

2014 November 21

## iNADO Update #54

### **New Anti-Doping Laws, 2015 Code Compliance and other Developments**

Dear Colleagues:

The pace of anti-doping development is accelerating as we approach January 1, 2015, and the coming-into-force of the new World Anti-Doping Programme. Notably, there is new or revised anti-doping legislation in many countries.

### **2015 iNADO Workshop and AGM**

Please save this date: Monday, March 23, 2015. iNADO will hold its third Workshop and AGM in Lausanne, Switzerland. (This is the day before the three-day WADA ADO Symposium in the same city.) As in the past, representatives of non-Member NADOs will be welcome to the Workshop at a fee. RADO representatives will be welcome too. More information about the registration will be communicated in the next Update. We are also in discussions with Berlinger for a tour of its factory and headquarters on Friday, March 27, 2015, outside of Zurich. Stay tuned for more details.

### **New German Sport Anti-Doping Law**

A new and wide-ranging sport anti-doping law has been introduced into the German parliament (on track to come into force in May, 2015): <http://www.dw.de/new-german-anti-doping-law-revealed/a-18057498>; <http://www.dnaindia.com/sport/report-new-german-law-may-imprison-athletes-guilty-of-doping-for-three-years-2034916>. It includes provisions to criminalise doping by athletes (doping by some categories of athlete support personnel is already against the law).

The proposed law is not without controversy. While in favour of the proposed law, WADA's President Sir Craig Reedie has voiced reservations about the possibility of athletes being "criminalised": <http://www.insidethegames.biz/news/1023869-exclusive-wada-chief-voices-reservations-about-proposed-new-german-law>. On the other hand, UCI President Brian Cookson is reported as agreeing with jail terms for athlete who dope: <http://www.cyclingweekly.co.uk/news/latest-news/brian-cookson-agrees-jail-terms-drug-cheats-145338>

The NADA Germany takes this position in support of the proposed law:

### **NADA Germany's Statement on Proposed German Anti-Doping Law**

NADA Germany clearly is in favor of the new anti-doping law. The anti-doping work in Germany will be strengthened through this law. From NADA's perspective this is an important step towards clean sport. It also underlines the zero-tolerance policy of Germany in this regard.

The proposed anti-doping law constitutes a fortification of NADA's authorities and competencies. The law covers the national testing programme including all testing pools, [but not] recreational athletes. All test pool athletes – about 7000 athletes in 2014 – and those who make a living from sports [who “generate significant revenues” from sport] come under the law and can be prosecuted for violations. Also foreign athletes who are caught doping while competing in Germany come under the anti-doping law.

In addition, the exchange of information between NADA Germany and German law enforcement authorities will be strengthened through the anti-doping law. This is a milestone for Intelligence & Investigations in Germany. At the same time the law reinforces the data protection and the sport jurisdiction in Germany. In NADA's view this is an important step. There shall not be either/or but an effective coexistence of sport law enforcement and criminal prosecution of anti-doping violations.

Other provisions will provide for fines as one form of penalty. They will also improve supplement and other product labelling to make require explicit reference to ingredients that are also prohibited substances. And they will require arbitration to settle questions of athlete participation in sport, including for doping disputes.

Because many NADOs are currently involved with their governments in preparing or revising national anti-doping laws, iNADO will provide further information about the proposed German legislation as soon as it can.

### **Other New Sport Anti-Doping Laws**

Argentina has recently passed an anti-doping law implementing the 2015 Code:

<http://www.infoleg.gob.ar/infolegInternet/anexos/220000-224999/224421/norma.htm>

<http://www.tiemposur.com.ar/nota/79625-diputados-de-la-naci%C3%B3n-aprob%C3%B3-proyecto-de-gomez-bull>. This will also involve the creation of a new National Anti-Doping Commission within the Ministry of Social Development.

Austria also has a new sport anti-doping law involving criminalisation of doping:

<http://kurier.at/sport/sportmix/sportpolitik-sportminister-klug-erfreut-von-anti-doping-novelle/98.143.198>.

In the Netherlands, new legislation will assist cooperation between the Dutch Dopingautoriteit and public authorities, but will not criminalise doping by athletes:

<http://www.volkskrant.nl/sport/nederland-kan-aanpak-doping-niet-betalen~a3794129/>.

The Sport Ireland 2014 bill is working its way through the parliament in Ireland:

<http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/bills/2014/8514/document1.htm>. It would create a new agency (Sport Ireland) in place of the Irish Sport Council. Sport Ireland would among other things support elite athletes in achieving excellence in sport; facilitate good conduct, fair play and the elimination of doping in sport through the promulgation of guidelines and codes of practice and planning education and information programmes; develop and disseminate guidelines

and codes of practice promoting best practice for the protection of children in sport; develop tutors and coaches and ensuring that tutor and coach education programmes are in place; and take actions to combat doping in sport and directing and managing the collection and testing of samples.

### **WADA's 2015 Code Compliance Programme**

As was approved at the WADA's ExCo/FB meetings in May 2014, WADA is moving forward in implementing a Code compliance plan. As you know, the three initial steps of the compliance plan are:

- the establishment of an independent Compliance Review Committee
- the creation of an internal task force
- ISO accreditation

In Paris last week, WADA approved the Compliance Review Committee. It will be a six-person independent expert group to provide advice and guidance to the WADA Compliance Task Force, the WADA ExCo and the WADA FB. It will be chaired by René Bouchard (of the Government of Canada, who represented Canada on the ExCo and FB for several years, and who was chair of the Independent Observer Team for the London 2012 Summer Olympics). The other five members include a civil aviation compliance expert, a pharmaceutical industry quality assessment expert, a government representative (from Denmark), an athlete (Beckie Scott, chair of the WADA Athletes Committee), and an IF Secretary General (Tom Dielen of World Archery).

The WADA Compliance Task Force will be an internal working group made up of WADA staff from different Departments. The Task Force will enable the compliance programme to be developed in a coordinated fashion in consultation with 2015 Code Signatories. The idea, which will be highlighted through the ISO process that is to be put into place (as outlined in item 5 below), is to have an open dialogue with each ADO whereby any non-conformities identified will be provided with corrective actions to address the non-conformities.

To provide an internationally recognized management framework for its monitoring program, WADA will seek to have its process accredited under ISO 9001. This will provide documented procedures and a framework as to how WADA undertakes the review of Signatories' anti-doping rules and programs to ensure the applicable process and actions are applied in a consistent manner. This will also provide documented procedures for any corrective action/s, as well as for reports that are to be provided to the WADA FB. WADA will be the subject of an annual audit by external ISO auditors to ensure that WADA is following the set procedures it has developed and undertaken to implement. WADA foresees commencing the ISO accreditation process in the first half of 2015 with the help of quality management consultants who are specialized in ISO certified accreditation programs.

WADA will seek to work with the Council of Europe and with UNESCO so that 2015 Code compliance and national compliance with the two anti-doping conventions can be assessed through common processes as much as possible.

It was suggested in Paris that the first full operational compliance report may not be issued until 2016. However, obvious gaps in compliance identified in 2015 will be addressed on a case-by-case basis. WADA states that support and assistance will be provided to help the ADO correct any non-conformity within an agreed time period. It will only be a second step, if and where an ADO has not addressed the

non-conformities, that it will become part of the compliance review by the Compliance Review Committee and potentially included in a report to the WADA FB.

At this time we know that compliance monitoring will assess at least four key programme areas: education, TUEs, testing and results management. iNADO is starting to prepare a programme to support its Members achieve 2015 Code compliance. This programme will identify fundamental Code requirements, permit NADOs to self-identify areas for improvement, and help them achieve improvements through technical assessment and advice from experienced NADO experts.

### **Paperless Doping Control Survey**

For the last few years, several iNADO Members have been using a paperless sample collection system to record and capture information on doping control missions. First designed by USADA, this system has helped streamline the collection process, has improved accuracy and efficiency, and has saved costs. Athletes are very supportive of it. Below is a link to a brief six question survey, which will provide valuable feedback on the awareness surrounding the paperless sample collection system. iNADO encourages your NADO or RADO to complete this survey:

<https://www.surveymonkey.com/s/PaperlessSurvey>

### **Irish Sports Council “Blackmark”**

A very interesting video from the Irish Sports Council: <http://vimeo.com/112085315>. It is part of a new anti-doping awareness campaign launched in part to support Irish implementation of the 2015 World Anti-Doping Code: [http://irishsportscouncil.ie/Media/Latest\\_News/Irish-Sports-Council-Hosts-Information-Day-In-Advance-Of-Changes-To-The-Irish-Anti-Doping-Rules-.html](http://irishsportscouncil.ie/Media/Latest_News/Irish-Sports-Council-Hosts-Information-Day-In-Advance-Of-Changes-To-The-Irish-Anti-Doping-Rules-.html). For more on “Blackmark,” see <https://www.facebook.com/sportireland>.

### **Anti-Doping Norway International Newsletter**

Anti-Doping Norway is committed to sharing news and other facts of interest with the rest of the world. It has begun a new and improved newsletter. If you would like to subscribe, go to:  
<http://www.antidoping.no/english/international-newsletters/>

### **RUSADA Investigation into Race Walking**

There have been a large number of positive cases in the sport of race walking in Russia in recent years. RUSADA has now completed an important anti-doping investigation leading to the sanctioning of a key race walking coach. See: [http://www.heraldonline.com/2014/11/18/6540667\\_russia-race-walking-chief-banned.html?rh=1](http://www.heraldonline.com/2014/11/18/6540667_russia-race-walking-chief-banned.html?rh=1) and <http://www.insidethegames.biz/sports/summer/athletics/1023900-director-of-russian-race-walking-centre-handed-four-year-ban-for-violating-anti-doping-rules>.

Congratulations to our RUSADA colleagues on many months of hard work.

### Japan Pharma Conference

Our colleague Shin Asakawa, CEO of JADA, sends an invitation to an important international event in January, 2015:

Dear Colleagues, Friends,

The registration site has been opened for the "International Conference on Pharmaceutical Industry and Anti-Doping: New Developments for Clean Sport and Society":

<http://cleansport-conf-wada-jada.org/>

You can find the provisional programme via this conference site. The registration deadline is set as 25 December 2014.

There will be discussions on a number of important topics including:

- Societal and economic risks of doping
- Challenges in anti-doping and the role of the Biopharmaceutical Industry
- Collaborative perspectives for the Biopharmaceutical Industry and anti-doping authorities in the future

We look forward to seeing you in January 2015 in Tokyo. With warm wishes, Shin Asakawa  
CEO, JADA

### German Doping Victims Group

Perhaps unique in the world is Germany's "DOH" or Doping Victims Association: [www.no-doping.org](http://www.no-doping.org).

It exists to provide informal as well as financial support to the victims of organized coerced doping in the former East Germany, but also victims of systemic doping in the former West Germany and after reunification in 1989. The Association is a point of contact for legal, medical and psychological counselling of doping victims, regardless of whether the injury occurred in the past or present. The Association supports the victims in enforcing their claims, provides professional and other information, and counsels the necessary contacts with proven experts. In addition, the Association aims to inform through preventative education about the dangers and the serious health consequences of doping substances. The focus of prevention work of the DOH is working with young athletes including information sessions at schools and sports facilities.

### WADA Seeking Contact with NADO/RADO Athlete Committees

WADA's Athlete Committee is reaching out to the athlete committees or ambassadors of anti-doping organisations. If your NADO or RADO has an athlete committee, or a group of athlete ambassadors, or if your organisation works with NOC/NPC athlete committees please advise iNADO of the

committee/ambassador coordinates so that we can make the connection with the WADA Athlete Committee.

**Nicole Sapstead is UKAD's Interim CEO**

Congratulations to our colleague Nicole Sapstead on heading UKAD during the search for a new CEO:  
<http://www.insidethegames.biz/news/1023924-uk-anti-doping-appoints-sapstead-as-interim-chief-executive-to-replace-parkinson>.

**NADA Germany Job Posting**

NADA Germany is seeking an Athlete Biological Passport Officer. See the job posting at:  
<http://inado.org/nados-job-opportunities.html>

**WADA Job Posting**

WADA is seeking an Education Manager: <http://www.jobillico.com/en/job-offer/wada-ama/education-manager/468250>

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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.**