

2012 November 1

INADO Update #10.1

WADA ExCo/FB Documents November 2012 Significant matters for NADOs/RADOs (1)

Dear Colleagues: this is the first of two updates summarising significant matters from the documents WADA has released for its November ExCo and Foundation Board meetings. **Please take some time to assess and to discuss these matters with your government representatives.** This is critical to ensure that the Public Authorities on the WADA ExCo and Foundation Board are properly briefed to advocate for NADO interests in WADA decision-making. And so they can otherwise play the most constructive role possible around the WADA table.

Agenda Item 3.0 Director General's Report

1. On the development of NADOs in larger countries, the DG reports:

The countries which we are currently assisting are: Brazil, Ghana, Russia and Turkey.

a) **Brazil:** The IOC/WADA Task Force visited Brasilia in June. It was reported that the new lab construction had commenced. When the Task Force met with the Executive Director for ABCD in London in August, he was the sole employee and the employment of one more staff person was imminent. Some progress has been made and will be discussed during the next visit of the Task Force in late November.

b) **Ghana:** A WADA team met with representatives from the government of Ghana and sports representatives in order to establish an anti-doping agency in Ghana. This was a successful initiative and we now await the formal outcomes.

c) **Russia:** There are still issues related to the financial situation of RUSADA that need to be addressed by the Russian authorities. In addition, the full implementation of smart testing of target athlete groups needs to be looked into.

d) **Turkey:** WADA is closely monitoring the program being undertaken in Turkey. WADA met on several occasions with representatives from the Turkish NADO and from Sport. The lack of staffing of the agency is still an issue as well as the implementation of football and basketball into the anti-doping program. There have also been reports on problems of testing within athletics.

We have visited Jamaica to meet with the new personnel responsible for JADCO. The visit indicates that the national program is operating appropriately. The President recently visited Nairobi, Kenya, to hold meetings with the government, the Kenyan Olympic Committee and the RADO which operates in Africa Zone V.

Please note that other NADOs are directly supporting or complementing this work: for Brazil the ADoP (Portugal) and for Russia AD Norway. The CCES and UKAD are also contributing through to transfer of knowledge from the Vancouver and London Games, and from the NADOs in those countries, to upcoming Games organizing committees, and to the NADOs in those countries.

2. Extra Funding to WADA from Governments

NADOs should take note of extra monies WADA has received from a number of governments, in addition to the annual dues they also pay. These are found in the WADA financial documents. The DG also acknowledges financial support direct from governments to RADOs. For example, the New Zealand Government provided NZD 40,000 to the Oceania RADO to enable it to plan and coordinate out of competition testing. In addition, governments provide assistance from countries in hosting some of WADA activities in meeting the expenses of them; for example the Japanese government hosted the Athlete Committee meeting in February 2012. This represented a “saving” to WADA of \$80,000 in the Athlete Committee budget. In addition this year WADA had a second Athlete Committee meeting where costs were met by the Russian hosts.

3. iNADO

The DG also reports on the development of iNADO (to September, 2012). **I will provide the DG with updated information for his oral report.**

4. Doping Below “Elite Athletes”

The DG reports on the work of the government of one of iNADO’s founding NADOs:

During its period as President of the European Union, the Danish government conducted a study and produced a paper in relation to doping within gyms. This is a significant paper and shows that the “trickle down” impact of doping is now reaching far and wide into our societies. Recent testing of an amateur cycling event in the United States undertaken by the promoter of the event, where two amateur cyclists tested positive for EPO, indicates the breadth of such “trickle down”. In addition to this, recent experiences of high school athletes and the pilot study conducted within South Africa of young rugby players, indicates that doping is practised at levels below the elite athletes who are subject to scrutiny in general by either the international federations or the national anti-doping agencies.

I will request from ADD a copy of that paper for circulation to all NADOs.

5. Quality Assurance

The DG also comments on the need for measurement of the quality of ADOs:

As we go forward we are being asked frequently to consider the measurement of quality in anti-doping programs, and to ensure this component is a part of the next compliance report (due in

November 2015). Inquiries and research reveal that there are no international compliance programs of the WADA variety where quality is measured. We intend now to engage assistance in seeking out programs (and program deliverers) where this is provided in the hope that we can build upon the experience of others.

iNADO shares this concern and will seek to work with WADA to achieve recognised measurement of programme quality.

6. Special Projects

The DG comments on the status of several “special projects,” including:

Paperless: We have asked iNADO to take over this project pursuant to certain conditions. We do not have the time or the money to continue it appropriately.

iNADO has received a formal request from WADA to consider taking over the development of a “paperless” doping control system. Just yesterday, I received a copy of a draft feasibility study commissioned by WADA from IBM. I will review it and report on it to you. iNADO will no doubt have further discussions with WADA.

As a matter of principle, a global paperless doping control system relying on scanning or chip technology, and on electronic and not paper records, is essential. It would bring testing into the 21st century. In my view it is only a question of time before it is achieved. Several NADOs, and some private sample collection companies, already use some form of paperless system with up-to-date technology.

Nevertheless, for a small, fledgling organisation such as iNADO, management by itself of such a project would be a major task and likely beyond the current and short- to medium-term capacity of the Institute. However, your Board will study the matter careful and seek to find ways to move this project forward, likely in conjunction with partners.

Better Practice: Having now delivered the first official compliance report on the status of signatories which reported primarily on the compliance of rules and basic program elements, WADA is now assessing the practical implementation of anti-doping programs based on these rules. WADA is engaging in closer relationships with ADOs to assist them in achieving better practice in the way their rules are implemented. Immediate pilot projects are underway with both Badminton World Federation and International Korfball Federation (IKF) to assess what areas they might require assistance with in order to improve their programs. In addition to allocating human resources to the development of these programs, the longer term objective will be to understand how the better practice work might be applied more broadly to all ADOs and by what means.

A pilot project is also to be advanced with the International World Games Association as there are synergies with the IKF and given that the event includes varied athlete populations, varied sport risks, and is to be held in a country of interest for ongoing better practice efforts. Such work can be a precursor to the model (tentatively named the ‘Event Advisory Program’) set out in the draft 2015 Code. Pilot projects will also provide content for enhanced best practice guidelines and/or Models of Best Practice for all signatories. Additional better practice efforts

will include an assessment of existing tools and resources offered by WADA to determine what is dated, what could be enhanced to support practice, and what could be removed altogether.

Considering that the Code Review process will influence matters of practice and better practice over the coming months, emphasis will be placed on those principle elements that can enhance practice, leaving room for technical changes down the road. Flexibility will be important therefore and all aspects of WADA's work will consider the movement towards enhancing practice rather than merely ensuring compliance.

Best practices, including quality assurance and measurement, are central to iNADO's purpose. iNADO will consider when and how it can contribute to WADA's pursuit of measurable quality and best practices. This will be based in part on work done under the leadership of Graeme Steel of DFSNZ at the International Anti-Doping Arrangement meetings in late August.

Agenda Item 3.0, Attachment 1 (The use of legislation in relation to controlling the production, movement, importation, distribution and supply of performance enhancing drugs in sport (PEDS))

All NADOs should read this study and discuss it with their government partners. It advocates that all signatories to the UNESCO Convention should have specific anti-doping legislation. **This study is highly relevant to NADOs wishing to enhance their intelligence gathering and investigation of non-analytical ADRVs (I&I), and the sharing of information with public authorities that I&I capacity requires.**

Among the study's key findings:

1. 1 Countries which had introduced specific legislation regarding the production, movement, importation, distribution and supply of performance-enhancing drugs were much more likely to assess their efforts to tackle PEDS trafficking as successful (see paragraph 10.0).
- 1.3 Coverage of the full WADA list of prohibited substances was much more likely among countries which had PEDS-specific legislation. Countries that relied on general drugs legislation rarely reported that the coverage of the WADA list was complete (5.2, 5.3).
- 1.5 The most successful countries in either the summer or winter Olympic Games were more likely to have PEDS-specific legislation (5.3).
- 1.6 There is some evidence (see 7.2 & 7.3) that when responsibility for tackling trafficking in PEDS is added to the more general legislation for which the police are the primary agency the pursuit of PEDS trafficking can receive a lower operational priority. In those countries which have PEDS-specific legislation NADOs are more likely to be given a role in deciding to launch an investigation. Just under half of such countries (44%) allowed their NADOs such a role (6.2).
- 1.7 As regards the conduct of investigations the police were the most frequently mentioned agency although NADOs were prominent at this stage of the process if the legislative foundation was a specific PEDS trafficking law (6.3).

1.8 Public authorities such as police and public prosecutors played a central role in making the decision to prosecute although NADOs also played a role particularly in countries which had specific PEDS legislation (6.4).

1.10 The major problems concerning implementation included weak penalties, the low priority given by public authorities to PEDS trafficking cases, lack of knowledge by police and poor information exchange (7.0).

Agenda Item 3.0, Attachment 2 (Activities Required of WADA)

This three page document lists WADA's "required" activities. It is not exhaustive. Its purpose is in part to remind the anti-doping community that WADA's capacity is not limitless: in the absence of increased funding, taking aboard new responsibilities must require dropping existing ones.

This list bears reflection as the anti-doping community moves towards a revised Code and International Standards, and grapples increased globalisation, technological change, competition from other ethical challenges in sport (such as match-fixing) and government restraint. Just how this list might or ought to change in the next decade is a something we all have a stake in.

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iNADO is the Institute of National Anti-Doping Organisations. It promotes best practices by NADOs and RADOs, and is their collective voice.