

## **Doping Statute of Swiss Olympic 2021**

### **The most important changes and improvements**

The Sports Parliament approved the new Doping Statute of Swiss Olympic, which comes into force on January 1, 2021. The Doping Statute and its Regulatory Statutes are binding on all federations affiliated to Swiss Olympic. The anti-doping rules thus apply to all athletes who are license-holders or members of an association or federation affiliated to Swiss Olympic. The same applies to those participating in competitions run by such organizations.

The adopted version of the [Doping Statute of Swiss Olympic 2021](#) and the corresponding Regulatory Statutes will be published shortly in German and French. Antidoping Switzerland summarizes the most important changes and improvements:

#### **New offence to better protect Whistleblowers**

Athletes or other individuals such as athlete support personnel can be subject to sanctions if they prevent someone from reporting a violation of the anti-doping rules or national anti-doping legislation to the relevant body. This provides whistleblowers with greater protection. Indications and suspicions concerning possible anti-doping rule violations can be [submitted anonymously](#) to Antidoping Switzerland.

#### **Adequate defense for athletes**

One novelty is the option of legal aid for accused athletes has been laid down in the Doping Statute. It is a tool for an appropriate defense so as to best protect the rights of athletes in proceedings following an alleged violation of the anti-doping rules.

#### **Antidoping Switzerland now also sanctioning body**

One new feature is the results management process whereby it is no longer just the Disciplinary Chamber for Doping Cases of Swiss Olympic which can make decisions, but also Antidoping Switzerland under certain strictly regulated conditions. There is also the option, on an individual basis, for Antidoping Switzerland to enter into an agreement with the athlete or another individual to settle disciplinary proceedings triggered by an anti-doping rule violation. The decisions of Antidoping Switzerland are contestable at the Disciplinary Chamber.

#### **Greater flexibility in relation to sanctions**

The Doping Statute of 2021 allows for greater flexibility with regard to individual sanctions. The principle of proportionality is accorded greater significance. If an athlete is classed as a vulnerable person (a minor or not capable of exercising judgement) or is an amateur, less severe sanctions may be imposed. There is no requirement for mandatory publication of decisions made in relation to this group.

#### **Obligatory education for athletes**

In Switzerland, the *International Standard for Education* of the WADA is implemented with the Education Plan of Antidoping Switzerland. In agreement with Swiss Olympic, it was established that athletes with a Swiss Olympic Card must complete an anti-doping education. Primarily, this will be implemented by means of an e-learning obligation, which will be introduced gradually and per category. In addition, the lectures and workshops of Antidoping Switzerland will be further developed and expanded. The obligation of the National Federations and of the athletes to implement the relevant measures together with Antidoping Switzerland, is laid down in the Doping Statute.

**Introduction of the TUE Pool**

An important innovation in the Regulatory statutes for Therapeutic Use Exemptions is the introduction of the so called TUE Pool. The TUE Pool defines who must generally have a valid prospective TUE, which means that an exemption must be obtained prior to the start of therapy. The introduction and expansion of the TUE Pool will be carried out step-by-step and in coordination with the national sports federations concerned and per sport. Detailed information on this topic will be available on [www.antidoping.ch/en/tue-pool](http://www.antidoping.ch/en/tue-pool) from January 1, 2021.

**New definition of “in competition”**

A doping control is now classed as “in competition” if it is carried out during the period from 23:59 on the day before a competition to the end of the competition and if the sample is taken in connection with this competition. All other time periods are deemed to be “out-of-competition”. This is an important distinction, because more substances are prohibited during the “in-competition” period.