

## **Anti-Doping Declaration by Athletes (Athletes' Declaration)**

The athlete

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Name and address of the athlete

declares the following to the German Alpine Association (hereinafter DAV):

### **Preamble**

In its Anti-Doping Regulations, the DAV has committed itself to actively combating doping. This also includes the implementation of the anti-doping regulations of NADA and WADA.

The current version of the WADA Code is part of the World Anti-Doping Program adopted by the Government, DOSB, NADA, IFSC, ISMF and DAV with the following objectives:

- Sport provides indispensable services for the stabilization of society's welfare, especially in the face of accelerated social change.
- The recognition that doping is incompatible with the fundamental values of sport, in particular the principle of equality of opportunity, endangers the health of athletes and degrades the public image of the sport.
- The endeavour to combat doping with all means at our disposal in order to preserve the educational role model function of sport and to guarantee the fundamental right of athletes to participate in a doping-free sport.

Our common interest is to

- to always deliver sporting performance that is clean and free of any unauthorized manipulation,
- to never give rise to such suspicion,
- to actively contribute to the immediate and convincing refutation of any suspicions that may arise.

### **Subject of the declaration**

This declaration regulates the legal relationship between the DAV and the athlete with regard to anti-doping regulations for all participations in national and international competitions in all sports represented in the DAV.

### **Doping**

1. The athlete acknowledges the articles of the WADA and NADA Codes, including the relevant implementing provisions, as well as the anti-doping regulations of the IFSC and the ISMF and the Federal Professional Association responsible for him/her, in the version applicable at the time. The athlete hereby undertakes to support the worldwide fight against all forms of performance manipulation, also with regard to the aforementioned institutions and the DOSB.
2. The athlete
  - a) acknowledges in particular the absolute personal responsibility for ensuring that no prohibited active ingredients enter her/his body, that prohibited methods are used, that she/he is not in possession of prohibited active ingredients, unless she/he can prove that she/he does not have a medical exemption (TUE) in accordance with provisions of the WADA or NADA Code. This also includes the duty of every athlete to be aware of the valid "List of Prohibited Substances and Methods" of WADA.
  - b) certifies that
    - he/she has informed the DAV about the regulations mentioned in 2. a) in the version valid at the time of signing the declaration, including WADA's "List of Prohibited Substances and Methods", as well as about how and where to obtain the respective valid certificates and lists.

- he/she has also been expressly informed by the DAV that the aforementioned rules are not at the disposal of the parties involved and that submission to them is not dependent on his/her knowledge but on the reasonable possibility of knowledge by him/her. This applies in particular to changes to the relevant provisions to which the DAV will refer the athlete on its homepage.
- c) confirms that he/she has been expressly informed by the DAV that the DAV has transferred the conduct of the results management process and the initiation of sanction proceedings to NADA. The German Sports Arbitration Court is recognized as the sanctioning body.
- d) confirms that he/she is aware of the relevant provisions, in particular
- of the suspensions to be imposed following doping offences,
  - obligations arising from the WADA Code and the "List of Prohibited Substances and Methods", and
  - is aware of the obligations to cooperate and support according to the doping control system, acknowledges these regulations and will support the performance of the controls at competitions and outside the competition
- e) acknowledges with his/her signature to the Athlete Agreement that the DAV will vigorously combat any form of deceptive manipulation of performance (in particular doping) and will take action to prevent the use of prohibited means.
- f) further affirms that he/she fully supports the "zero tolerance policy" of the DAV in the fight against all forms of illicit manipulation of performance and that he/she intends to make an active contribution to this by signing this document.
- g) undertake to sign the Arbitration Agreement attached in Annex 1.
- h) undertake to sign the Declaration of Consent set out in Annex 2.
- i) acknowledges the right of the DAV to claim back the costs of sending the athlete to all competitions to which the DAV has sent the athlete as well as other costs incurred in direct connection with these competitions in the event of a violation of the WADA Code.

### Information

1. The National Anti-Doping Agency (NADA) shall be available as a contact point for doping matters. First information, forms and the documents mentioned above as well as the contact data of the respective contact persons are available on the NADA homepage at [www.nada-bonn.de](http://www.nada-bonn.de)
2. The Anti-Doping Commissioner of the DAV and the NADA medical staff are available as specific contact persons for general information and individual advice.

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Place, Date

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Signature of the athlete, in the case of minors the signature of the legal guardian

Appendix 1:

**Arbitration Agreement**

between

**German Alpine Association e.V. (DAV), from Kahr Str. 2-4, 80997 Munich, and**

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Name and address of the athlete

1. All disputes arising in connection with anti-doping regulations applicable to the DAV (World Anti-Doping Code "WADS, National Anti-Doping Code "NADC" and anti-doping regulations of the ISMF (International Ski Mountaineering Federation) as well as the DAV), in particular regarding the validity and application of these anti-doping regulations, the German Sports Arbitration Court of the German Institution of Arbitration e.V. (DIS) shall, in the first instance and excluding the ordinary courts of law, decide on the case in accordance with the Sports Arbitration Rules of the DIS (DIS SportSchO) and the procedural regulations of the Anti-Doping Regulations, in particular Art. 12 and Art. 13 of the Anti-Doping Regulations of the DAV. This also applies to disputes in provisional legal protection.

2. The German Sports Arbitration Court shall have the power to impose sanctions for violations of applicable anti-doping rules.

3. The DAV has delegated the implementation of results management and the right to initiate disciplinary proceedings in anti-doping matters to the National Anti-Doping Agency Germany (NADA). The parties to this arbitration agreement acknowledge that NADA may bring immediate arbitration action against the athlete and shall become a party to such arbitration proceedings.

4. An appeal may be lodged with the Court of Arbitration for Sport (CAS) in Lausanne against arbitral awards of the German Sports Arbitration Court in accordance with Para. 61 DISSportSchO, Art 13 of the Anti-Doping Regulations of the DAV and Articles R47ff of the Code of Sports-related Arbitration (CAS Code). The parties to this arbitration agreement acknowledge that the NADA, the World Anti-Doping Agency (WADA), the ISMF and the other sports organizations mentioned in ART. 12.2.3 of the Anti-Doping Regulations of the DAV may also lodge a direct appeal and thereby become parties to the appeal proceedings before the CAS.

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Place, date Athlete's signature

For minors:

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Signature of legal guardian

(Attention: Both signatures required)

To be completed by the DAV head office:

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Place, date Signature of the Federal Association Representation

Appendix 2:

## **Declaration of consent for the storage and/or forwarding of medical data**

The athlete

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Name and address of the athlete

Declares the following to the German Alpine Association (hereinafter DAV):

1. I hereby declare my consent that

- Suspicious medical data and/or findings which could indicate unauthorized manipulation of services may be recorded and stored by the DAV.
- The aforementioned data and/or findings may be passed on to institutions authorized to provide clarification, in particular the NADA and the respective competent international anti-doping control authorities (e.g. WADA). For this I release the persons concerned with the collection of these data/findings from their duty of confidentiality.
- This declaration of consent is limited to data/findings collected in the context of health and performance diagnostic and to data/findings obtained through measures to prevent unauthorized manipulation of performance, particularly doping tests.

2. I am aware of the scope of my statements set out above also with regard to my person. I have been expressly informed of the possibility of further clarification of details by NADA representative in medical and legal terms.

3. I am aware that I can revoke this declaration of consent in whole or in part.

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Place, Date

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Signature of the athlete, in the case of minors of the legal guardian