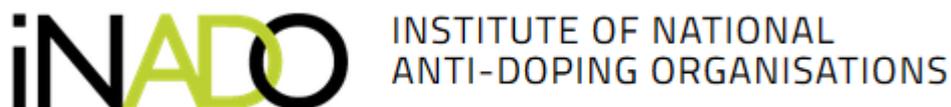


06 September 2017 - iNADO Update #86



## New Member

iNADO is very pleased to announce its 69th member. iNADO welcomes Nicolas Lagasse and his team from NADO Brussels, Belgium (ONAD CCC). With the NADO Brussels joining iNADO, all 4 NADOs from Belgium are now members of iNADO. If you are interested in learning more about anti-doping in Brussels, please have a look [here](#).

## Summary of WADA 2016 Testing Figures

WADA circulated recently the 2016 testing figures for the consultation of ADOs. Although the final version could include amendments, some of the figures have already been published in WADA's 2016 annual report drawing [media attention](#). The figures for consultation show:

- An increase of 17% in tests conducted by IFs between 2015 and 2016 (from 39,176 to 45,797).
- A decrease of 11% in the number of tests conducted by NADOs compared to the previous year (from 156,259 to 138,926).
- An increase of 30% in the number of tests conducted by others ADOs; RADOs, MEOs, NOCs, and NFs (from 33,965 to 44,141).
- By this, the overall number of tests remained almost constant from one year to another (229,400 in 2015 and 228,862 in 2016). See our [summary by NADO here](#).

ABP Figures also registered an increase from 2015 to 2016 from 25,012 to 28,173 (13%). See our [ABP table here](#). Of the total samples:

- 13,627 were conducted by IFs (48% of all ABP samples)
- 13,067 were conducted by NADOs (46%).

It is also worth mentioning that while the three largest ABP Programmes are run by IFs, of the 50 ABP programmes worldwide 70% are run by NADOs. This speaks for a broad expertise among NADOs.

We wish to mention also that WADA's testing figures underreport NADO activity, to a certain degree, since many of the samples for which IFs are the TA are collected by NADOs. Here a few examples:

- [1818 samples at UEFA Euro Cup 2016](#) collected by UEFA and by NADOs
- 2016 Tour de France samples collected by AFLD (exact number unknown)

This was not exclusive in 2016; NADOs constantly undertake the sample collection at IF events, e.g., 468 samples at [2015 Rugby World Cup](#) collected by UKAD. Furthermore, some NADOs (such as the CCES for the [International Canoe Federation \(ICF\)](#)) are responsible for the sample collection of IFs samples all-year-round. This is in no means intended to diminish the relevance of IFs in anti-doping, but rather to highlight the interdependencies between both IFs and NADOs protecting clean athletes.

\* In 2016 WADA also mentions 71,051 samples non entered in ADAMS, which are not included in this summary.

## **CAS Decision on Therese Johaug reinforces Athlete Strict Liability: Available at the ADKC**

On August 22, the Court of Arbitration for Sport [announced the appeal decision](#) in the case of the Norwegian Nordic skier Therese Johaug. The CAS panel extended her period of suspension from 13 to 18 months. This means that she will be ineligible for the upcoming PyeongChang Winter Olympic Games.

The decision is significant because the athlete relied on a team doctor for a medication. She specifically asked the doctor if it contained any prohibited substance and was told it did not. In fact it did. The prohibited substance was even listed clearly on the packaging.

According to the CAS media release, “[h]aving reviewed the matter in full, the Panel noted that Ms Johaug failed to conduct a basic check of the packaging, which not only listed a prohibited substance as an ingredient but also included clear doping cautionary warning. Such omissions resulted in an anti-doping rule violation inconsistent with her otherwise clean anti-doping record. Nevertheless, in order to ensure equality in applying anti-doping rules, the Panel highlighted that it was obliged to apply a proportionate sanction, consistent with the level of fault. For this reason, the Panel noted that, in such a situation of non-significant fault, the 2015 World Anti-doping Code provides for a suspension range of between 12–24 months and determined in the present case that a period of ineligibility of 18 months, commencing on 18 October 2016, was appropriate.”

It is interesting to note that the first instance (Norwegian) tribunal also found the athlete had committed an anti-doping rule violation but only imposed a sanction of 13 months. That would have permitted her to compete at the upcoming Games. The CAS panel decision is available now at the [Anti-Doping Knowledge Center](#). Here you can consult the exact reasons why it found the Norwegian tribunal decision too lenient in the circumstances.

In any event, the case is another reminder of the strict liability of athletes: reliance on athlete support personnel (even if they are grossly negligent, as appears to be the case here) does not excuse an anti-doping rule violation.

## **iNADO Members exchange Ideas using iNADO Basecamp Groups**

iNADO reinforces best anti-doping practices by promoting the discussion of experiences and questions among Member NADOs everyday. Among other things, in our Basecamp groups, Member NADOs can:

- Seek support in developing a Supplement Checker App in our Education Expert Group.
- Compare different international practices handling first and second instance hearings of National Level Athletes in our Legal Expert Group.
- Consult how other NADOs handle an athlete defense for a missed test based on poor or no accessibility at all to Whereabouts (Education Expert Group).
- Drafting with the help of other member organisations handbooks for the use of social media by staff in our Communication Expert Group.

Here is a list of just 35 discussion topics from our Testing Expert and Legal Expert Groups over the past year:

- About the paperless testing system
- ADAMS Problems
- Athlete's (Mis)Conduct Amounting to Tampering
- Charge against Athlete Serving Jail Sentence
- Clenbuterol Detection Threshold
- DCO/Chaperone Training Manual
- Do any NADOs have DCOs with an Impairment?
- Doping Control Forms and Whistleblowing Tip Lines
- Doping testing at young ages (primary and junior-high)?
- European General Data Protection Regulation (GDPR) and the Need for Non-European NADOs to have an "Agent"
- Getting Copies of DCFs from IF Clients when you are the SCA
- Intentional ADRVs
- International DCO Certification
- Legal Aid (pro bono) for the athlete
- Monitoring Code Compliance: Who Does What to Whom?
- Mobile Whereabouts App as Defense for Missed Tests

- Defining a National-Level Athlete
- OOC testing in Swimming
- Pre-season friendlies - in or out of competition?
- Prohibited association
- Prompt Admission
- Providing sealed drinks to athletes
- Proving the Route of Administration of a Glucocorticoid
- Public Reporting of Doping Control Data
- Releasing passport data to athletes
- Retention / long-term storage of samples
- Setting Aside First Instance Hearing?
- Team Sport - Multiple Positives, Same Substance - Team Consequences
- Testing Transgender Athletes
- Violating a period of ineligibility
- WADA CCQ Corrective Actions
- What are the best blood transport bags?
- What is advance notice?
- Which Athletes must apply for a TUE in advance?

We thank all Member NADOs for their active participation and input in these groups. Let us know if we can improve the exchange of ideas.

We also invite Non-Member NADOs to consider how your anti-doping experts can benefit from participating in these discussions. Join iNADO today.

### **Recent Study regarding the Prevalence of Doping will be discussed at the iNADO Athlete & Leader Symposium**

A key area of anti-doping research is to more accurately measure the prevalence of doping. A paper from 2011 but not published until 2017, describes the application of the "randomised-response survey" technique in helping us achieve a better understanding of just how widespread doping is.

For obvious reasons, the paper has gained substantial [media attention](#). Therefore, Dr. Oliver de Hon of the Netherlands Doping Authority will speak to this very matter during our up-coming iNADO Athlete & Leader Symposium at Berlinger, October 30-31.

### **Athlete Counselling Service**

Six years ago, ASADA put in place a [world-first counselling service](#) to support athletes facing a possible doping ban from sport. By this initiative athletes, who have been notified of a possible anti-doping rule violation, are provided with free access to independent and confidential counselling with qualified professionals.

Other ADOs should think about installing a system like this.

Athletes who are confronting a possible anti-doping rule violation may face serious consequences to their career and reputation. The aim of this initiative is to provide short-term counselling and strategies to help individuals deal with very stressful and potentially life-changing circumstances.

Every ADO should be prepared to offer support and assistance to athletes notified for a possible ADRV.

### **New Berlinger Product Line offers Enhanced Security Measures**

Berlinger has announced the launch of new doping control bottles with improved security. A video of the new features can be found at [Berlinger website](#).

## ASADA Partnership with CGF for the Gold Coast 2018 Commonwealth Games

iNADO Member the [Australian Sports Anti-Doping Authority](#) has partnered with the Commonwealth Games Federation to provide a comprehensive anti-doping programme at next year's Commonwealth Games. During this event:

- Doping samples will be stored long term for future testing for the first time with organisers hoping it will act as a deterrent for drug cheats. The "tanking" of tests from the Gold Coast event is part of a series of measures announced in a partnership designed to protect clean athletes and the integrity of the Games.
- A pre-Games Anti-Doping Taskforce will be established to test athletes. For this, the federal government of Australia has made additional funds of \$1.5 million available.
- ASADA will bring Australian law-enforcement organisations to the table investigate the possession and trafficking of banned substances.

Acting CEO of ASADA Judith Lind mentioned that this is an opportunity to set a new benchmark in anti-doping. "The 2018 Commonwealth Games provide a watershed moment for this partnership to raise the bar for anti-doping programmes," Lind said. "The decision to tank all samples for the first time in Commonwealth Games' history shows our commitment to a high-integrity games, and to the protection of clean athletes the world over."



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### New at the Anti-Doping Knowledge Center

- [CAS 2017 A 5015 FIS vs Therese Johaug & NIF | Therese Johaug vs NIF \(Reliance on Team Doctor\)](#)
- [CAS 2013 A 3071 Ana Beatriz di Rienzo Bulcão vs International Fencing Federation \(FEI\) \(Departures from ISTI\)](#)
- [CAS 2010 A 2090 Finnish Ski Association & Aino-Kaisa Saarinen vs FIS \(CAS and Proportionality\)](#)
- [CAS 2001 A 328 F. vs IPC \(Profisional relief\)](#)
- [IOC dopinglist 1986](#)

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



iNADO Website

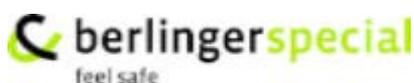


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