlete’s basic right to participation in doping-free sports.

We share a common interest in

* keeping athletic performance clean and free from any illicit manipulation at all times,
* never giving rise to any relevant suspicion,
* actively contributing to ruling out any arising suspicions immediately and convincingly.

**Subject of the Declaration**

This Declaration regulates the legal relationship between the DAV and the athlete regarding anti-doping regulations applicable to any participation in national and international competitions in any sports represented within the DAV.

**Doping**

1. The athlete acknowledges the articles of the WADA and NADA Codes, including any associated implementation regulations, as well as the anti-doping regulations of the IFSC and ISMF and his/her competent German federal sports association, as amended from time to time. The athlete accordingly undertakes to support the global fight against any form of performance manipulation and gives this undertaking to the above-mentioned institutions and the DOSB, among others.
2. The athlete
3. in particular acknowledges his/her absolute personal responsibility for ensuring that s/he will not use any prohibited substances or methods and that no such prohibited substances or methods will be administered to him/her at any time or place, and that s/he will not possess any prohibited substances unless s/he is able to furnish a therapeutic use exemption (TUE) in accordance with the provisions of the WADA and/or NADA Codes. This also includes each athlete’s obligation to familiarise himself/herself with the WADA Prohibited List, as revised from time to time;
4. confirms that
   * + the DAV has informed him/her of the regulations listed in point 2.a) above, as amended at the time this Declaration is signed, including the WADA Prohibited List, and of how and where to obtain the current regulations and lists at any time;
     + the DAV has additionally informed him/her expressly that the above-mentioned regulations are not subject to negotiation by the parties involved and that athletes are subject to these regulations not dependent on them having knowledge of the regulations, but dependent on their reasonable ability to obtain such knowledge. This also applies in particular to any amendments or revisions of relevant regulations, of which the DAV will notify the athlete on its homepage;
5. confirms that the DAV has informed him/her expressly of the fact that the DAV has delegated the conduct of the results management process and the introduction of any sanctions procedures to NADA. The *Deutsche Sportschiedsgericht* (German Court of Arbitration for Sport) is recognised as the competent body for sanctions procedures;
6. confirms that s/he has noted the relevant regulations, in particular
   * + any ineligibility periods to be imposed after violations of anti-doping regulations,
     + any obligations arising from the WADA Code and the WADA Prohibited List, and
     + any obligations to cooperate with and support doping control mechanisms; further that s/he acknowledges the relevant regulations and will support the conduct of controls both during and outside competitions;
7. acknowledges by signing the Athlete’s Agreement that the DAV resolutely fights any form of prohibited performance manipulation (in particular doping) and supports measures that effectively prevent the use of prohibited substances and methods;
8. further assures that s/he will unreservedly support the DAV’s zero tolerance policy in the fight against any forms of prohibited performance manipulation and wishes to make an active contribution to this fight by signing this Declaration;
9. undertakes to sign the Arbitration Agreement attached in Appendix 1;
10. undertakes to sign the Informed Consent form attached in Appendix 2;
11. acknowledges the right of the DAV to claim back any costs of sending the athlete to competitions, plus additional costs directly incurred in relation to such competitions, in the event that the athlete breaches the WADA Code.

**Information**

1. The National Anti-Doping Agency (NADA) is available as a point of contact for any questions regarding doping. Initial information, forms, the above-mentioned documents and relevant contact details can be found on the NADA homepage at www.nada-bonn.de.
2. In particular, the DAV anti-doping officer and any NADA medical support staff are available to provide general information and individual advice.

Place and date

Athlete’s signature (guardian’s signature for athletes who are minors)

Appendix 1:

**Arbitration Agreement**

**between**

**the German Alpine Association (*Deutscher Alpenverein*/DAV)**

**and**

Athlete’s name and address

1. Any disputes arising in relation to the Anti-Doping Declaration (Athlete’s Declaration) forming part of this document, or its validity, will be decided on by the *Deutsche Sportschiedsgericht* (German Court of Arbitration for Sport) in the first instance, in accordance with the Arbitration Rules of the *Deutsche Institution für Schiedsgerichtsbarkeit e.V.* (German Institution of Arbitration, registered association/DIS), expressly excluding recourse to the ordinary courts of law. The *Deutsche Sportschiedsgericht* is authorised in particular to impose sanctions regarding breaches of anti-doping regulations. Interim measures of protection by state courts are excluded.
2. Pursuant to S. 38.2 of the *DIS-SportSchO* (DIS Sport Arbitration Rules), arbitral awards made in disputes relating to breaches of anti-doping regulations may be appealed against by lodging an appeal with the Court of Arbitration for Sport (CAS) in Lausanne.
3. This contract is valid to cancelation. The cancelation has to be done in written form.

Place and date Place and date

Athlete’s signature Signature of a representative of the Federal DAV Association

(guardian’s signature for athletes who are minors)

Appendix 2:

**Informed Consent to the storage and/or release of medical data**

The athlete

Athlete’s name and address

makes the following declaration to the *Deutscher Alpenverein* (German Alpine Association/DAV):

1. I hereby consent to

* the DAV collecting and storing any atypical medical data and/or findings which could suggest prohibited performance manipulation;
* any such data and/or findings being released to institutions authorised to investigate such matters, in particular NADA and the competent international anti-doping control bodies (e.g. WADA). I hereby release the persons concerned with collecting these data/findings from their confidentiality obligations.
* This informed consent is limited to data/findings collected as part of health and performance diagnostics and to data/findings obtained as part of measures conducted to prevent prohibited forms of performance manipulation, in particular doping controls.

1. I am aware of the significance of my above-mentioned declarations, also in relation to myself. I have been expressly informed of the possibility of obtaining further clarification regarding medical and legal details from NADA representatives.
2. I am aware that I may withdraw this informed consent in part or in full.

Place and date

Athlete’s signature (guardian’s signature for athletes who are minors)

Please return the original of the fully signed document **by mail or by facsimile**

to:

*Deutscher Alpenverein*

*Ressort Spitzenbergsport* (High-performance Mountaineering Section)

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80997 Munich

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