

2015 November 6

iNADO Update #64.2

WADA ExCo/FB Meeting (November 17-18, 2015) – Significant Matters for NADOs

Dear Colleagues:

To assist you help prepare government colleagues who sit for the Public Authorities on the WADA Executive Committee and Foundation Board, here is the second part of the iNADO summary of the more significant matters for NADOs, RADOs and public authorities raised on the documents for the upcoming meetings of November 17 – 18, 2015, in Colorado Springs. These documents contain much useful, interesting and current anti-doping information. The documents deserve careful review for that reason alone.

The WADA agenda is very full. As in the past, this summary follows the agenda for the ExCo and the Foundation Board meetings. While iNADO Update #64.1 addressed what I felt were the most significant matters for NADOs, RADOs and their public authorities, this iNADO Update #64.2 covers additional matters of considerable interest in the WADA documents.

DG's Report (Item 3.0 + Attachment 1 (DG's Report to WADA ExCo September 2015))

The Director-General's Report updates the report he gave to the ExCo at its mid-September meeting. Therefore, the two documents must be read together. In addition, the Minutes of that September meeting are Item 2.0.

Among the matters addressed by the Director-General:

- UNESCO Anti-Doping Convention Conference of the Parties: The report anticipated the meeting held on October 29-30, 2015. Outcomes of that meeting are described in a subsequent WADA release: <https://www.wada-ama.org/en/media/news/2015-11/governments-accelerate-commitment-to-protect-clean-athletes-at-pivotal-time-for>.
- Development of NADOs: Development in Brazil (still needing up-to-date anti-doping rules and legislative changes) and in Kenya (still needing everything from an organization structure to permanent staff to secure funding to rules and legislation) continues but more slowly than hoped, especially in Kenya. iNADO Members AD Norway and CHINADA are trying to help the Kenyan authorities. Several other iNADO Members (including USADA, UKAD and ADoP) have contributed to the development of the ABCD in Brazil.
- Operational Reserve: At its September meeting, the Executive Committee approved the operational reserve policy whereby unrestricted (unallocated cash) reserves are not to be depleted by more than \$500,000 to fund a budget deficit in any given year, and that the restricted operational reserve fund, which currently stands at \$2.4 million, covering a little over one month of operations, be increased to cover six months of operations or \$9.6 million. The operational fund would be funded over time through the allocation of unallocated funds as a regular budgetary item, or with any surplus from operations (year-end profits), or through

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specific sources of revenue such as one time gifts or special grants.

- **National Federations:** The issues emanating from National Federations conducting their own testing, or being responsible for results management continue to be addressed. WADA is discussing these issues directly with the Sport Movement and it was a topic for consideration by WADA's NADO Ad Hoc Committee meeting in Montreal in early November. That group is discussed in iNADO Update#64.1, Item 15.

Independent Commission (Item 3.1)

There will be a verbal update. As most of you will already know by now, the Independent Commission is to release at least a first report on Monday, November 9, 2015:

<http://www.insidethegames.biz/articles/1031432/wada-commission-to-unveil-report-on-russian-doping-allegations-on-november-9>.

WADA has issued a brief statement on the announcement of criminal prosecutions in France and Monaco stemming in part from the work of the Independent Commission: <https://www.wada-ama.org/en/media/news/2015-11/wada-statement-concerning-ongoing-investigations>.

Criteria for the WADA President to Follow when Directing an Immediate Investigation (Item 3.2)

The Director General reports (Item 3.0) that at the September Meeting of the WADA ExCo, management was asked to prepare terms of reference for possible future WADA investigations. Management intends to convene a meeting of those who have conducted investigations of recent times early in 2016 in order to fully debrief and determine issues that need to be addressed including those under potential terms of reference.

In the meantime, criteria are to be established for WADA to follow when initiating an immediate investigation pursuant to the Code (and the International Standard for Testing and Investigations). This follows the establishment of the Independent Commission to inquire into allegations made in a television documentary program last December.

It is recommended that the WADA President have the authority to undertake all necessary decisions to enable WADA to carry out any of its responsibilities under the Code and the ISTI provided that:

1. The President is of the view, following reports from WADA Management and elsewhere, that urgent action is warranted.
2. Such action be immediately advised to the Executive Committee, along with appropriate background information.
3. Any cost associated with any action taken be referred to the Chair of the Finance Committee and the Vice President for approval.
4. Each particular case will require terms of reference, appointments and other relevant documentation. These will differ markedly from case to case and when appointing member(s),

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the President should ensure that they have no conflict of interest, have good reputation and are able to perform the job that is assigned in accordance with the terms of reference.

5. Any report from the investigation shall always be made public on WADA website.

Changes to the Technical Document on Results Management Requirements for the Athlete Biological Passport (Item 8.3 + Attachment 1)

The WADA ExCo is asked to approve amendments to the TD2015RMR in order to be compatible with the TDEAAS2016 (Technical Document on Endogenous Anabolic Androgenic Steroids Measuring and Reporting) which was approved by the Executive Committee in September 2015 and which will come into effect on 1 January 2016. The new document will be the TD2016RMR.

The amendments change procedures for review by the Adaptive Model and for the initial expert review (by a single expert). There is also new explanation on the significance of an Adverse Passport Finding (APF).

Changes to the Sport Discipline Minimum Levels of Analysis (MLAs) in the TDSSA (Item 10.2 + Attachment 1, Appendix 1)

Process

The WADA ExCo is asked to approve amendments to the Technical Document on Sport Specific Analysis (TDSSA). As part of the ongoing monitoring of the TDSSA, the TDSSA Expert Group held its second meeting of the year on 27-28 August in Montreal. The focus was on the review of the implementation of the TDSSA in the first half of 2015 following a consultation process in July and August 2015 with IFs, NADOs and Laboratories. Submissions were sought from stakeholders during the consultation period, and the total number received was:

- 15 National Anti-Doping Organizations
- 7 International Federations
- 2 Laboratories
- 1 Major Event Organisation

All comments received were thoroughly reviewed by the TDSSA Expert Group and WADA, and in the majority of cases feedback has been provided to those stakeholders either individually or as a group on the main outcomes of the meeting.

Proposed Amendments

The main changes are to include references to the three “Testing Guides” issued by the TDSSA Expert Group, and to adjust a number of the MLAs for certain sport disciplines (in TDSSA Appendices 1 and 2). The Testing Guides are for each of Erythropoiesis Stimulating Agents (ESAs), Growth Hormone (GH) and Growth Hormone Releasing Factors (GHRFs). Those documents are controlled by WADA so as not to provide dopers with useful information to defeat detection. They are to be re-circulated to ADOs after the WADA ExCo and Foundation Board meetings.

NADO and RADO Relations (Item 13.0)

A key point that emerges from this report, and from the reports of the WADA Regional Directors, is the large number of NADOs (and their public authorities) working other ADOs to improve organisational and programme quality. The reports mention these NADO-NADO relationships:

- CCES (Canada) and JADCO (Jamaica)
- AD Norway and the TADC (Turkey)
- AD Norway/CHINADA assistance to ADAK (Kenya)
- SAIDS (South Africa) and the Egyptian NADO
- ASADA (Australia) and the NADA India
- UKAD (United Kingdom) and the NADA Belarus
- The Columbian NADO and the Argentine NADO
- The SAIDS offer to assist the Nigerian NADO
- The PANDA (Poland) offer to assist AZADA (Azerbaijan)
- The NADA Germany offer to assist the Ukrainian NADO

These NADOs and governments are supporting or have supported one or more of the 15 RADOs:

- JADA (Japan) and the Government of Japan
- Anti-Doping Switzerland
- ADoP (Portugal)
- AFLD (France)
- CCES and the Government of Canada
- SAIDS
- USADA (United States)
- AEPSAD (Spain)
- Columbian NADO
- UKAD
- AD Norway
- FINADA
- ASADA and the Government of Australia
- DFSNZ (New Zealand)
- NADA Germany

At least three International Federations are supporting or have supported RADOs: IAAF (Athletics), UCI (Cycling) and World Rugby.

Government Relations (Item 14.0)

Much of this report deals with UNESCO, with the parties to the Anti-Doping Convention, and with the UNESCO Voluntary Fund for the Elimination of Doping. Among the more notable points:

- There are now just 12 countries of the Olympic Family yet to ratify the UNESCO Convention.
- Since the establishment of the Voluntary Fund by UNESCO in 2008, 164 projects worth over \$2.7 million have been granted financial assistance.

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- 97 countries have had national projects approved for funding and some countries have had multiple projects approved.
- Of the 164 projects, 20 regional projects have been submitted by: El Salvador, Venezuela, Samoa, Singapore (2), Cameroon, Kenya, Kyrgyzstan, Seychelles (2), Barbados (2), Botswana (2), Maldives, Morocco, Niger, Burundi, Guatemala and France. These regional projects, with the exception of Venezuela, Kenya and France, were implemented by RADOs.
- There was \$1.892 million available in the Fund as at 31 July 2015 (latest available date).
- Under Article 31 of the Anti-Doping Convention, there is a biennial reporting requirement whereby States Parties must report relevant information concerning measures taken by them for the purposes of complying with the provisions of the Convention. To fulfill this requirement, the UNESCO Secretariat uses ADLogic, a self-reporting questionnaire.
- As of October 7, 2015, UNESCO advised that 138/178 (77%) of States Parties to the Convention had completed the questionnaire, with 40 remaining. The 77% completion rate, less than one month out from the Conference of the Parties (COP) V, shows a greater response rate from States Parties as compared to the final total of 128/174 (60%) at the previous COP IV in November 2013. But it is important that 100% completion rate be achieved. iNADO was active encouraging Members' governments to complete the questionnaire and 100% of iNADO Member countries did.

Partnership to Quality Project (International Federation Liaison and European Regional Office Report, Item 15.0 (ExCo) and 17.1 (FB))

2.2 Partnership to Quality Project

In close collaboration with WADA's Standards & Harmonization Department, the WADA European Regional Office has recently undertaken an individualized partnership project to support a number of IFs in their practice of the 2015 Code and International Standards. The project is being conducted with a view to assist IFs more closely in developing Code-compliant programs.

This project consists of a two-day site visit of each identified IF by a small team of WADA experts to discuss and assess the various anti-doping programs the federation is implementing, as well as to receive feedback on WADA's programs and collect good practices. Following the site visit, WADA provides the IF with a report of its observations and recommendations, to further help them optimize their anti-doping program and resources. WADA will then liaise with the IF in the follow-up of any recommendations made. WADA Management and the independent Compliance Review Committee believe this is a very useful first step towards the implementation of more effective anti-doping programs and therefore in turn, compliance with the 2015 Code.

A WADA team visited the IFs of ski (FIS), aquatics (FINA), biathlon (IBU) and judo (IJF) in September and October. Visits of the IFs of weightlifting (IWF) and boxing (AIBA) will follow later this year or in early 2016, while similar projects with more IFs will be conducted in 2016.

Please note that iNADO is developing a similar approach for its Members and their sample collection programmes. The concept is simple: setting objective requirements a sample collection agency should meet to show its proficiency to potential partners, and enabling more NADO – NADO and NADO - IF partnerships.

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NADOs and IFs want to work more closely together on sample collection. But lack of knowledge and lack of demonstrated quality holds us back. Furthermore, both IFs and NADOs use outside service providers and need an objective way of ensuring quality service and value for money in all aspects of sample collection. And in the measures needed to support quality, such as sample collection officer training, collection procedures and forms compliant with the ISTI, insurance, use of ADAMS or comparable system, protection of private information, etc.

Working with a number of its Members, iNADO has prepared a simple sample collection quality recognition scheme with 4 elements:

- (1) self-reporting on key sample collection documents/procedures,
- (2) verifying key documents/procedures,
- (3) assessing sample collection operations against key documents/procedures, and
- (4) identifying opportunities for improvement/requiring remedial actions as a condition of quality recognition.

The iNADO scheme is currently being reviewed by experts from 5 International Federations to confirm its coverage and approach. The next step will be to conduct a pilot project with an iNADO Member. I anticipate making the programme available to all iNADO members in the first quarter of 2016.

2.3 IF-NADO Collaboration

An initial meeting of the IF – NADO advisory group was held in March 2015 in Lausanne and brought together six IFs (of athletics, cycling, football, ski, tennis and weightlifting) and six NADOs (of Japan, Netherlands, Norway, Saudi Arabia, United Kingdom and United States). The participants discussed ways and means of further improving collaboration between IFs and NADOs in the fight for clean sport. In late April, WADA’s NADO Ad Hoc Working Group met in Montreal, and WADA also hosted a separate meeting of the same six IFs in June in Lausanne. These two meetings were good opportunities for the participants to outline the major challenges they faced or were facing in their daily activities in relation to IF-NADO collaboration.

WADA hosted a follow-up meeting with the full group of selected IFs and NADOs on 13 October in Lausanne. The group reviewed a draft “Guideline to Optimizing Collaboration between IFs and NADOs” developed by WADA. This living document, which lists a number of effective collaborative practices – in addition to referencing the articles of the World Anti-Doping Code requiring collaboration between IFs and NADOs – will be submitted to a number of other ADOs for consultation before being circulated to all ADOs and published on WADA’s website.

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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.