

INTERNATIONAL OLYMPIC COMMITTEE

IOC DISCIPLINARY COMMISSION

DECISION

**REGARDING NESTA CARTER
BORN ON 11 OCTOBER 1985, JAMAICA, ATHLETE, ATHLETICS**

(Rule 59.2.1 of the Olympic Charter)

Pursuant to the Olympic Charter and, in particular, Rule 59.2.1 thereof, and pursuant to the IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008 (the “**Rules**”) and, in particular but without limitation, Articles 2, 5.1, 6.5, 7, 8, 9 and 10 thereof:

I. FACTS

1. Nesta CARTER (hereinafter the “**Athlete**”), participated in the Games of the XXIX Olympiad in Beijing in 2008 (the “**2008 Olympic Games**”).
2. From 21 August 2008 to 22 August 2008, the Athlete competed in the Men’s 4x100m relay event (Round 1 and Final) in which he and his teammates ranked 1st and for which they were awarded the gold medal.
3. On 23 August 2008, during the night following the Final, the Athlete was requested to provide a urine sample for a doping control. Such sample was identified with the number 1846146.
4. The A-Sample 1846146 was analysed during the 2008 Olympic Games by the WADA-accredited Laboratory in Beijing (the “**Beijing Laboratory**”). Such analysis did not result in an adverse analytical finding at that time.
5. After the conclusion of the 2008 Olympic Games, all the samples collected upon the occasion of the 2008 Olympic Games were transferred to the WADA-accredited “Laboratoire suisse d’analyse du dopage” in Lausanne, Switzerland (“the **Lausanne Laboratory**”) for long-term storage.
6. The IOC decided to perform further analyses on samples collected during the 2008 Olympic Games. These additional analyses were performed in order to possibly detect Prohibited Substances which were not identified by the analysis performed at the time of the 2008 Olympic Games.
7. In accordance with the provisions of the applicable International Standards for Laboratories (the “**ISL**”), the IOC decided that the reanalysis process would be conducted as follows:
 - An initial analysis was to be conducted on the remains of the A-samples
 - If such initial analysis resulted in the indication of the potential presence of a Prohibited Substance or its Metabolites or Markers (“Presumptive Adverse Analytical Finding” - PAAF), the full confirmation analysis process (double confirmation) was to be conducted on the B-Sample, which would be split for the occasion into a B1- and a B2 Sample (becoming thus the equivalent of an A- and B-Sample).
8. The decision to proceed based on split B-samples was made in principle for all the re-analysis.

9. This choice was made in view of the fact that during the transfer of the samples from the Beijing laboratory to the Lausanne Laboratory, the A-Samples were not individually resealed nor transported in sealed containers.
10. At that time, resealing of A-Samples (or transport in sealed containers) was not a requirement pursuant to the then applicable ISL (2008).
11. However, it was felt that the option to rely on the B-Sample constituted an additional precaution securing the strength and reliability of the analytical process.
12. A similarly precautionous approach was adopted with regard to the implementation of the analytical process and notably of its first phase (opening and splitting of the B-Sample into a B1- and B2-Sample, sealing of the B2-Sample and analysis of the B1-Sample).
13. Pursuant to the ISL, the presence of the Athlete is not a requirement for this first phase of the B-Sample analysis.
14. The IOC nevertheless decided, once again as a matter of principle, that, whenever this was practically possible, the Athlete would be offered the opportunity to attend the above described first phase of the B-sample procedure.
15. The analysis of the A-Sample of the Athlete indicated the potential presence of a Prohibited Substance: methylhexaneamine and was reported as Presumptive Adverse Analytical Finding (“**PAAF**”).
16. On 18 May 2016, the Athlete through his National Olympic Committee (“**NOC**”) was informed of the PAAF and of the possibility to attend the opening and splitting of the B-Sample into a B1- and B2-Sample, the sealing of the B2-Sample and the analysis of the B1-Sample. The process was initially scheduled to take place either on 31 May 2016 or 1 June 2016.
17. On 24 May 2016, the Athlete through his NOC sent to the IOC his completed PAAF Notification Appendix in which he indicated that he would not attend the opening, the splitting of the B-Sample, the sealing of the B2-Sample and the analysis of the B1-Sample, neither personally nor through a representative.
18. On 26 May 2016, the IOC informed the Athlete through his NOC that the opening, the splitting of the B-Sample and the sealing of the B2-Sample would occur on 1 June 2016, followed by the analysis of the B1-Sample at the Lausanne Laboratory.
19. The opening and splitting of the B-Sample, and the sealing of the B2-Sample occurred on 1 June 2016 at the Lausanne Laboratory.
20. The Athlete did not attend the opening and splitting of the B-Sample and was not represented on this occasion.
21. As provided in the ISL, the opening and splitting was attended by an independent witness.
22. The results of the B1-Sample analysis were reported on 2 June 2016. These results establish the presence of the metabolites of a Prohibited Substance, namely methylhexaneamine.

23. Such results constitute an Adverse Analytical Finding (“**AAF**”). They were reported to the IOC in accordance with article 7.2.1 of the Rules.
24. Further to the verifications set forth in Art. 7.2.2 of the Rules and in application of Art. 7.2.3 of the Rules, the IOC President, Mr Thomas Bach, was informed of the existence of the AAF and the essential details available concerning the case.
25. Pursuant to Art. 7.2.4 of the Rules, the IOC President set up a Disciplinary Commission, consisting in this case of:
 - Mr Denis Oswald (Chairman, Switzerland), who is a member of the IOC Legal Affairs Commission (formerly IOC Juridical Commission)
 - Mrs Gunilla Lindberg (Sweden)
 - Mr Ugur Erdener (Turkey)
26. On 3 June 2016, the IOC notified the Athlete through his NOC of the above-mentioned AAF and of the institution of disciplinary proceedings to be conducted by the Disciplinary Commission. The IOC also informed the Athlete of his right to request and attend the opening of the B2-Sample and its analysis, either in person and/or through a representative, which was scheduled to take place on 13 or 14 June 2016. Finally, the Athlete was informed of his right to request a copy of the laboratory documentation package. At this point, the Athlete was provided with a copy of the Doping Control Form (“**DCF**”) related to the sample in question and signed in 2008.
27. On 9 June 2016, the Athlete through his NOC sent a letter to the IOC in which he indicated that he did not accept the Adverse Analytical Finding. He pointed out that he had been subject to several urine and blood tests during the 2008 Olympic Games and that none of them resulted in an Adverse Analytical Finding at that time. He alleged that he had never ingested or taken a substance known as or containing methylhexanamine.
28. In the same communication, the Athlete informed the IOC that he did not request the opening and analysis of the B2-Sample and that if conducted, he would not attend the process, neither personally nor through a representative.
29. The Athlete requested a copy of the laboratory documentation package. He further requested documentation related to his sample, in particular any document pertaining to the chain of custody and the analysis conducted by the Beijing Laboratory in 2008.
30. On the same day, the IOC was advised that the NOC would not send a representative to attend the opening and analysis of the B2-Sample.
31. On 10 June 2016, the IOC informed the Athlete through his NOC that the opening and the analysis of the B2-Sample would be conducted and would occur on 14 June 2016 at the Lausanne Laboratory. The Athlete was further advised that the requested laboratory documentation packages would be provided as soon as received from the laboratory. The IOC finally indicated that the requests relating to documentation not directly related to the reanalysis performed in 2016, would be decided by the Disciplinary Commission.
32. The opening of the B2-Sample occurred on 14 June 2016, at the Lausanne Laboratory, in the presence of an independent witness, followed by the analysis of the sample. The Athlete did not attend the process, neither personally nor through a representative.

33. The results of the B2-Sample analysis were reported to the IOC on 15 June 2016. They confirmed the presence in the B2-Sample of the metabolites of a Prohibited Substance, namely methylhexanamine.
34. On 20 June 2016, the IOC communicated the results of the B2-Sample analysis. The Athlete was invited to indicate whether he accepted the B2-Sample Adverse Analytical Finding and whether he requested a copy of the B2-Sample laboratory documentation package. The Athlete was also informed of his right to attend the hearing of the Disciplinary Commission and/or to submit a defence in writing.
35. On 24 June 2016, the Athlete through his NOC sent a letter to the IOC in which he indicated that he did not accept the results of the B2-Sample analysis. He requested the IOC not to set any deadline or hearing date before he had appointed his legal counsel.
36. In the same letter, the Athlete requested copies of the A-Sample and B-Sample laboratory documentation packages and a copy of the DCFs signed in 2008. Furthermore, he once again requested documentation related to the chain of custody and pertaining to the analysis conducted in 2008.
37. On 6 July 2016, Ms Kendrah Potts, solicitor, informed the IOC that she would be acting as representative of the Athlete. The IOC was asked to indicate when the requested documentation would be available.
38. On 12 July 2016, the Athlete's counsel confirmed that the Athlete would not be competing in the Games of the XXXI Olympiad in Rio ("**2016 Olympic Games**").
39. On 15 July 2016, the IOC informed the Athlete's counsel that the hearing of the Disciplinary Commission would be scheduled after the conclusion of the 2016 Olympic Games. The B1-Sample and B2-Sample laboratory documentation packages were provided along with additional documentation, relating in particular to the handling of the sample in Beijing and its transfer to the Lausanne Laboratory.
40. On 20 July 2016, the Athlete's counsel requested the laboratory documentation relating to the original analysis conducted on the sample in 2008 by the Beijing Laboratory. She further requested documents relating to the collection and analysis of all samples provided by the Athlete during the 2008 Olympic Games, including all DCFs and full laboratory reports for each of the samples tested.
41. On 21 September 2016, the IOC advised the Athlete's counsel that no documentation relating to the analysis conducted on the A-Sample in Beijing in 2008 had been issued, since no positive results were reported at that time. The IOC observed that in any event such documentation would not be relevant in the present proceedings. The IOC finally noted that the DCF and the documentation pertaining to the handling of the sample and its transfer had already been provided.
42. In the same letter, the IOC informed the Athlete that the hearing of the Disciplinary Commission was scheduled to take place on 17 October 2016 at the IOC Headquarters in Lausanne, Switzerland. He was invited to indicate by 28 September 2016, whether he would attend the hearing personally and/or whether he would be represented or assisted by a counsel and/or a scientific expert. The Athlete was advised of the possibility to participate in the hearing via videoconference. Finally, he was invited to submit a written defence within a deadline expiring on 10 October 2016.

43. On 22 September 2016, the Athlete's counsel challenged the indication that the Beijing Laboratory did not issue documentation regarding the analysis it performed in 2008. The Athlete's counsel submitted that such documentation would have had to have been preserved until the expiration of the statute of limitations. The Athlete's counsel confirmed her position that the requested documents were relevant and stated that it was not for the IOC to determine whether evidence might be relevant.
44. In the same letter, the Athlete's counsel requested extensions of the deadlines to submit a defence and a postponement of the hearing.
45. On 29 September 2016, the IOC forwarded the Athlete's requests to the Disciplinary Commission for decision.
46. On 30 September 2016, the Athlete's counsel filed submissions presenting the Athlete's position on the pending procedural issues. She requested that the Disciplinary Commission make the following directions: (i) that the IOC carry out a thorough review of its records to identify all documents relating to the testing carried out on the concerned Athlete's Sample in 2008 in Beijing, (ii) that the IOC contact the Beijing Laboratory to request copies of all documentation created in relation to the analysis of the Sample in 2008, and (iii) that the IOC provide a copy of the protocol for testing by the Beijing Laboratory in 2008 including, in particular, the types of testing procedure used.
47. In its decision communicated on 5 October 2016, the Disciplinary Commission observed that documents issued by a laboratory in respect of a negative analysis were limited to the report confirming the negative results. Further documentation on the analysis would not include any relevant information in respect to further analysis performed eight years later by a different laboratory. The Disciplinary Commission found no relevance in documents, which would only record negative findings. It therefore rejected the request filed by the Athlete in this respect.
48. Regarding the request for documentation pertaining to the A-Sample analysis conducted by the Lausanne Laboratory in 2016, the Disciplinary Commission noted that the relevant analysis upon which a potential anti-doping rule violation would be examined were the analyses performed on the B1- and B2-Samples. However, the Disciplinary Commission considered that the A-Sample analysis was part of the overall process of further analysis, which was at stake in these proceedings. The Disciplinary Commission therefore found that such documentation had to be provided. The Disciplinary Commission consequently ordered the IOC to request the corresponding documentation from the Lausanne Laboratory and to provide it as soon as possible.
49. The request to postpone the hearing was rejected. The B1- and B2-Sample laboratory documentation packages as well as information related to the chain of custody had already been provided to the Athlete on 15 July 2016. The Disciplinary Commission considered that one week would be sufficient to review the additional documentation, provided however such could be provided by the IOC before 11 October 2016.
50. On 6 October 2016, the Athlete's counsel once again requested all documents issued in 2008, including those recording negative results and insisted on a postponement of the hearing.
51. On 7 October 2016, the IOC provided the A-Sample laboratory documentation package.
52. On the same day, the Disciplinary Commission informed the Athlete's counsel that its decisions communicated on 5 October 2016 were confirmed and that the hearing would be

held as scheduled. The Disciplinary Commission expressly reserved the possibility to issue, if need be, additional procedural directions after the hearing, including a written exchange and/or a second hearing.

53. On 10 October 2016, the IOC provided a corrected version of the documentation.
54. On 11 October 2016, the Athlete's counsel sent the IOC a witness statement of the Athlete. The Athlete underlined that at that time, he was using the supplements indicated on the DCF, i.e. Cell Tech and Nitro Tech to help with recovery after training and build up muscle mass. He explained that he was advised in this respect by his coach, Mr Stephen Francis.
55. The Athlete further stated that he was not aware of the substance methylhexaneamine. The Athlete remembered that at some point in his career, he was given some information on doping from the Jamaican national anti-doping organisation but he asserted that he did not remember having received any formal anti-doping training in his career.
56. Regarding the supplements, i.e. Cell Tech and Nitro Tech, the Athlete explained that he had given several samples for doping controls whilst he was taking Cell Tech and Nitro Tech before the 2008 Olympic Games and he had never tested positive for a prohibited substance. He therefore did not believe that these supplements could contain prohibited substances. He did not understand how methylhexaneamine could have been found in 2016.
57. On the same day, the Athlete's counsel filed extensive written submissions. Their content is addressed below.
58. The hearing of the Disciplinary Commission was held on 17 October 2016 at the IOC Headquarters in Lausanne, Switzerland.
59. The Athlete participated in the hearing via videoconference, together with Mr Stuart L. Stimpson, attorney-at-law in Kingston, Jamaica. He was represented at the hearing by his counsels, Ms Kate Gallafent QC and Ms Kendrah Potts. The Athlete's expert, Mr Paul Scott, was heard by videoconference.
60. The NOC was represented at the hearing by Mr Mike Fennell, President of the Jamaica Olympic Association.
61. The IOC was represented by Mr Richard Budgett, IOC Medical and Scientific Director, and Ms Tamara Soupiron, legal counsel. They were assisted by Mr Jean-Pierre Morand and Mr Nicolas Français, IOC external legal counsels.
62. Ms Tiia Kurraane, Director of the Lausanne Laboratory since 1 June 2016, was heard as expert witness.
63. On 17 November 2016, the IOC provided an exchange of communications between WADA and the Beijing Laboratory addressing in particular the question of whether methylhexaneamine had been included in the analysis conducted by the Beijing Laboratory in 2008.
64. On 22 November 2016, the Athlete's counsel questioned the late submission and noted that, in her opinion, the laboratory's answer was ambiguous. She requested the right to file further submissions.

65. On the same day, the IOC counsel sent further explanations in respect of the reasons for the late submission and its relevance with regard to questions, which had been raised by the Athlete. He also confirmed that the Athlete had to be given the possibility to submit observations.
66. On 23 November 2016, the Chairman of the Disciplinary Commission confirmed that the documents filed were accepted and granted the Athlete until 1 December 2016 to file observations.
67. Observations on behalf of the Athlete were filed on 24 November 2016.

II. APPLICABLE RULES

68. These proceedings are conducted in application of the Rules.
69. Art. 2.1 of the Rules provides as follows:

“The presence of a Prohibited Substance or its Metabolites or Markers in an Athlete’s bodily Specimen.

2.1.1 It is each Athlete’s personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their bodily Specimens. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete’s part be demonstrated in order to establish an anti-doping violation under Article 2.1.

2.1.2 Excepting those substances for which a quantitative reporting threshold is specifically identified in the Prohibited List, the detected presence of any quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete’s Sample shall constitute an anti-doping rule violation.

2.1.3 As an exception to the general rule of Article 2.1, the Prohibited List may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.”

70. Art. 2.2 of the Rules provides as follows:

“Use or Attempted Use of a Prohibited Substance or a Prohibited Method

2.2.1 The success or failure of the Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used or Attempted to be used for an anti-doping rule violation to be committed.”

71. Art. 5.1 of the Rules provides as follows:

“The IOC is responsible for Doping Control during the Period of the Olympic Games. The IOC is entitled to delegate all or part of its responsibility for Doping Control to one or several other organisations.

The Period of the Olympic Games, or In-Competition Period, is defined as “the period commencing on the date of the opening of the Olympic village for the Olympic Games, namely, 27 July 2008 up until and including the day of the closing ceremony of the Olympic Games, namely, 24 August 2008.

All Athletes participating at the Olympic Games shall be subject, during the Period of the Olympic Games, to Doping Control initiated by the IOC at any time or place, with No

Advance Notice. Such Doping Control may include Testing for all Prohibited Substances and all Prohibited Methods referred to in the Prohibited List.

The IOC shall have the right to conduct or cause to conduct Doping Control during the Period of the Olympic Games, and is responsible for the subsequent handling of such cases.”

72. Art. 6.5 of the Rules provides as follows:

“Samples shall be stored in a secure manner at the laboratory or as otherwise directed by the IOC and may be further analysed. Consistent with Article 17 of the Code the ownership of the samples is vested in the IOC for the eight years. During this period, the IOC shall have the right to re-analyse samples (taken during the Period of the Olympic Games). Any anti-doping rule violation discovered as a result thereof shall be dealt with in accordance with these Rules.”

73. Art. 7.2.5 of the Rules provides as follows:

“The IOC President or a person designated by him shall, in confidence, promptly notify the Athlete or other Person concerned, the Athlete’s or other Person’s chef de mission, the International Federation concerned and a representative of the Independent Observer Program of:

- a) the adverse analytical finding;*
- b) the Athlete’s right to request the analysis of the B sample or, failing such request, that the B sample analysis may be deemed waived;*
- c) the right of the Athlete and/or the Athlete’s representative to attend the B sample opening and analysis if such analysis is requested;*
- d) the Athlete’s right to request copies of the A and B sample laboratory package, which includes information as required by the International Standard for Laboratories;*
- e) the anti-doping rule violation or of the additional investigation that will be conducted as to whether there is an anti-doping rule violation;*
- f) the composition of the Disciplinary Commission.*

It shall be the responsibility of the chef de mission to inform, in confidence, the relevant National Anti-Doping Organisation of the Athlete.”

74. Art. 7.3.3 of the Rules provides as follows:

“Notice to an Athlete or other Person who has been accredited pursuant to the request of the NOC, may be accomplished by delivery of the notice to the NOC. Notification to the Chef de Mission or the President or the General Secretary of the NOC of the Athlete or other Person shall be deemed to be a delivery of notice to the NOC.”

75. Art. 8.1 of the Rules provides as follows:

“A violation of these Rules in connection with Doping Control automatically leads to Disqualification of the Athlete with all other consequences, including forfeiture of any medals, points and prizes.”

76. Art. 9.1 of the Rules provides as follows:

“An Anti-Doping Rule violation occurring during or in connection with the Olympic Games may lead to Disqualification of all of the Athlete’s results obtained in the Olympic Games

with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 9.1.1.”

77. Art. 9.1.1 of the Rules provides as follows:

“If the Athlete establishes that he or she bears No Fault or Negligence for the violation, the Athlete’s results in the other Competition shall not be Disqualified unless the Athlete’s results in Competitions other than the Competition in which the anti-doping rule violation occurred were likely to have been affected by the Athlete’s anti-doping rule violation.”

78. Art. 9.3 of the Rules provides as follows:

“The management of anti-doping rule violations and the conduct of additional hearings as a consequence of hearings and decisions of the IOC, including with regard to the imposition of sanctions over and above those relating to the Olympic Games, shall be managed by the relevant International Federation.”

79. Art. 10.1 of the Rules provides as follows:

“Where more than one team member in a Team Sport has been notified of a possible Anti-Doping Rule violation under Article 7 in connection with the Olympic Games, the Team shall be subject to Target Testing for the Olympic Games.

In Team Sports, if more than one team member is found to have committed an anti-doping rule violation during the Period of the Olympic Games, the team may be subject to Disqualification or other disciplinary action, as provided in the applicable rules of the relevant International Federation.

In sports which are not Team Sports but where awards are given to teams, if one or more team members have committed an anti-doping rule violation during the Period of the Olympic Games, the team may be subject to Disqualification, and/or other disciplinary action as provided in the applicable rules of the relevant International Federation.”

80. Rule 39 of the IAAF Competition Rules 2008 provides as follows:

“Disqualification of Results

- 1. Where an Anti-Doping Rule violation occurs in connection with an in-competition test, the athlete shall be automatically disqualified from the event in question and from all subsequent events of the competition, with all resulting consequences for the athlete, including the forfeiture of all titles, awards, medals, points and prize and appearance money.*
- 2. Where the athlete who commits an Anti-Doping Rule violation under Rule 39.1 is a member of a relay team, the relay team shall be automatically disqualified from the event in question, with all resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize and appearance money. If the athlete who has committed an Anti-Doping Rule violation competes for a relay team in a subsequent event in the competition, the relay team shall be disqualified from the subsequent event, with all the same resulting consequences for the relay team, including the forfeiture of all titles, awards, medals, points and prize and appearance money.”*

81. Art. 16.1 of the Rules provides as follows:

“These Rules are governed by the Olympic Charter, by the Code and by Swiss law.”

82. Art. 16.5 of the Rules provides as follows:

“These Rules have been adopted pursuant to the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code.”

83. The Introduction of the World Anti-Doping Code (version 2003, page 2) provides as follows:

“International Standards and all revisions shall become effective on the date specified in the International Standard or revision.”

84. The Introduction of the International Standard (2016 ISL - Version 9, “ISL”), provides as follows:

“The International Standard for Laboratories first came into effect in November 2002. Further revisions were made after that date. The enclosed International Standard for Laboratories was approved by the WADA Executive Committee on 11 May 2016. The effective date of ISL version 9.0 is 02 June 2016.”

85. Art. 3.2 ISL provides as follows:

“Further Analysis: Any analysis for any substance or method except where an Athlete has previously been notified of an asserted anti-doping rule violation based on an Adverse Analytical Finding for that substance or method.”

86. Art. 5.2.2.12.9 ISL provides as follows:

“Further Analysis of Samples shall be performed under the ISL and Technical Documents in effect at the time the Further Analysis is performed.”

87. Art. 5.2.2.12.10 ISL provides as follows:

“Further Analysis on long-term stored Samples shall proceed as follows:

- At the discretion of the Testing Authority, the “A” Sample may not be used or it may be used for initial testing (as described in Article 5.2.4.2) only, or for both initial testing and confirmation (as described in Article 5.2.4.3.1). Where confirmation is not completed in the A Sample the Laboratory, at the direction of the Testing Authority shall appoint an independent witness to verify the opening and splitting of the sealed “B” Sample (which shall occur without requirement that the Athlete be notified or present) and then proceed to analysis based on the “B” Sample which has been split into 2 bottles.*
- At the opening of the “B” Sample, the Laboratory shall ensure that the Sample is adequately homogenized (e.g. invert bottle several times) before splitting the “B” Sample. The Laboratory shall divide the volume of the “B” Sample into two bottles (using Sample collection equipment compliant to ISTI provision 6.3.4) in the presence of the independent witness. The splitting of the “B” Sample shall be documented in the chain of custody. The independent witness will be invited to seal one of the bottles using a tamper evident method. If the analysis of the first bottle reveals an Adverse Analytical Finding, the Testing Authority shall use reasonable efforts to notify the Athlete as provided in Article 7.3 of the Code.”*

III. **DISCUSSION**

A. **Anti-Doping Rule Violation**

*i. **Establishment of an anti-doping rule violation***

88. The presence of metabolites of a Prohibited Substance has been established in 2016 in the sample n°1846146 that the Athlete provided on 23 August 2008, upon the occasion of the 2008 Olympic Games.
89. The substance detected in the Athlete's sample is methylhexaneamine.
90. The Disciplinary Commission notes the following in regard to this substance and its listing on the WADA Prohibited List¹:
- Presently and from the WADA Prohibited List 2011, methylhexaneamine is classified as a Specified stimulant under Class S6b.
 - In the Prohibited List 2010, methylhexaneamine was expressly listed in the closed list of non-Specified stimulants in Class S6a.
 - In prior lists, including the WADA Prohibited List 2008, applicable in this case, methylhexaneamine fell within the scope of the general prohibition of stimulants having a similar chemical structure or similar biological effect as the listed stimulants. Under the then applicable system, stimulants which were not expressly listed, were presumed to be Non-Specified Prohibited Substances.
91. The Court of Arbitration for Sport ("CAS") has confirmed that the presence or use of substances falling within the scope of generic definitions of the Prohibited List, can be used as a basis of establishing anti-doping rules violations.
92. One such precedent (CAS 2009/A/1805) precisely addresses a case in which the substance at stake was methylhexaneamine.
93. The relevant sample in that case was collected in September 2008 (at the Athletissima Athletics Meeting in Lausanne), i.e. shortly after the 2008 Olympic Games.
94. The Disciplinary Commission observes that the CAS decision mentions the fact that this analysis was the first in which the laboratory, which was also the Lausanne Laboratory, had detected methylhexaneamine. The laboratory had to specifically order a standard of the substance to be able to complete the confirmation (CAS 2009/A/1805, p.20 #90ss).
95. The Disciplinary Commission is satisfied that the samples which were re-analysed by the Lausanne Laboratory in the present case are unequivocally linked to the Athlete and that no departure from the WADA International Standards occurred, which could have caused the adverse analytical findings.
96. The Athlete does not dispute the objective validity of the analytical findings nor bring forth any argument in this respect.
97. The Disciplinary Commission is in any event satisfied that the analytical results are valid and properly establish the presence of the Prohibited Substance in the Athlete's samples.

¹ See Q&A Prohibited List <https://www.wada-ama.org/en/questions-answers/prohibited-list#item-385>

98. The Disciplinary Commission observes that such presence is formally established by the analytical results of the B1-Sample confirmed by the analytical results of the B2-Sample, in accordance with the procedure set forth in Art. 5.2.2.12.10 ISL.
99. The fact that these results are further consistent with the analysis conducted on the remains of the A-Sample in the preliminary phase of the analytical process is further comfort in regard to the validity of the results. In this respect, the Disciplinary Commission observes that it became clear at the hearing that the analysis conducted on the A-Sample was not limited to a screening, but included a full confirmation analysis.
100. The Disciplinary Commission will examine below the issue, which the Athlete has raised in terms of process in this respect. However, as regards the analytical results themselves, the Disciplinary Commission notes that the fact that the presence of the Prohibited Substance appears to have been confirmed three times can logically only strengthen the result.
101. Based on the above, the Disciplinary Commission finds that a Prohibited Substance was effectively found to be present in the Athlete's bodily specimen. An anti-doping rule violation pursuant to Art. 2.1 of the Rules is thus in any event established.
102. The explanations submitted by the Athlete in respect of the fact that the source of the presence of the Prohibited Substance could be the unknowing ingestion of a supplement would not and could not prevent the finding of the commission of an anti-doping rule violation.
103. The Disciplinary Commission observes in this respect that as set forth in Art. 2.1.1 of the Rules, *"It is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their bodily Specimens. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping violation under Article 2.1."*
104. Therefore and whatever the source of the prohibited substance might be, this cannot affect the conclusion reached above.
105. The Disciplinary Commission further notes that the Athlete did not provide any real evidence that the supplements he declared on his DCF might have been the likely source.
106. On the contrary, the fact that the Athlete used such supplements regularly and that this did not lead to other problems, supports the likelihood that the source of the prohibited substance was not the supplements mentioned by the Athlete.
107. Such adverse analytical finding could also have been caused by the uncontrolled use of undeclared supplements such as the ones which were often found to contain "geranium oil" and effectively methylhexaneamine (see footnote to point 90 above).
108. Further, the Disciplinary Commission observes that the Athlete did not even allege that he took any special measures to ensure that the supplements he was using were safe. The mention of the fact that he relied on his coach in this respect falls short of the precautions which athletes who want to use supplements, despite the repeated risk warnings issued in this respect, should observe.
109. In conclusion, the Disciplinary Commission finds that an anti-doping rule violation is in any event established pursuant to Art. 2.1 of the Rules.

ii. Consequences of the anti-doping rule violation

110. Under the Rules, the consequences of an established anti-doping rule violation are limited to consequences in connection with the 2008 Olympic Games.
111. In application of Art. 8.1 of the Rules, the results achieved by the Athlete in the competition in which the sample was collected shall automatically be annulled, with all resulting consequences (notably withdrawal of medals, diplomas, medallist pins etc.). This applies to the results obtained in connection with the Men's 4x100m relay event.
112. As set forth in the Rules, the above consequence is automatic and does not depend on any showing, even by presumption, of fault or negligence on the part of the Athlete. Fault or negligence may be relevant only in the follow-up proceedings to be conducted by the International Federation ("IF") concerned, *in casu* the International Association of Athletics Federations ("IAAF") (see below).
113. The event at stake is a relay event. In application of Art. 10.1§3 of the Rules, the consequences to be applied to the results of the relay team are to be determined in accordance with the IAAF Rules.
114. These consequences are defined in Rule 39 of the IAAF Competition Rules 2008 and they consist in the disqualification of the results of the team.
115. As set forth in Rule 39, this consequence is again an automatic one.
116. Accordingly, the results of the Jamaican Team in the Men's 4x100m relay event shall be disqualified with all resulting consequences (withdrawal of medals, diplomas, medallist pins).
117. In application of Art. 9.3 of the Rules, the further management of the consequences of the anti-doping rule violations, and in particular the potential imposition of sanctions over and above those related to the 2008 Olympic Games, shall be conducted by the IAAF.

B. Arguments of the Athlete

118. As mentioned, the Athlete did not challenge the validity of the analytical results.
119. However, he raised arguments, which in essence challenge the fact that his samples could be re-analysed in connection with the prohibited substance in question and/or, once such re-analysis had been conducted, that any consequence could be drawn therefrom against him.
120. These arguments are addressed below.

i. Scope of further analysis in general

121. According to the Athlete, the scope of the analysis, which may be performed in the context of re-analysis ("**further analysis**") is specific. In his view, it does not and may not include a search for all Prohibited Substances through all available methods.
122. As the declared objective of further analysis is to detect Prohibited Substances or Methods which were not detected during the initial analysis conducted at the time of sample collection, the Athlete's proposition is that further analysis should only be conducted in a manner and through methods which are aimed at analytical findings which could not have been made at the time of the initial analysis, through fit for purpose methods available then.

123. According to the Athlete, the fact that further analysis should be restricted to the application of new methods was confirmed by the IOC itself. The Athlete referred in this respect to press quotes of Dr Richard Budgett. According to the Athlete, these quotes clearly indicated that further analysis would only be aimed at the application of new methods.
124. The same conclusion that further analysis were specific had to be drawn from the effective conduct of further analysis by the IOC.
125. Thus, when samples collected in Beijing were subject to further analysis for the first time in 2009, the analysis conducted was specifically and only performed through a new method aimed at identifying CERA.
126. Similarly, the content of the IOC letter dated 24 March 2016, instructing the Lausanne Laboratory to perform an analysis of a list of chosen samples confirmed the above. The requested analysis were specific to the application of new methods or newly identified metabolites. The letter did not mention methylhexaneamine as one of the substances to be detected.
127. According to the Athlete, who, in this respect, relied on the evidence presented by his expert, Dr Scott, the Beijing Laboratory could have detected methylhexaneamine in 2008 with the then available methods.
128. The Athlete submitted that this was also the reason why the documentation concerning the initial analysis was requested and ought to have been provided.
129. For this reason and in any event, the conclusion to be drawn was that the Prohibited Substance in question could have been detected through fit for purpose methods available at the time of the initial analysis.
130. As a consequence and since methylhexaneamine was not detected at the time, it was the Athlete's position that it could not be detected in the context of further analysis.
131. The corresponding analytical result should not have been established in the first place. In any event, it could not be validly used as a basis to draw consequences under the Rules.
132. This would notably be in breach of the Athlete's legitimate expectations that his samples would only be subject to further analysis within the-above described scope (i.e. analysis using new methods).
133. In respect of the above argument, the IOC's position was that the scope of further analysis was not limited. The objective of further analysis was to detect any Prohibited Substance, through all methods available at the time of the further analysis, irrespective of whether or not the method used was or could have been applied at the time of the initial analysis.
134. As a matter of course, the priority in further analysis was to apply new methods, as this was the most likely to produce results. However, this priority did not imply that there was and had ever been any exclusion of the possibility to identify a Prohibited Substance through the application of any method, irrespective of whether it was new or had already existed at the time of the initial analysis.
135. The IOC observed that, even contemporaneously, there existed differences in the availability of testing methods and/or level of sensitivity in their application in different laboratories. Therefore, a positive sample, which could be detected in one laboratory, might be found negative in another laboratory.

136. For this reason alone, there was no reason to limit the scope of further analysis.
137. What was known was that the Beijing Laboratory did not detect methylhexaneamine. Given that this substance was not expressly mentioned in the Prohibited List and had not started to attract attention at that time, it could be assumed that this result could be the consequence of the fact that the Beijing Laboratory had not included it in its analytical menu².
138. If that was the case, then the Beijing Laboratory simply had not detected a substance, for which it had not been searching.
139. In the IOC's view, even if the Beijing Laboratory had effectively searched for the substance and "missed" it for any reason, including for example a lower sensitivity, this would have had no consequence.
140. The scope of further analysis could in any event cover all Prohibited Substances and search for them by any method. Effectively, it was the understanding that the Lausanne Laboratory would in principle be looking for all Prohibited Substances and that this was a principle in accordance with the ISL (see Art. 5.2.4.1)
141. This understanding had been applied to previous "general" further analysis programs, which the IOC had conducted (samples collected in Athens 2004 and Torino 2006). In each case, the intent had been to search for all Substances through all methods, as far as enough urine was available.
142. The limited further analysis conducted in 2009 was a different process, which was a targeted operation aimed at a specific substance (CERA) detected through the application of a specific method aimed at the detection of that specific substance.
143. In a general process of further analysis, there was absolutely no reason to restrict the scope of the analysis and to exclude substances which could be detected through the analysis performed.
144. However, the limited amount of urine available had to be managed adequately. Therefore, it was legitimate to prioritise further analysis towards the application of new methods. This had been the underlying understanding when the instructions were issued by the IOC and communicated to the Lausanne Laboratory.
145. Regarding the manner in which further analysis was communicated, the IOC observed that the fact that with time, new methods would be available and that this would allow further analysis to be more efficient was an essential element of the process. It was therefore only natural that when the process of further analysis was explained, emphasis would be placed on the application of new methods.
146. However, by no means was this emphasis meant to set formal restrictions on the process. Simply put: press conference and press quotes were not meant to nor adequate to establish regulations or to serve as sources thereof.
147. In conclusion, the IOC's position was that the presence of any Prohibited Substance established through any method could be covered by the further analysis, irrespective of whether such Prohibited Substance could already have been detected in the initial analysis.

² This was confirmed by the exchange with WADA provided on 17 November 2016.

148. The Disciplinary Commission finds that there is indeed no restriction in principle on the scope of the analysis, which may be performed in the context of a further analysis process.
149. This conclusion can already be drawn based on the definition of further analysis set forth in Art. 3.2 ISL: “*Any analysis for any substance or method.*”
150. This definition is simply irreconcilable with the restricted scope the Athlete submits should be permissible for the process of further analysis.
151. The Disciplinary Commission further observes that the proposed restricted scope of further analysis is not only contrary to its definition but would also be completely impracticable.
152. It would indeed open in each case a potential discussion on the issue of whether there existed at the time of the initial analysis, a possibility to detect the substance through an existing fit-for purpose method.
153. This would require the inclusion in the process, not only of the analysis truly at stake, i.e. the one performed in the further analysis, but also the initial analysis. To properly assess the issue would require a retrospective technological review and comparison of the level existing at the time of the initial analysis and the one existing at the time of further analysis. This would open potential discussions on complex technical issues.
154. Taking into account that progress can be made not only due to a completely new method but, and often so, because of improved sensitivity, it becomes clear that the drawing of the line between the “legitimate” and “non-legitimate” scope of further analysis would simply be, not only impracticable, but effectively impossible.
155. The Disciplinary Commission finally notes that there are absolutely no reasons to impose such a restriction. Indeed, it would not serve the protection of any legitimate expectation.
156. According to the Rules, athletes know and therefore have to expect that their samples can be subject to further analysis during the indicated period of time. This is not subject to any limitation in the scope of the analysis.
157. It is in the nature of further analysis that it can put the result of an initial negative analysis in question.
158. During that period, there is simply no legitimate expectation that the samples would not be subject to further analysis if one has committed an anti-doping rule violation.
159. Effectively, the only athletes who may have legitimate expectations are not the ones who have ingested, whether by fault or negligence, a Prohibited Substance, but the ones who were deprived of a ranking or medal. Those athletes can indeed legitimately expect that the IOC will use its power to implement further analysis to attempt to secure fair results.
160. The Disciplinary Commission can therefore only confirm its conclusion that the scope of further analysis is not limited. As per its definition, further analysis may include the search of any Prohibited Substance through any method.

ii. Timing of further analysis

161. The Athlete made submissions with regard to the timing of the further analysis.

162. These submissions are connected to the submissions set out above. They are indeed linked with the time at which a new method allowing the detection of a substance becomes available.
163. According to the Athlete, further analysis should be performed when and if a new method becomes available. If this is not done then or within a reasonable deadline thereafter, the Athlete submits that it could no longer be performed, irrespective of whether or not it was available at the time of the initial analysis.
164. In this case, the Athlete's position is that, since the substance had indisputably been part of the regular analytical menu of laboratories from 2009 / 2010 at the latest, a further analysis could and should in any event have been performed around that time. It was in any event unduly late in 2016.
165. The IOC's position in this respect, was that the Rules gave the IOC the discretion to manage further analysis and that it must do so adequately, including with regard to timing.
166. Whilst it was true that one should aim at discovering possible anti-doping rule violations as soon as possible, in order to correct the results, the further analysis should on the other hand aim at being effective. The chance to benefit from improvements increase, as a matter of course, with time.
167. As a result, and as Dr Budgett explained, the practice so far had been to conduct a general further analysis close to the expiration of the time-limit in order to benefit from the full extent of improvements made in the meantime. This also took into account the fact that the amount of urine was limited and had to be managed intelligently, i.e. be used when it was most susceptible to produce a result.
168. This did not exclude interventions in the meantime if there were specific reasons to perform targeted analysis. This was what had happened in 2009, relatively shortly after the 2008 Olympic Games, when intelligence received had indicated that a certain group of athletes were suspected of having used CERA.
169. The Disciplinary Commission observes that the argument of the Athlete in respect of timing of the further analysis falls within the rejection of the first one.
170. As held by the Disciplinary Commission above, further analysis can include all testing methods, whether new or not. Therefore, the proposition that testing methods which became available between the initial analysis and further analysis conducted at a later stage should be excluded, because they ought to have been applied immediately or shortly after they became available, cannot be sustained.
171. The Disciplinary Commission further notes that the proposed restriction would be impracticable and unreasonable.
172. The IOC manages several thousand samples, which may be subject to further analysis. A general process of further analysis on the samples of only one edition of the Olympic Games is a huge operation in terms of human and logistical resources, as well as in terms of costs.
173. The proposition that each time a new method becomes available or is significantly improved, the IOC should conduct a further analysis of all the available samples (all stored samples) or otherwise lose the right to apply the new or improved method at a later stage is simply untenable.

174. Finally, the limited quantity of urine available has to be used in a rational way, i.e. when the likelihood of finding previously undetected substances is reasonably high. Outside of targeted further analysis aimed for a reason at specific samples for specific substances (e.g. CERA analysis in 2009), this likelihood of being effective increases with time and corresponding overall progresses achieved in the meantime in terms of methods and /or of sensitivity.
175. In conclusion, the Disciplinary Commission finds the argument in respect of timing of the further analysis to be clearly without merit.

*iii. **Instructions to the Laboratory***

176. The Athlete contends that the Lausanne Laboratory acted without, or against, the IOC's instructions. This contention is made in two respects.
177. First, the Athlete observes that the letter dated 24 March 2016, includes instructions to conduct specific analysis and does not specifically refer to methylhexanamine.
178. Secondly, the Athlete observes that the instructions were to conduct an initial analysis on the A-Sample. This was in principle only a so-called screening analysis, giving an indication but not a confirmation that a prohibited substance was found in the A-Sample.
179. The A-Sample documentation package indicated however that the Lausanne Laboratory had gone beyond screening and had performed a confirmation analysis on the A-Sample.
180. According to the Athlete, the Lausanne Laboratory thus acted without, or against, the instructions of the IOC, when it established the presence of methylhexanamine.
181. Such an analysis conducted without, or against, the instructions of the IOC could not serve as a valid basis to conduct proceedings against the Athlete.
182. During the hearing, Dr Budgett, who issued the instruction letter dated 24 March 2016, indicated that it had been his intent and understanding that his letter was meant to set priorities in the analysis to be conducted, as part of the global further analysis. This was the same approach which had been followed in previous general analysis processes, such as for samples collected in Torino and agreed with WADA.
183. The instructions had been formulated on the background of the understanding that the limited volume of urine had to be used in the most effective way. Dr Budgett acknowledged that the wording of his letter did not fully reflect that intent, and was an instruction to test for the full menu. However, it had not been his intent to forbid the Lausanne Laboratory from searching for the full regular analytical menu.
184. Dr Budgett further confirmed that the IOC had in principle decided to use the A-Sample only to obtain a Presumptive Adverse Analytical Finding. He was surprised to learn that a confirmation had been performed.
185. Dr Kuuranne, indicated that she could not testify with regard to circumstances prior to her arrival in the Lausanne Laboratory on 1 June 2016.
186. Dr Kuuranne could however confirm that the Lausanne Laboratory had used a screening method "shoot and dilute", which used a small quantity of urine and which i.a. identified methylhexanamine ("**MHA**").
187. Dr Kuuranne confirmed that a second analysis (GC-MS) had been performed on the A-Sample.

188. Finally, Dr Kuuranne confirmed that the B-Sample analysis was performed based on specific instructions of the IOC and not at the laboratory's own initiative.
189. The IOC's position with respect to the arguments developed by the Athlete in connection with the fact that the Lausanne Laboratory acted against, or beyond, the IOC's instructions was that the initial scope of the instructions was effectively a matter which only concerned the IOC and the Lausanne Laboratory.
190. Internally, the instructions were implicitly broad. That said, even if they had been narrow as the wording suggested, the Lausanne Laboratory, using a method which in one test covered several substances, had established the presence of a Prohibited Substance and reported it, which was obviously correct.
191. On this basis, it was then the IOC's decision to proceed with the analysis, on which basis these proceedings were conducted, i.e. the analysis of the B1 and B2-Samples. The analysis aimed at confirming the presence of methylhexaneamine in the Athlete's samples was thus clearly covered by an instruction of the IOC.
192. The decision to rely on the B-Sample and to use the A-Sample only for initial testing was made for a specific reason, i.e. the fact that the A-Sample had not been resealed for transport.
193. In this context, the fact that the Lausanne Laboratory went technically further than a screening analysis and confirmed the results when it conducted the A-Samples analysis is irrelevant. Even if it were held to be a formal departure from the ISL, it would not be a relevant one. Far from causing the analytical finding, the only effect that such "departure" could have would be a positive one: it would mean that the concerned analytical findings are *a fortiori* confirmed by an additional analysis.
194. There was in any event no prejudice to the Athlete. The Adverse Analytical Finding in his samples was established through the process chosen by the IOC, based on the double confirmation analysis performed on the B-Sample, which the IOC specifically instructed.
195. The Disciplinary Commission finds that the arguments raised by the Athlete in respect of the instructions given to the Lausanne Laboratory were legitimately raised. However, the Disciplinary Commission also finds that they do not put the validity of the analytical results in question.
196. The general written instructions given to the Lausanne Laboratory appear not to include the substance at stake and are worded in a specific manner. Having noted the explanations of Dr Budgett, the Disciplinary Commission observes that it would indeed have been preferable to have issued clearer instructions.
197. However, this does not put the validity of the analysis on which these proceedings are based in question. Whatever the initial instructions were, there is no doubt that once the IOC was informed of the indication of the presence of methylhexaneamine (whether through a screening or confirmation test), i.e. a Prohibited Substance the IOC was entitled and effectively bound to act on this indication.
198. The IOC did so when it ordered the Lausanne Laboratory to conduct a full analysis process based on the B-Sample and including a double analytical confirmation. This full analysis process was based on the IOC's direct and specific instructions. The results it produced are sufficient in themselves to establish analytical results supporting an Adverse Analytical Finding.

199. The Disciplinary Commission also observes that the method used by the Lausanne Laboratory for the initial screening, i.e. the “dilute and shoot” method, as it is understood, includes as a matter of course, a screening of substances which form part of the regular menu. In the context of the application of such a method, it would appear quite strange and effectively wrong, that a laboratory would artificially restrict the normal application of the method to deliberately avoid finding Prohibited Substances, which a laboratory should normally seek.
200. In this respect, and taking into account that the ISL provides in Art. 5.4.2.4.2.1 that the Initial Testing Procedure shall, as a rule, be capable of detecting all Substances on the Prohibited List, it is the view of the Disciplinary Commission that it would be good practice for the laboratory to include in the screening analysis all Prohibited Substances which can be detected through the applied screening method, even those which have not been specifically listed by the Testing Authority.
201. If a Prohibited Substance is thus identified, it is equally the view of the Disciplinary Commission that it is good practice, and effectively required, to report it to the Testing Authority.
202. In respect of the fact that a confirmation analysis was performed on the A-Sample, the Disciplinary Commission observes that the reasons why this was done are not completely clear.
203. In effect however, the fact that the Lausanne Laboratory performed on the A-Sample, what is effectively a better analysis than the one formally required, does not affect the validity of the decisive results obtained on the B-Sample. To the contrary, it reinforces them.
204. In conclusion, the Disciplinary Commission finds that the arguments raised in connection with the instructions to the Laboratory, like all the other arguments submitted by the Athlete, do not undermine the validity of the analytical results.
205. Accordingly, the Disciplinary Commission concludes that the finding of an anti-doping rule violation has to be confirmed and the consequences resulting therefrom have to be applied.

* * * * *

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 59.2.1 thereof, and pursuant to the IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008 and, in particular, 2, 5.1, 6.5, 7, 8, 9 and 10 thereof:

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. The Athlete, Nesta CARTER:
 - (i) is found to have committed an anti-doping rule violation pursuant to the IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008,
 - (ii) is disqualified from the Men's 4x100m relay event in which he participated upon the occasion of the Olympic Games Beijing 2008,
 - (iii) has the medal, the medallist pin and the diploma obtained in the Men's 4x100m relay event withdrawn and is ordered to return same.
- II. The Jamaican Team is disqualified from the Men's 4x100m relay event. The corresponding medals, medallist pins and diplomas are withdrawn and shall be returned.
- III. The IAAF is requested to modify the results of the above-mentioned event accordingly and to consider any further action within its own competence.
- IV. The Jamaica Olympic Association shall ensure full implementation of this decision.
- V. The Jamaica Olympic Association shall notably secure the return to the IOC, as soon as possible, of the medals, the medallist pins and the diplomas awarded in connection with the Men's 4x100m relay event to the Athlete and his teammates.
- VI. This decision enters into force immediately.

Lausanne, 13 January 2017

In the name of the IOC Disciplinary Commission



Ugur Erdener



Denis Oswald, Chairman



Gunilla Lindberg