

Appendix: World Athletics Ineligibility Letter

International Association of Athletics Federations



[Redacted]
Athlete
[Redacted] Athletics Federation

STRICTLY PRIVATE AND CONFIDENTIAL

[Redacted] 019
[Redacted]

Eligibility under the International Association of Athletics Federation (IAAF) rules and regulations

I am writing to you pursuant to the IAAF's Eligibility Regulations for the Female Classification (Athletes with Differences of Sex Development) (**Regulations**). Version 2.0 of the Regulations was published by the IAAF on 1 May 2019 and will come into effect as from 8 May 2019.¹ Unless otherwise defined, capitalised terms used in this letter have the meanings given to them in the Regulations.

Investigation

Pursuant to section 3A of the Regulations, the IAAF Medical Manager may investigate at any time whether an athlete may be a Relevant Athlete for the purposes of the Regulations. I consider that, as a result of information that has been brought to my attention, there are reasonable grounds to initiate an investigation to evaluate your eligibility in accordance with the Regulations. In particular, the grounds for initiating that investigation are:

- Consistently elevated androgen levels measured in samples collected for anti-doping purposes.

I enclose for your information a copy of the Regulations and the Explanatory Notes. If you have any questions relating to the Regulations or regarding the process to be followed in your case, please do not hesitate to contact me.

Your choice

It is a condition of eligibility to compete in the female classification in a Restricted Event at an International Competition (and of eligibility to set a World Record in a Restricted Event at a competition that is not an International Competition) that you comply with the Regulations, cooperate promptly and in good faith with the IAAF Medical

¹ The first version of the Regulations was published by the IAAF on 23 April 2018 and was due to come into effect as from 1 November 2018, but its implementation was stayed pending the resolution of a legal challenge before the Court of Arbitration for Sport (CAS). The CAS dismissed the challenge against the Regulations and so the Regulations have now been republished (as version 2.0) and will come into effect as from 8 May 2019. The first version of the Regulations replaced the IAAF's Regulations Governing Eligibility of Females with Hyperandrogenism to Compete in Women's Competition (**Hyperandrogenism Regulations**) which no longer apply anywhere in the sport.



Manager in the discharge of his responsibilities under the Regulations and provide all necessary consents and waivers. (See clause 3.19).

However, no athlete will be forced to undergo any assessment and/or treatment under the Regulations. It is your right to decide (in consultation with your medical team) whether or not to proceed with any assessment and/or treatment. If you decide not to do so, you will not be entitled to compete in the female classification of any Restricted Event at an International Competition (see clauses 2.5 and 2.6). However, you would still be entitled to compete:

- (1) in the female classification:
 - a. at any competition that is not an International Competition: in any event, without restriction; and
 - b. at International Competitions: in any discipline other than track events between 400m and a mile; or
- (2) in the male classification: at any competition at any level, in any discipline, without restriction; or
- (3) in any 'intersex' (or similar) classification that the event organiser may offer: at any competition at any level, in any discipline, without restriction.

Confidentiality and consent

All cases arising under the Regulations (including all information provided to the IAAF) will be dealt with in strict confidence at all times.

I enclose a Consent Form for the release of your medical records by your relevant health care professional to the IAAF. Please will you review, take advice as necessary, then (assuming you decide to pursue eligibility for Restricted Events at International Competitions) complete and sign the Consent form and return it to me by post or email by 17th of May 2019.

All medical information and data provided by you (or by someone else on your behalf) under the Regulations will be treated in strict confidence as sensitive personal information and will (for example) be provided to the Expert Medical Panel on an anonymous basis without identifying you, by name or otherwise.

Next steps

I hope this information is all clear for you. If you, your support team, or your health care professionals have any questions, please do not hesitate to contact me at stbermon@iaaf.org

I look forward to hearing from you in due course and receiving your completed Consent Form.

Kind regards

Dr Stéphane Bermon
IAAF Medical Manager (as per the DSD Regulations)

A handwritten signature in blue ink, appearing to read "S Bermon", with a long horizontal line extending to the right.