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## **Anti-Doping Convention (T-DO)**

Project on Compliance with Commitments  
Respect by Denmark of the Anti-Doping Convention

### **Reports by:**

- Denmark**
- the Evaluation team**

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## A. National Report

### 1. Preface

Denmark has no sports law as such, but several acts regulate sport directly or indirectly. These are:

- \* The Football Pools and Lotto Act
- \* The Top - Level Sport Act (no. 288, 2004)
- \* The Act on the Promotion of Doping-free Sport.

The Act on the Promotion of Doping-free Sport came into force on 1 January 2005 concurrently with the permanent establishment of Anti-Doping Denmark (ADD) - the Danish Anti-Doping Agency. The Act lays down the responsibilities of the state and sports organisations for promoting the fight against doping within Danish sport as well as within fitness and exercise centres etc.

The background is as follows: Regulations to prevent doping in Danish Sport were introduced in 1978 where the Sports Confederation of Denmark established the first doping commission. The commission had the power to test for doping during training and competitions held by national federations. When Team Denmark, the organisation with responsibility for elite sports in Denmark, was established in 1985, this organisation took over the responsibility for doping control in elite sports.

Forming the Doping Control Commission, the Sports Confederation of Denmark and Team Denmark (TD) joined forces in 1988 to combat doping, and the planning of control test was entrusted to TD's Dept. of Consultants. The aim of the joint doping control commission was the implementation of preventive controls and maximum safeguarding of the legal rights of the athletes, including transparent procedures, case handling and sanctions for all Danish athletes.

All active athletes under the Confederation are subject to the doping regulation, meaning that they undertake not to use doping, and active athletes must voluntarily submit to doping controls at any time and in any place.

The doping control commission's strategy included an even measure of information in order to prevent doping misuse. Intensive awareness raising and attitude moulding campaigns were therefore launched at specific target groups.

In a wider context, the international cooperation on anti-doping has led to the establishment of four important internationally binding agreements.

1. Denmark signed and ratified the European Council's Anti-Doping Convention (ETS No. 135) on November 16, 1989, and in 1992, the Danish Parliament endorsed the convention, which requires its member countries *"to adopt where appropriate legislation, regulations or administrative measures to restrict the availability ... as well as the use in sport of banned doping agents and doping methods"*.

On 12 September 2002, Denmark signed and ratified the Additional Protocol to the Anti-Doping Convention ETS No. 188, which came into force on 1 April 2004. Among other things the Protocol lays down guidelines for evaluating implementation of the Convention.

2. The World Anti-Doping Code (WADC) was signed by the Sports Confederation of Denmark in September 2003 and by Anti-Doping Denmark in April 2004.

3. The Copenhagen Declaration on Anti-Doping in Sport is a political, international and intergovernmental agreement which was adopted at the World Anti-Doping Conference held in Copenhagen on 3-5 March 2003. More than 150 of the world's governments have since signed. Signatories to the Copenhagen Declaration undertake to recognise WADA and WADC.

4. The UNESCO Convention was later developed in order to bind individual governments to the introduction of active anti-doping policies, which complied with the common established minimum requirements. Denmark adopted the Convention in December 2005.

This is the background against which Anti-Doping Denmark was established on 22 December 2004 as a self-governing institution with responsibility for combating doping in sport. ADD's tasks are:

- \* Doping control
- \* Information and education
- \* Research and development relating to the fight against doping
- \* International collaboration on the fight against doping, and
- \* Provision of advice and support to public authorities within Anti-Doping Denmark's area of responsibility.

ADD's responsibility is, jointly with the Danish government and sports organisations, to combat the use of banned drugs and to strengthen the basic values of elite sport as well as lower level sports. In collaboration with WADA (the World Anti-Doping Agency) and other international partners, it is also ADD's responsibility to create the best possible framework for the performance of its work.

It is recognised by sports organisations and the government that the doping problem is so complex and extensive that the public sector must also be prepared to contribute to its combating far into the future.

The aim of this report is to clarify Anti-Doping Denmark's work and to comply with the European Council's Anti-Doping Convention.

The Convention articles relevant in this context are Articles 1 -9. The remaining Articles 10 – 19 are concerned with the Monitoring Group, amendments to the Convention, its entry into force, territorial applications etc.

This report has been prepared at Anti-Doping Denmark with reference to the White Paper: Doping in Denmark (1999) and report on Evaluation of Anti-Doping Denmark 2000-2003.

## 2. Introduction

### 2.1 Sport in Denmark

Freedom of association is seen as a fundamental right for all citizens in Denmark, and the vast majority of people active in sport are organised in:

- \* The Sports Confederation of Denmark, which is an umbrella organisation for 58 specialist associations with approximately 1.6 million members. The Danish National Olympic Commission belongs under the Confederation.
- \* Danish Gymnastics and Sports Associations, which is an umbrella organisation for 22 county and regional associations with more than 1.3 million members.
- \* The Danish Company Sport Federation, which is an organisation for sport in the workplace, with 319,000 members.

It is important to stress that there is some overlap between members of the three associations, and that the organisations themselves estimate that there are a little over two million active members in a total of approx. 16,000 associations/clubs.

The big majority of Danish athletes are organised in these 16,000 non-profit associations, which are seen as important contributors to the population's democratic development, interest in sport and activities, and thus to its health. This is the main reason for the considerable financial contributions made to sport at the national level via the Football Pools and Lotto Act, about 775 million DKK or €104 million a year. At the municipal level, Danish sports associations receive over three billion DKK or €400 million a year.

The right of freedom of association is also the reason why Danish politicians are reluctant to regulate sport. Sport is largely autonomous, and this is respected by parliament, government and local politicians alike.

Sport is formally under the umbrella of the Ministry of Culture, but sports organisations also enter into 'constructive dialogue' with other ministries and Denmark's 98 municipalities (from 1 January 2007).

### 2.2 Efforts to combat Doping in Denmark

The combating of doping has been given high priority in Denmark for several years. This was seen, for example, in the speedy reaction of both government and sports associations in 1998, when doping revelations in connection with Tour de France and the World Championship in swimming showed that the problem had reached a scale necessitating wider and more extensive collaboration between state and sports organisations.

With the Minister of Culture as prime mover, the Danish government implemented a number of measures including the following:

- \* Amendment of the Anti-Doping Act, introducing more stringent rules in 1999
- \* Drawing up of a white paper on Doping in Denmark in 1999
- \* Participation in the European Commission's working group on doping in 1999
- \* Membership of the International Anti Doping Arrangement (IADA) on the development of anti-doping controls, procedures etc., and later
- \* Denmark's contribution to the establishment of the worldwide Anti-Doping Agency (WADA) in 1999.

Based on the conclusions and recommendations of the White Paper, the government initiated a partnership with sports organisations in spring 2000 via a joint programme, which was given

general responsibility for doping control and the dissemination of information. The programme was named Anti-Doping Denmark, and it was the forerunner for the Anti-Doping Agency established in 2005.

Anti-Doping Denmark was evaluated external and internal in 2003. The overall conclusion in the report was that ADD has lived up to the challenge and very high standards in doping control and in information and education.

ADD changed in August 2004 from an organisation with two boards and two secretariats (control and information) into a single permanent body with one board and one secretariat.

The board of ADD determines the policy of ADD and the directions for the work of the institution. By the end of 2005 ADD had six employees.

The establishment of ADD meant the formation of an autonomous body with responsibility for all controls, and a clearer division was established between the controlling, investigating and judicial authorities.

Anti-Doping Denmark's aim is to strengthen and develop the basic values of elite sport and the broader public lower level sports via dissemination of information, attitude formation, research, and the construction of a framework for effective control in various sporting environments.

### **2.3 Combating Doping in Figures**

In 2005, the National Anti-Doping Agency carried out a total of 2,270 doping controls, an increase of eight per cent relative to 2004.

\* 1.729 tests or 76% were performed on athletes under the Sports Confederation of Denmark

\* Members of the Danish Gymnastics and Sports Associations and the Danish Company Sport Federation were tested 178 times (8 %)

\* Two hundred and sixty-three tests were carried out outside the auspices of organised sport.

Eight out of the 1,729 samples from Confederation members tested positive, while 57 out of the remaining 541 controls had positive tests or refusals.

The total budget for ADD's activities for 2006 is 13.5 million DKK (€ 1.8 million), comprising as of 2006 a basic grant of 11.4 million DKK (€ 1.5 million) or 35.0% from the Ministry of Culture, 29.8% from Team Denmark, 20.2% from the Sports Confederation, 11.4% from the Gymnastics and Sports Associations, and 3.5% from the Company Sport Federation, in all a basic grant of 100%. The contributions to ADD basic grant are indexed annually. The funding is based on a system of application and reporting, ensuring that the overriding goals of the funding are met.

Additional financing will derive partly from user paid controls (international and national) and project funding from the Ministries of Home Affairs and Health as well as from the contributors to the basic grant according to areas of interest. The two ministries will presumably contribute at least 50% of project funding. ADD also has the option of seeking external funding.

### 3. Compliance with the Anti-Doping Convention

#### 3.1 Article 1 - Aim of the Convention

*With a view to the reduction and eventual elimination of doping in sport the Parties, undertake, within the limits of their respective constitutional provisions, to take the steps necessary to apply the provisions of this constitution.*

As outlined above, Denmark signed and ratified the European Anti-Doping Convention in 1989, and the Danish Parliament adopted the convention in 1992.

Denmark has more recently adopted the World Anti-Doping Program (WADP), which comprises:

- \* The World Anti-Doping Code (WADC)
- \* The four international standards
- \* Various WADA guidelines which constitute ‘best practices’ in all areas of the anti-doping work.<sup>1</sup>

The Council of Europe makes a substantial contribution to the Agency’s work by sharing knowledge and expertise acquired in this field. Two of the 5 seats reserved for Europe on the Board of WADA are taken up by the Council of Europe.

The introduction of WADP in 2004 has meant that all stakeholders, including the Danish Anti-Doping Agency, have been given a series of new administrative challenges in relation to the anti-doping work. Rules Therapeutic Use Exemption (TUE) have become more extensive and the administration for athlete whereabouts information also need a web-based system. But there are also challenges outside the sport organisations.

Doping is not only related to organised sport. It has proved in recent years to be a major social problem. It is therefore essential to keep the health authorities engaged in the fight against doping. Back in 1995 the Ministry of Health financed a joint anti-doping campaign ‘Doping – don’t do it’ and up to 2003, the Danish ministry of health provided 600,000 DKK (€ 80,000) a year in financial support of a doping hotline and other awareness-raising initiatives.

Awareness raising is a major part of ADD activities, and ADD gives approximately 40 talks a year in fitness centres, schools and upper secondary colleges, and of course in sports clubs and the clubs’ specialist associations.

The Danish Prison Service intends to introduce doping control in Danish prisons, and ADD has taken part in a pilot project. The success of this project was so great that the Prison Service decided to extend doping control to all prisons. Four prisons are expected to be included in the project before the end of 2006.

ADD has also introduced short courses jointly with the Danish Society of Sports Medicine, the Danish Society of Sports Physiotherapy and the Danish Society for Physical Activity and Health. The aim is to inform in order to ensure that Danish medical practitioners understand the scope and risks of doping among athletes outside the elite group.

Finally, the Danish Minister of Culture has expressed the wish to make Denmark a pioneer in anti-doping research, and ADD has taken part in preliminary meetings with the ministry. The Ministry of Science, Technology and Development has in 2006 set aside a pool of 26 million DKK or € 3.5 million open for research into ‘External sources of influences on the body, including doping’ for the period 2006-2009 (see 3.6.2).

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<sup>1</sup> International Standard for Testing, International Standard Prohibited List, International Standard for Therapeutic Use Exemption, International Standard for Laboratories.

As the European governments' representative on WADA Executive committee and currently as vice-president, the Danish Minister of Culture has been strongly involved in WADA since 2002. The executive commission is responsible for laying down the general guidelines for WADA activities. To make an active contribution to the international anti-doping work has therefore been a high priority for the Ministry as well as ADD.

### **3.2 Article 2 - Definition and Scope of the Convention**

*1. For the purposes of this Convention:*

- a. "doping in sport" means the administration to sportsmen or sportswomen, or the use by them, of pharmacological classes of doping agents or doping methods;*
- b. "pharmacological classes of doping agents or doping methods" means, subject to paragraph 2 below, those classes of doping agents or doping methods banned by the relevant international sports organisations and appearing on lists which have been approved by the monitoring group under the terms of Article 11.1.b;*
- c. "sportsmen and sportswomen" means those persons who participate regularly in organised sporting activities.*

*2. The reference list in the appendix to this Convention shall apply until such time as a list of banned pharmacological classes of doping agents and doping methods is approved by the monitoring group under the terms of Article 11.1.b.*

The Danish definition of doping is identical with the WADA definition: Doping is defined as the occurrence of one or more anti-doping rule violations set forth in Article 2.1-8 of the WADA code. This definition is written into the rules of the Sports Confederation of Denmark and it applies to all sportsmen and sportswomen organised under the Confederation.

The early Danish doping legislation (Act Prohibiting Certain Doping Substances, Act No. 232 of 21 April 1999 as amended by Act No. 69 of 4 February 2004) authorises the Minister of Home Affairs and the Minister of Health to specify and adjust the list connected to this Act. Briefly, the Act bans the import, export, distribution and possession of doping agents for purposes other than the prevention or treatment of disease or for research purposes. The ingestion of doping agents as such is not, however, a criminal act under Danish law.

The comments on the Act on the promotion of doping-free sport make it clear, however, that the Danish definition of doping cannot deviate from that of the WADA code. (Appendix 2 §1).

### **3.3 Article 3 - Domestic co-ordination**

*1. The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.*

*2. They shall ensure that there is practical application of this Convention, and in particular that the requirements under Article 7 are met, by entrusting, where appropriate, the implementation of some of the provisions of this Convention to a designated governmental or non-governmental sports authority or to a sports organisation.*

It is the stated aim of the Danish Minister of Culture to make Denmark one of the leading countries in the world in the fight against doping. This is why specific legislation to combat doping has been introduced and why the Anti-Doping Denmark was established in 2005 with the sole purpose of implementing the anti-doping fight.

ADD has an annual budget of about 13.5 million DKK (€1.8 million), and ADD's independence of professional sport as well as of lower level sport has been ensured.



It is equally clear, however, that Danish doping policies are based on international cooperation. ADD cannot by itself ensure that that fight against doping among Danish athletes reaches its optimal level. Co-operation with WADA, IOC and international and national specialist associations is a precondition for effective anti-doping work. The same applies to co-ordination with Nordic Countries, with EU member states, and via the UN (UNESCO). Finally, ADD sees it as absolutely essential that national governments implement the fight against doping in their national legislations.

This is also why the Danish doping legislation (Act Prohibiting Certain Doping Substances, No. 232 of 21 April 1999.) is important. ADD has entered into a three-year results contract with the Minister of Culture, a contract which clearly states what ADD must achieve within the current contractual term.

ADD must thus fulfil the following aims and results in control and information for 2006-2008:

- \* Emphasis on testing athletes in doping infested sports
- \* Emphasis on testing athletes in sports where Denmark has a high international level
- \* Preventive tests among non-elite athletes in organised sports (fitness people)
- \* Regular controls and in-house training of doping control officers
- \* Doping control service and cooperative agreements at other national and international events

External stakeholders are defined as doctors, teachers, students, prison staff and scientists who in their professional capacity are in contact with the target groups for anti-doping work.

In order to gain an overview of the consumption of doping in Denmark, ADD, in cooperation with the Danish customs and tax authorities, has assessed seizures at Copenhagen airport. Review of an airport report from 2000-2001 found that the number of seized drugs in Copenhagen airport had fallen from 2000 to 2001, but that "harder" substances made up a higher proportion.

New figures for 2005/2006 show an increase in seized doping agents. ADD will now investigate the individual cases to find out where they come from, what agents are involved, and who the target group was. The report should be followed up annually in partnership with the police and the customs and tax authorities.

ADD's results contract with the Ministry of Culture from October 2006 places heavy emphasis on the combating of doping: 'ADD shall, jointly with local authorities, police, customs, the educational system and on the basis of its own knowledge, prepare a general overview of the environments in which doping is used, or where doping is a potential problem. ADD shall further contribute to the collection of data on the trafficking of doping agents in Denmark in order to create an overview of the scope of the problem.'

### **3.4 Article 4 - Measures to restrict the availability and use of banned doping agents & methods**

*1. The Parties shall adopt where appropriate legislation, regulations or administrative measures to restrict the availability (including provisions to control movement, possession, importation, distribution and sale) as well as the use in sport of banned doping agents and doping methods, in particular anabolic steroids.*

*2. To this end, the Parties or, where appropriate, the relevant non-governmental organisations shall make it a criterion for the granting of public subsidies to sports organisations that they effectively apply anti-doping regulations.*

*3. Furthermore, the Parties shall:*

- a. assist their sports organisations to finance doping controls and analyses, either by direct subsidies or grants, or by recognising the costs of such controls and analyses when determining the overall subsidies or grants to be awarded to those organisations;
  - b. take appropriate steps to withhold the grant of subsidies from public funds for training purposes to individual sportsmen and sportswomen who have been suspended following a doping offence in sport during the period of their suspension;
  - c. encourage and, where appropriate, facilitate the carrying out by their sports organisations of the doping controls required by the competent international sports organisations, whether during or outside competitions, and
  - d. encourage and facilitate the negotiation by sports organisations of agreements permitting their members to be tested by duly authorised doping control teams in other countries.
4. The parties reserve the right to adopt anti-doping regulations and to organise doping controls on their own initiative and on their own responsibility, provided that they are compatible with the relevant principles of this Convention.

### **Legislation, regulations and administrative measures**

The following is a brief outline of the most important enactments relevant to the states efforts to combat doping.

*The Act Prohibiting Certain Doping Substances* (Act No. 916 of 8 February 1993/No. 232 of 21 April 1999) prohibits the making, import, export, distribution, sale or possession of doping substances. Violation of the Act is punishable with up to two years imprisonment.

This Act applies to synthetic anabolic steroids, testosterone and its derivatives, erythropoietin (EPO), growth hormones, and chemical substances that increase the production and release of testosterone and its derivatives or of growth hormone or of natural EPO. "Derivative" means a chemical compound produced from another compound with a similar structure and similar effect.

The ingestion of doping agents is not a criminal act in Denmark and thus not punishable by law.

With the criminalisation of all non-medical use and handling of doping agents, it has become the task of the police and customs services to combat such activities by monitoring compliance with the law and taking action when a suspected offence is discovered. Similarly, it is the task of the courts to impose penalties in cases which result in prosecution

*The Medicines Act* (Act No. 1180 of 12 December 2005) with derived government orders contain provisions on approval and control of drugs and companies which make, store or otherwise handle medical drugs. The Act prohibits the sale, import etc. of a series of drugs, including drugs on the doping list.

*The Narcotic Drugs Act*, regulates the handling of narcotic drugs including amphetamine.

*The Act on Euphoriant*s (Act No. 445 of 9 June 2005) authorises the Minister of Home Affairs to prohibit drugs which, according to international resolutions or in the judgment of the National Board of Health, present a particular danger because of their euphoric effect.

The primary regulation of the fight against doping in Denmark is, however, provided by the first of these acts, the *Act Prohibiting Certain Doping Substances*.

Anti Doping activities within organised sport are the responsibility of the Danish Sports Confederation, which is the umbrella organisation for all their national federations.

Danish sports enjoy quite far-reaching autonomy. This autonomy does not, however, extend to placing sports outside society's general rules, and the *Act Prohibiting Certain Doping Agents* (Act No. 232 of 21 April 1999) is thus the most important act for the regulation of sports, just as the Act applies to all Danish citizens in general.

The Danish Sports Confederation's statutes do however, contain a special section, a particular section, Regulation III also known as the *Doping Control Regulations*, which, within the Confederation's system, constitutes the legal basis for the anti-doping work and the sanctions consequent upon its breach. Anti Doping programmes are implemented in accordance with the constitution of the organisation,

*The Act on the Promotion of Elite Sports* (Act No. 288 of 26 April 2004) applies to the elite sports. This Act, which was the basis for establishment of Team Denmark, specifies in Section 1 that Team Denmark "shall promote the development of Danish elite sports in a socially responsible manner." Doping is mentioned directly in the comments on the Act.

Anti-doping work has now, however, been moved from its previous position under the Danish Sports Confederation and Team Denmark to Anti-Doping Denmark (ADD), and ADD work has been given a secure legal basis in the *Act on Promotion of Doping-free Sport* (Act No. 1438 of 22 December 2004) and the associated Executive Order No. 1447 of 14 December 2005.

The unique element in the situation in Denmark is thus, in other words, the fact that anti-doping work has been moved to a body which has its own legal basis and is independent of the self-regulation of sports organisations.

Act No. 1438 of 22 December 2004 and the Executive Order No. 1447 of 14 December 2005 simply state that the Anti-Doping Denmark's responsibility is to promote the fight against doping in sports (Appendix 1).

Anti-Doping Denmark's activities shall comprise:

1. Doping control
2. Information and education
3. Research and development in relation to the fight against doping
4. International collaboration on the fight against doping
5. Provision of advice and support to public authorities on matters within the Anti-Doping Denmark area of responsibility.

In partnership with the government and all the sports organisations, ADD must thus combat the use of doping and strengthen the basic values in elite sports as well as in the much broader lower level sports in Denmark. In collaboration with WADA and international partners, ADD must create an optimal framework for discharging its responsibilities in accordance with the Act on Promotion of Doping-free Sport and relevant international standards.

Based on the above five core responsibilities, ADD has therefore formulated the following vision:

*The Anti-Doping Agency shall combat the use of doping in Danish sport and promote and develop national and international harmonisation of the anti-doping work, thus establishing Denmark's position among the pioneering nations within the international anti-doping work.*

It follows that Article 4.3 of the Anti-Doping Convention has no particular application in Denmark, not because the Danish government opposes the fight against doping, but because all initiatives and

controls in the area have been transferred to the Anti-Doping Agency and ADD has received public funding to perform the work.

Executive Order No. 1447 of 14 December 2005 provides detailed rules for:

- 1) The establishment of minimum requirements for sports organisations and associations' introduction and enforcement of doping control and sanctions (appendix 2.2).
- 2) Establishment of the rules under which the ADD shall seek to enter into agreements with exercise and fitness centres and other private or public institutions etc (appendix 2.3).

If several companies and organisations wish to introduce internal doping controls in the near future, e.g. the Prison Service objective requiring permanent doping control in all Danish prisons, they will, under the current legislation, apply for ADD assistance for performing the controls in question. Any such course of events will of course raise the question of ADD capacity and resources. Danish doping policies can thus be faced with the clear challenge of finding more resources, including extending the use of user payment, or financing doping controls in other ways, but this discussion falls outside the parameters of this report.

### **3.5 Article 5 - Laboratories**

*1. Each Party undertakes:*

- a. either to establish or facilitate the establishment on its territory of one or more doping control laboratories suitable for consideration for accreditation under the criteria adopted by the relevant international sports organisations and approved by the monitoring group under the terms of Article 11.1.b; or*
- b. to assist its sports organisations to gain access to such a laboratory on the territory of another Party.*

*2. These laboratories shall be encouraged to:*

- a. take appropriate action to employ and retain, train and retrain qualified staff;*
- b. undertake appropriate programmes of research and development into doping agents and methods of use, or believed use, for the purposes of doping in sport and into analytical biochemistry and pharmacology with a view to obtaining a better understanding of the effects of various substances upon the human body and their consequences for athletic performance;*
- c. publish and promptly circulate new data from their research.*

Doping samples from ADD are analysed at the Aker University Hospital's Hormone Laboratory, Oslo. Aker has been IOC accredited for many years and has ISO 17025/WADA accreditation. A "proficiency testing programme" must be successfully completed if the laboratory is to retain its status as an official doping control laboratory.

ADD has entered into a contract with the Hormone Laboratory on analysis of urine specimens. The contract can be adjusted annually, and individual specimens have been forwarded on to the laboratory in Cologne for IRMS analysis.

Most doping cases involve anabolic steroids, but there has been a clear increase in T/E ratio and EPO analyses in recent years.

The laboratory undertakes research into and development of methods with the aim of improving the methods of analysis.

When doping control was first introduced in Denmark in the late 70s, the samples were sent by courier to laboratories in London and Cologne. A national laboratory was established in 1990 via a contract between Team Denmark, the Danish Sports Confederation and the National Hospital of Denmark's department of clinical pharmacology. Team Denmark paid for equipment and analyses at cost price. The laboratory soon gained IOC accreditation, but problems with maintaining the accreditation arose later in step with problems of financing operations and maintenance. The contract expired in 2000 and the sports organisations and the Ministry of Culture judged that given an expected number of 2,000 analyses, the resource consumption would be disproportionately high. The samples have since been sent to Norway for analysis.

The partnership is evaluated annually between ADD, the laboratory and the Norwegian anti-doping agency (ADN). The partnership involves the exchange of research results as well as analysis work as such and pricing. A blood profile study has been carried out with the Hormone Laboratory as the pivotal point.

Urine samples are sent by courier to Oslo and the answers are received within three weeks at the latest. The partnership on analysis and dispatch of samples runs smoothly.

### **3.6 Article 6 - Education**

*1. The Parties undertake to devise and implement, where appropriate in co-operation with the sports organisations concerned and the mass media, educational programmes and information campaigns emphasising the dangers to health inherent in doping and its harm to the ethical values of sport. Such programmes and campaigns shall be directed at both young people in schools and sports clubs and their parents, and at adult sportsmen and sportswomen, sports officials, coaches and trainers. For those involved in medicine, such educational programmes will emphasise respect for medical ethics.*

*2. The Parties undertake to encourage and promote research, in co-operation with the regional, national and international sports organisations concerned, into ways and means of devising scientifically-based physiological and psychological training programmes which respect the integrity of the human person.*

Anti-Doping Denmark (ADD) intends, through targeted information campaigns and educational programmes aimed at various target groups,

- to stimulate and develop preventive anti-doping work within sport in Denmark,
- to influence the public attitude to and knowledge of the doping problem and anti-doping work within sport.

Two point two million DKK (€290,000) has been set aside for this work in 2006 with particular focus on fitness doping, and with the possibility of seeking additional funding for concrete projects in the future.

#### **3.6.1 Education and information**

The most visible information channel is [www.doping.dk](http://www.doping.dk), which is the entry port for information and education activities offered by Anti-Doping Denmark.

ADD issues a series of regular publications each year. These are the annual report (*Årsberetning*), Anti-doping and me (*Anti-doping og mig*), and the folder Doping Control (*Dopingkontrol*), which, in words and pictures, explains to the athlete how doping sampling is performed.

ADD's primary target groups for information campaigns and educational programmes are, in order of priority: elite athletes, trainers, coaches, managers and support staff, children and young people active in sport and their parents, other people active in sport, and public authorities.

#### Elite athletes

Elite athletes have been a primary target group for information campaigns since the commencement of anti-doping work. Elite athletes have an increased need for information, and the ADD has a duty to inform these athletes of their rights and obligations in this regard.

Part of the information which must be made available to elite athletes is:

- rules on applying for Therapeutic Use Exemptions (TUE) when taking drugs containing doping agents,
- rights and obligations in connection with doping controls
- risk of unknowingly taking doping agents in connection with dietary supplements.

Young sportsmen and sportswomen are assessed to be of particular interest to ADD's information campaigns, and ADD must take steps to attempt to influence their attitude to doping and to make them understand the damaging effects of doping. Campaigns directed at this primary target group must proceed via selected distribution channels, primarily printed and electronic media, and a number of talks must also be scheduled for this target group.

Doping control officers (DCO) also have a very important role in relation to attitude formation as they are the primary contact link with the athletes.

#### Trainers, coaches, managers and support staff

The pivotal role played by trainers, coaches and managers of elite athletes makes them an important target group for the ADD's information campaigns, in so far as they can be influential in affecting the athlete's attitude to doping and in this manner contribute to creating an environment in which the active sportsman or sportswoman receives adequate information on how to avoid doping.

Part of the information which must be passed on to trainers, coaches and managers is:

- doping rules and guidelines and the list of banned drugs
- specific tools for handling a dialogue on doping between athlete and trainer/coach
- ethical and moral issues in doping.

ADD published an internet-based e-learning programme on doping and ethical problems for elite trainers and coaches in 2005. The course has a flexible structure to allow the individual trainer/coach to work through it at his or her own speed, where and whenever it suits.

#### Children and young people active in sport and their parents

Children and young people are in a period of life when they are very receptive and open to experimentation. They are therefore also potential later users of doping agents.

Communication with this target group must be based on campaigns aimed at moulding attitudes and providing information on health problems and education in the basic ethical values in sport. In 2002 ADD developed an educational package, [www.undervisning.doping.dk](http://www.undervisning.doping.dk), aimed at schoolchildren aged 12-16 in the upper forms and giving teachers a tool for focusing on a highly complex problem.

In 2004, ADD decided to supplement the educational package for school children with a discussion book which meets, *inter alia*, the requirement for interdisciplinary content in teaching materials of the new upper secondary college reform.

The anthology *Forføngelighed eller præstationstrang – en debatbog om doping og livsstil* (Vanity or desire to achieve: a discussion book on doping and lifestyle) can be used in the subjects sport, biology, sociology, mathematics, Danish and English. It was issued to all youth education institutions in Denmark. It addresses the lifestyle and identity of the young teenage years, and with its content of selected articles, www referrals and worksheets, the book brings one of the big issues of our time up for debate.

#### Other people active in sport

Doping has become an everyday factor among many fitness people, not least within strength-related sports. The need for information targeted directly at this group is consequently high.

The motive for using banned drugs in strength-related lower level sports is distinctly different from the motives which may be driving doping in the elite sports. The health problems consequent upon the increasing incidence of doping among fitness people are a significant problem regarding both information and subsequent follow-up and treatment.

Campaigns directed at fitness people should focus primarily on general preventive information on the consequences of doping via the holding of talks in relevant contexts.

With the aim of preventing the use of banned drugs outside organised sport, ADD will attempt to enter into partnership agreements on doping control in fitness and weight-lifting centres. Fifty-one fitness centres entered into such agreements with ADD from the beginning 2006.

One strategy for this work is to give the centres the possibility of buying information services from ADD, including folders and talks, in order to gain broader access to this target group for attitude-moulding information. ADD will seek the cooperation of the health authorities for this work.

#### Training of doping control officers (DCO)

The training of the 40 doping control officers is updated every year at a seminar on ADD's quality system for doping control with special emphasis on new equipment, deviation reports, procedures and guidelines. Co-ordination meetings were also held in the three regions, and a monthly newsletter sent to the DCOs and chaperones with updates and guidelines for their work. At the regional level, some DCOs also serve in a training and information role in consultation with the Information Consultant of ADD.

ADD (the secretariat for control) received a Norwegian Veritas certificate in November 2001 for full quality assurance of its doping control. Denmark is the fourth country in the world to have gained the highest quality standard certification (ISO 9002:1994 and ISDC – International Standard on Doping Control). This certification covers the entire doping control process, from planning to results management and the implementation of any sanction imposed. Norway, Australia and Canada were the first three to gain certification.

The purpose of certification of the anti-doping work is to improve and harmonise doping control, procedures and routines all over the world, to reveal athletes who use banned drugs, and thus to protect the right of sportsmen and women to a fair and doping-free contest.

The doping control quality system ensures that deviations and observations are treated, and that preventive projects are launched. Internal and external audits monitor that the total doping control apparatus is carried out in accordance with current quality manuals. In addition to this, the Norwegian Veritas established in November 2004 that ADD's controls and administration are documented in accordance with DS/EN ISO 9001:2000.

### The Anti-doping Hotline

The anti-doping hotline is open between 4 and 6 p.m. Monday and Thursday all year round. The doping hotline was first launched in 1995 in partnership with Team Denmark, the Sports Confederation of Denmark and the National Board of Health, and located in association with the Danish National Hospital laboratory. The line became the responsibility of ADD in 2000.

The opening of ADD website in 2000 was presumably the reason why the number of calls to the hotline fell from almost 800 calls in 1999 to 140 calls in 2003.

A minor campaign was carried out in 2004 to create awareness of the hotline. The number of calls rose again, with the line now receiving 200- 300 calls per year. Doping users made up one third of all callers, which is approximately twice as many as on [www.doping.dk](http://www.doping.dk). The typical profile of a doping user on the hotline remains the same: a male aged 20-35, training in a fitness centre and taking steroids. Generally, most hotline inquiries are relatives of doping users and people active in sport.

The doping line is serviced externally by two medical doctors with a background in sports medicine and trained in interview techniques with abusers. The hotline's primary task is to answer medical questions on effects, side effects and other risks attached to the use of doping agents. One future possibility would be to attach the hotline to an outpatient clinic for steroid abusers where medical examinations could be performed, and a medical PhD project could ensure research into long-term effects of doping use.

### Public authorities and the media

ADD's charter includes co-operation with and the provision of advice and support to public authorities such as the police, customs and the prison service in cases within ADD's area of responsibility.

ADD has worked with the police on anti-doping measures since autumn 2000, including within police ranks, and provided support in the form of information on doping agents in connection with seizures. In collaboration with the Copenhagen Police Force and the Commissioner of Police, ADD has prepared a plan for advising local police forces before major international sporting events. The Commissioner of Police has issued an emergency plan and an advisory letter on the anti-doping work to all police districts.

Doping is being used in Danish prisons, where anabolic steroids and doping agents with centrally stimulating action can lead to aggressive and atypical behaviour in prisons, quite apart from the inherent security risk.

Jointly with the Prison Service, the ADD has carried out a pilot project on doping tests in the weightlifting rooms of an open prison. Following evaluation of the project in 2003, it has now been decided that all remaining prisons should be included in the control project over the next few years.

ADD will also contribute to the public debate in cases within its expertise, e.g. by issuing press releases.

ADD's summary goals for its information campaigns are thus the following:

- to contribute to the moulding of attitudes within and outside sport
- to make information available to athletes, trainers, coaches, managers and other stakeholders
- to make educational programmes available to various target groups in sport in collaboration with organised sports



- to enter into a strategic collaboration with external stakeholders, as doping is not only a problem within sport but for the entire community.

### 3.6.2 Research and development in sport

One of Anti-Doping Denmark tasks is to coordinate research and development in doping and to initiate independent projects if relevant. The goal is to make Denmark a pioneering nation within research into anti-doping.

The task of ADD's research staff, which includes some of the top Danish scientists, is to initiate, coordinate and support research into anti-doping and to provide expert support to ADD on medical questions related to anti-doping. The Ministry of Culture's commission for sports research has in the past provided research funding for anti-doping research, but the responsibility for distributing research funding for anti-doping activities was passed to ADD in 2004 under a decision by the Minister of Culture.

ADD contributes to the development of new methods of analysis for revealing doping use and has the task of monitoring developments and disseminating new knowledge within relevant research areas as well as making new and relevant research groups interested in anti-doping research. In the allocation of funding, ADD places emphasis on the project's scientific quality, the applicant/research group's qualifications and the project's relevance for the doping issue. All successful applicants must submit a final report to ADD.

ADD's research support amounts to 1 million DKK (€135,000) a year.

The three million DKK (€400,000) distributed so far covers a broad spectrum of the doping list:

<b>S 1 Anabolic agents</b>	<b>S2 Hormones and similar agents</b>	<b>S 3 Beta-2-agonists</b>	<b>S 9 Glucocorticosteroids</b>	<b>M 3 Genedoping</b>
<b>6%</b>	<b>45%</b>	<b>20%</b>	<b>9%</b>	<b>10%</b>

The last 10% has been spent on a major survey of 'Attitudes to "artificial" performance enhancement in sport and society at large'.

Following meetings with the Ministry of Culture, the Ministry for Science, Technology and Development has set aside a pool of about 26 million DKK (€3.5 million) for research into 'External sources of influences on the body, including doping' for the period 2006-2009.

A joint pilot project was started in 2004 between the Hormone Laboratory at Aker University Hospital and the Norwegian and Danish anti-doping agencies. The aim is, in connection with the development of new testing methods, to obtain knowledge of how blood variables change in elite athletes training at different levels of intensity and in different environments. Data collection, which included 33 Danish elite athletes who were tested seven times each, was carried out in 2005.

Together with the Ministry of Culture, ADD also held negotiations in December with the drug company Novo Nordisk on the company's possible support for Danish anti-doping research.

ADD also contributes to the anti-doping data for the Danish catalogue of approved drugs, including the Danish Medical Association's list of medicines and the online system [www.imk.dk](http://www.imk.dk).

In parallel with the research undertaken, a great deal of work is done within the sports movement to promote the sound development of elite sport. In addition to initiatives taken by each of the specialised federations, the Team Denmark and Danish Sports Confederation offer co-ordinated overall support for the development of sport.

Briefly, this includes both individual support, in the form of skills development, tests, training, advice, and sport psychological and medical support; and structural support, in the shape of higher-level training for coaches, regional and national development centres, and opportunities to combine elite sport and education. Alongside this work, each specialised sports federation undertakes support and development projects of its own.

### **3.7 Article 7 - Co-operation with sports organisations on measures to be taken by them**

*1. The Parties undertake to encourage their sports organisations, and through them the international sports organisations, to formulate and apply all appropriate measures falling within their competence against doping in sport.*

*2. To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their:*

*a. anti-doping regulations on the basis of the regulations agreed by the relevant international sports organisations*

*b. lists of banned pharmacological classes of doping agents and banned doping methods on the basis of the lists agreed by the relevant international sports organisations;*

*c. doping control procedures;*

*d. disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen; these principles will include:*

*i. the reporting and disciplinary bodies to be distinct from one another;*

*ii. the right of such persons to a fair hearing and to be assisted or represented;*

*iii. clear and enforceable provisions for appealing against any judgment made;*

*e. procedures for the imposition of effective penalties on officials, doctors, veterinary scientists, coaches, physiotherapists and other officials or accessory persons associated with infringements of the anti-doping regulations by sportsmen and sportswomen;*

*f. procedures for the mutual recognition of suspensions and other penalties imposed by other sports organisations in the same or other countries.*

*3. Moreover, the Parties shall encourage their sports organisations:*

*a. to introduce, on an effective scale, doping controls not only with but also without advance warning at any appropriate time outside competitions, such controls to be conducted in a way which is equitable for all sportsmen and sportswomen and which includes testing and retesting of persons selected, where appropriate, on a random basis;*

*b. to clarify and harmonise regulations on eligibility to take part in sporting events which will include anti-doping criteria;*

*c. to negotiate agreements with sports organisations of other countries permitting a sportsman or sportswoman training in another country to be tested by a duly authorised doping control team of that country;*

*d. to promote active participation by sportsmen and sportswomen themselves in the anti-doping work of international sports organisations;*

*e. to make full and efficient use of the facilities available for doping analysis at the laboratories provided for by Article 5, both during and outside sporting competitions;*

*f. to study scientific training methods and to devise guidelines appropriate for each sport to protect sportsmen and sportswomen of all ages.*

#### The list of banned drugs and methods

The Danish Anti-Doping Agency, the Danish Sports Confederation and the other Danish sports organisations implement the prohibited list when it is adopted by WADA once a year. The list is drawn up by WADA's executive bodies on a recommendation from WADA's scientific expert

commission. All governments and sports organisations are given the opportunity to submit comments on the proposed changes before WADA makes a decision on changes to the list.

#### Disciplinary procedures

Upon receipt of an A sample adverse analytical finding (AAF) from the laboratory ADD conduct a review to determine whether a doping case is involved on the basis of on the following procedures:

- \* Undoubtedly positive – the case is submitted to the Sports Confederation's doping commission
- \* Undoubtedly negative – (TUE has been granted or there is apparent departure from the International Standard for Testing, or laboratory analyses that undermines the validity of AAF) no case
- \* Doubtful – the case is sent to the independent experts commission (TUEC).

If the case is deemed to be positive the Sports Confederation's doping commission notify the athlete who is given the opportunity to request an analysis of his/her B sample. The specialist association is also advised. The athlete is also given the opportunity to comment on the test.

A doping case is not made public until the Doping Tribunal calls a hearing after the B sample has confirmed the result of the A sample, or the athlete has admitted taking doping agents on the basis of the findings of the A sample analysis. It does, however, happen that the athlete him- or herself leaks the matter to the press.

The Doping Tribunal judges the case and makes its decision. The Tribunal's decisions can be appealed to DIF's Commission for Appeals and Arbitration, which has five members, including the chairman who in civil life is a Supreme Court judge.

All penalties imposed for doping offences are published in the Sports Confederation's magazine *Idrætsliv* and on the Confederation's website. The Sports Confederation of Denmark issues a press release when a decision has given by the Tribunal or the Appeals Commission. The athlete's name, the doping agent, sport and club are not published in the press release except for elite athletes or cases concerning persons involved in lower level sport if the case has already been mentioned in the media. Borderline cases can occur. Such cases are assessed on their merits by the Sports Confederation of Denmark's secretariat.

The hearing of cases in the Doping Tribunal and Appeals Commission is public unless the judges find that the doors should be closed. The international specialist association (IF) and WADA must also be informed in the case of any athlete from the ranked test group. WADA must be informed if the athlete is not from the ranked test group.

The Doping Commission, the Doping Tribunal and the Appeals Commission are appointed by the annual congress of the Danish Sports Confederation.

In case a Danish athlete is charged in relation to a doping control conducted in or outside Denmark by another qualified anti-doping organisation affiliated with the World Anti-Doping Code, the doping case in question shall be handled in accordance with the doping rules of the mentioned organisation.

If the doping rules of this other organisation hands over the handling and determination of the case to the Danish member organisation, this member organisation shall enter into an agreement with the NOC of Denmark as to the procedure for handling and determination of the doping case in accordance with the doping rules of the international organisation.

No doping case within Danish sports has ever been tested in a Danish court. Clearly the protection of legal rights within the Confederation's rule set is felt to be adequate. The disciplinary procedures are set out in Regulation III: The Doping Regulations of the NOC of Denmark.

#### The Therapeutic Use Commission (TUE)

The medical expert commission's primary task is to process athletes' applications for dispensation to use drugs and methods on the doping list. In collaboration with the secretariat and the board, the commission must also prepare rules for general dispensations for certain drugs and certain groups such as children, fitness people and the elderly. The commission must also contribute to the revision of WADA's doping list.

#### Doping control procedures

The general strategy for planning of the national control programme is submitted to the board from the ADD's control/ legal group.

Among the factors taken into consideration in the preparation of the annual testing plan are the risk of doping use, the size of the sport nationally and internationally, membership size, number of highly ranked athletes, and the nature of the sport. The risk assessment of specialist association and disciplines includes the following matters: statistics of test results, potential profit and effect of doping in the relevant sport, research results, attitudes, environment and trends in the sport, previous experience, number of active athletes, and circumstances unique to Denmark.

A ranked test group of approximately 250 Danish elite athletes was established in accordance with the WADA codex and the Sports Confederation's doping regulation. These athletes have a particular obligation to advise ADD and the international organisations of their whereabouts at all times to enable the planning and carrying out of effective doping controls.

It has been decided in Denmark to rank doping control in the disciplines powerlifting, weightlifting, athletics, American football, cycling, swimming, triathlon, rowing, canoe/kayak, soccer, handball, wrestling, ice hockey, rugby, skiing, badminton and yachting.

In order to carry out an effective and proper doping control, it is important that ADD has a good partnership with the specialist association. Several ranked specialist associations contribute each year to a discussion of the established doping control and the specialist association's anti-doping policy.

#### Doping control

ADD is aiming at a targeted, credible and effective doping control programme with deterring, preventive and revealing effect.

ADD carried out a total of 2.270 doping controls in 2005. This is the highest figure ever. With 1.729 doping tests in 43 different sports, more controls were also carried out in specialist associations under the Sports Confederation of Denmark than ever before. ADD has in accordance with the WADC established a Registered Testing Pool which includes international and national elite athletes.

Sixty-five per cent of the tests in 2005 were carried out out-of-competition. The aim of ADD is that all of their doping controls shall be carried out without prior notice.

In a number of endurance sports, the athletes were also tested for use of EPO.

To this should be added 541 (497) controls ordered by specialist associations and by WADA, fitness centres etc.

With the Act on the Combating of Doping in Sport, the Danish Gymnastics and Sports Association and the Danish Company Sport Federation have now also become parties to the agreement with the Ministry of Culture, as they were in the three-year trial period. Doping tests are primarily carried out in associated fitness centres.

As will appear from the summary table showing the number of tests conducted over the last 14 years, out-of-competition testing has a high priority in the Danish programme.

#### Summary table of doping controls carried out in the period 1992-2005

Year	Nat. o.o.c	Nat com	% ooc	Internat.	DGI/DFIF	Contracts
1992	389	282	57.9 %	91		
1993	441	323	57.7 %	148		18
1994	535	234	69.5 %	82		17
1995	555	322	63.3 %	55		2
1996	562	292	65.8 %	188		
1997	558	343	61.9 %	138		
1998	544	338	61.6 %	97		
1999	615	397	60.7 %	142		2
2000	743	363	52.1 %	99		11
2001	788	441	64.1 %	64		33
2002	932	478	66.1 %	81		178
2003	1010	495	67.1 %	94	106	231
2004	1080	523	67.3 %	109	138	250
2005	1132	597	65.4 %	146	154	241

ADD has entered into an agreement with all Danish sports organisations on the carrying out of doping controls.

#### Tests in other countries

The Nordic countries were among the first within anti-doping activities. The national sports associations entered into an agreement in 1983 under which they were able to test all Nordic athletes nationally in competition or out of competition. The agreement was further developed to become the Nordic Anti-Doping Convention, which was adopted in 1986 and which until 1990 was the only binding multi-national agreement in the world on anti-doping work. In 1993 it became possible for other countries to join the agreement. However, none has yet done so.

Greenland and the Faroe Islands entered into a partnership agreement with ADD in 2001 on control and information materials. The partnership agreement involves up to 20 tests a year, and ADD will train local escorts in courses in Denmark.

ADD has been responsible for controls and the dispatch of samples since 2002, when nine athletes were tested during the Greenland championship in cross-country skiing, volley ball and badminton. On the Faeroe Islands, tests were carried out in strength-lifting, soccer and cycling. None of the tests was positive.

Denmark has signed the Additional Protocol to the Anti-Doping Convention which deals with the mutual recognition of doping controls in sport. The inclusion of mutual testing within the programme is strategically important in the international fight against doping.

### The Danish Body Building and Fitness Federation

The federation has entered into a contract with ADD on user paid testing of their body-builders and fitness people out of competition and at the Danish championship in body building.

### Professional boxing

The Danish Professional Boxing Federation and ADD entered into an agreement on controls at events and out of competition in 2004 following complicated negotiations via the Ministry of Justice and Culture.

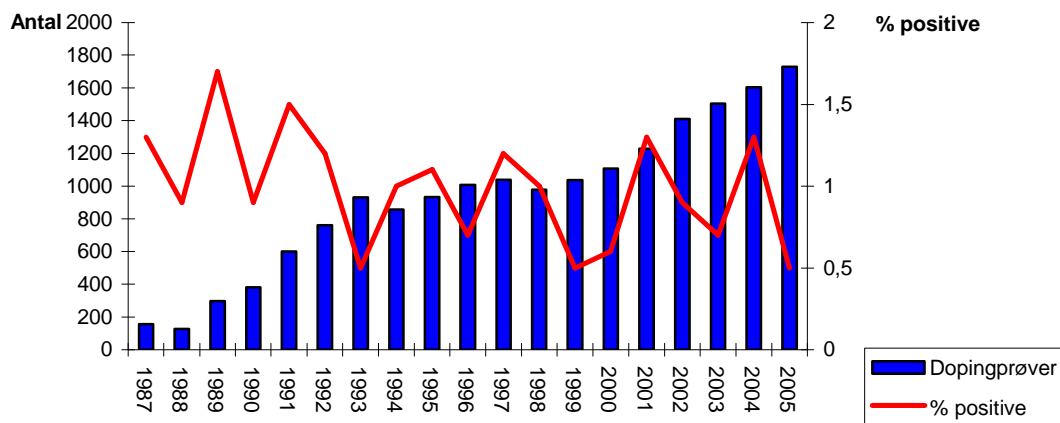
### Doping infractions

The total number of sanctions in Denmark including fitness centres and the Prison Service in 2005 was 65. The distribution of doping cases in total for 2005 (2004) was:

The Danish Sports Confederation: members	8 (17)
The Gymnastics and Sports Associations: members	17 (5)
The Company Sport Federation	1 (3)
Fitness centres etc.	24 (21)
Body-building + fitness	9 (13)
State prisons	6 (12)

Although more and more doping tests are being carried out in elite sports, the general trend is towards fewer positive findings as seen from all the tests in the Danish samples taken from 1987.

### **Number of Danish doping tests and frequency of sanctioned cases.**



### **3.8 Article 8 - International co-operation**

*1. The Parties shall co-operate closely on the matters covered by this Convention and shall encourage similar co-operation among their sports organisations.*

*2. The Parties undertake:*

- a. to encourage their sports organisations to operate in a manner which promotes application of the provisions of this Convention within all appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;*
- b. to promote co-operation between the staffs of their doping control laboratories established or operating pursuant to Article 5;*

*c. to initiate bilateral and multilateral co-operation between their appropriate agencies, authorities and organisations in order to achieve, including at the international level, the aims set out in Article 4.1.*

*3. The Parties with laboratories established or operating pursuant to Article 5 undertake to assist other Parties to enable them to acquire the experience, skills and techniques necessary to establish their own laboratories.*

#### World Anti-Doping Agency (WADA)

WADA is a foundation funded by the IOC and governments, which develops and promotes anti-doping and harmonisation worldwide.

Denmark has contributed to the development of WADA into an effective organisation in international forums (IIGCCADS sports co-operation between EU Member States in particular) and in the coordination of the international anti-doping work, not least in the construction of and support for the global anti-doping constitution, the WADA Code. At the WADA World Conference in Copenhagen in 2003, more than 1,000 delegates from international single-sports associations, national anti-doping organisations (NADO) and 80 governments agreed to adopt the global Code which ensures the harmonisation of doping rules across international specialist associations and governments. The governments showed support for WADC by adopting the Copenhagen Declaration.

ADD participated actively in WADA's Independent Observer (IO) programme. The IO programme was established to impartially observe and report on all aspects of the doping control programme at major international sports competitions. ADD has also participated in the WADA Athlete Outreach team in Turin.

The Ministry of Culture and the Minister himself have also contributed to the anti-doping work together with ADD under the auspices of the European Council's Monitoring Group, the International Anti-Doping Arrangement (IADA), and with sports ministers from all over the world.

#### Council of Europe

CoE Anti-Doping Convention is a strong and legally binding tool for Governments in the fight against doping and for harmonisation. Through the Monitoring Group of the Convention suggestions of the advisory groups on Science, Education Database and Legal issues are adopted, thus providing Governments with expertise needed in the fight against doping in sport.

The Compliance with Commitments programme support member states in the development of better practices by monitoring implementation of the convention through the organisation of consultative and evaluation visits. The differences between the 45 European countries plus Australia, Canada and Tunisia have been highlighted by the Anti-doping Database.

A major part of the Group's work has been to improve the new anti-doping convention under the auspices of UNESCO.

Denmark has participated in all meetings in the Monitoring Group of this Convention and is involved in the work of the Group's subcommittees. Denmark (ADD) is also represented in the Coordination Group because we hold the chair for the Database project group since 2004. The database was developed into an electronic version from late 2004.

Together with the other Nordic countries the Danish Agency has supported the Baltic States in the early establishment of their anti-doping programmes.

### International Anti-Doping Arrangement (IADA)

IADA is a government-to-government treaty (between Australia, Canada, Norway, the UK, New Zealand, Sweden, the Netherlands, Finland, South Africa and Denmark), the purpose of which is to develop quality systems for doping control and, in cooperation with WADA, to assist new countries in the development and adoption of a quality system.

Among other forms of support, IADA members offer expert assistance in connection with the development of WADA's International Standard for Doping Control and new WADA documents such as guidelines/model rules based on the WADC. The Ministry of Culture and ADD are both involved in IADA.

### Nordic Co-operation

A new model partnership has been entered into between the Nordic countries involving annual exchange of experiences and systems. The partnership also ensures mutual testing agreements and harmonisation within the anti-doping work, e.g. in the form of quality assurance and tasks relating to other areas of common interest such as sociological research associated with anti-doping.

### Association of National Anti-Doping Organisations (ANADO)

ADD contributed to the establishment of the Association of National Anti-Doping Organisations (ANADO), a support organisation for the development and sound construction of national anti-doping structures. The association had 40 members at the end of 2005. ANADO has taken over some of the tests which are the responsibility of WADA and International Federations. The tests are carried out with support from, among others, the NADO members of ANADO and ADADO- ADS, the office responsible for test service.

ANADO played an important role in negotiations concerning test agreements between national anti-doping agencies and WADA in 2003

### UNESCO's anti-doping convention

The convention binds governments to accept and implement the WADA codex, and consequently to honour WADA's role. The final text was submitted to UNESCO's general meeting in October 2005, and the governments of individual countries are busy adopting the convention.

International cooperation is a fundamental precondition for combating doping. In order, therefore, to support Denmark's continued participation in the important international efforts to combat doping, international cooperation has been anchored in the Danish Act on Doping.

## **4. Additional Protocol to the Anti-Doping-Convention (Warsaw, 12.9.2002)**

### **Article 1 – Mutual recognition of doping controls**

*1.1 Bearing in mind the provisions of Articles 3.2, 4.3.d and 7.3.b of the Convention, the Parties shall mutually recognise the competence of sports or national anti-doping organisations to conduct doping controls on their territory, in compliance with the national regulations of the host country, on sportsmen and women coming from other Parties to the Convention. The result of such controls shall be communicated simultaneously to the national anti-doping organisation and national sports federation of the sportsman or sportswoman concerned, to the national anti-doping organisation of the host country, and to the international sports federation.*

*1.2 The Parties shall take such measures as are necessary for the conduct of such controls, which may be in addition to those carried out by virtue of a previous bilateral or other specific agreement. In order to ensure compliance with internationally recognised standards, the sports or national anti-doping organisations shall be certified to the ISO quality standards for doping control recognised by the Monitoring Group, set up by virtue of Article 10 of the Convention.*



Denmark signed and ratified the Additional Protocol to the Anti-Doping Convention on September 12<sup>th</sup> 2002, and the Additional Protocol came into force on 1 April 2004.

The Danish quality programme is ISO certified (ISO 9001:2000) in accordance with WADC. Denmark participated in IPT2. ADD's quality system sets out how the anti-doping work must be planned and carried out to comply with the above standards. The quality system must also ensure the trust of athletes in the agency, such that their fundamental legal rights are safeguarded in the attempts to ensure honest and doping-free sport for all.

ADD's quality system includes:

- a procedure for collecting feedback from stakeholders/target groups,
- a procedure which ensures continuous improvement of the doping control services,
- procedures for reporting deviations, defects and weaknesses in the system,
- procedures for corrective action,
- an extensive programme for internal auditing, and
- annual external audits by an independent ISO certification company.

*1.3. The Parties shall similarly recognise the competence of the World Anti-Doping Agency (WADA) and of other doping control organisations operating under its authority to conduct out-of-competition controls on their sportsmen and women, whether on their territory or elsewhere. The results of these tests shall be communicated to the national anti-doping organisation of the sportsmen and women concerned. Any such controls shall be carried out, in agreement with the sports organisations referred to in Article 4.3.c of the Convention, in accordance with regulations in force and with the provisions of national law of the host country.*

ADD carries out controls for WADA/ANADO-ADS International Federations and NADOs.

## **5. Anti-doping outside organised sport**

### Private fitness centres

The White Paper on the scope of doping in Denmark documented that doping occurs in some fitness centres. Fitness centres are part of the private/commercial fitness industry, including approx. 330.000 people distributed among minor health studios and major national fitness chains.

Together with four of the biggest fitness centre chains in Denmark, ADD drew up a campaign against the use of anabolic steroids and an agreement which ensures unannounced doping controls in fitness centres in Denmark.

The agreement includes a "green certificate scheme" containing a series of mutual obligations and expectations with the aim of contributing to the creation of a doping-free environment in fitness centres. It is ADD which decides where and when tests are to be made – without warning.

The office of the Legal Adviser to the Danish Government has assisted by reviewing contracts and the conditions which must be satisfied in order to ensure clients' acceptance of the controls and the individual centre's assurance that the client has been properly informed.

The Danish Fitness and Health Organisation (DFHO) was established in September 2006 and ADD will be discussing contracts and partnership options with the new association in the near future. Sixty-three commercial fitness centres have currently entered into agreements with ADD.

For additional information: [www.antidoping.dk](http://www.antidoping.dk) and [www.coe.int/sport](http://www.coe.int/sport).

## Appendix 1

### Act on Promotion of Doping-free Sport - Act No. 1438 of 22 December 2004

WE, MARGRETHE THE SECOND, by the Grace of God Queen of Denmark, hereby make it known that the Danish Parliament has passed and We have granted Our Royal Assent to the following Act:

#### Definition of doping

1. The Minister for Culture shall lay down further rules on which groups of substances and which performance-enhancing methods shall be treated as doping.

#### Anti-Doping Denmark

2. Anti-Doping Denmark shall be a self-governing institution charged with promoting the fight against doping in sport.

3. Anti-Doping Denmark's activities shall comprise

- 1) doping control,
- 2) information and education,
- 3) research and development relating to the fight against doping,
- 4) international collaboration on the fight against doping, and
- 5) provision of advice and support for public authorities on matters within Anti-Doping Denmark's sphere of activity.

4. Anti-Doping Denmark shall be led by a board of 12 members appointed by the Minister for Culture. Four members shall be chosen by the Minister for Culture, two by Team Danmark, two by the Sports Confederation of Denmark (DIF), one by the Danish Federation of Company Sports (DFIF) and one by Danish Gymnastics and Sports Associations (DGI). The Minister for Culture shall also ensure that one member is appointed to represent coaches in top-level sport and one to represent active top-level athletes.

2. The members of the board shall be appointed for a term of four years and may be reappointed for one further term. Should a member depart before the end of his or her term, a replacement shall be appointed for the remainder of that term.

3. The Minister for Culture shall select the chairman of the board from among the members appointed by the Minister.

5. The board itself shall determine its rules of procedure according to which the chairman shall be given the casting vote in the event of a tie.

6. The day-to-day running of Anti-Doping Denmark shall be carried out by a secretariat, the senior management of which shall be appointed by the board of Anti-Doping Denmark.

7. The Minister for Culture shall approve Anti-Doping Denmark's statutes and budget and its annual report and accounts.

2. The Minister for Culture shall lay down further rules on the submission and auditing of accounts.

3. The Ministry of Culture may obtain additional material for use by the National Audit Office of Denmark for a more detailed review of the accounts.

4. Funding awards may be paid to Anti-Doping Denmark in advance.

5. Awards granted may be cancelled, and awards paid may be required to be repaid, in the event that Anti-Doping Denmark does not fulfil the conditions for the award.

### **Participation of sports organisations and associations in the fight against doping**

**8.** The Minister for Culture shall lay down further rules on the duty of sports organisations and associations to introduce and implement rules on doping control and sanctions as a condition for the issue of statutory funding awards.

2. The Minister shall lay down rules to the effect that the awards referred to in paragraph 1 may be reduced or cancelled in the event of breaches of the rules laid down in paragraph 1.

### **The fight against doping in other sporting environments**

**9.** In order to prevent the use of doping in sport outside the sports organisations referred to in section 8, Anti-Doping Denmark shall endeavour to enter into collaborative agreements on the fight against doping with the following parties:

- 1) owners of relevant businesses and others offering sports or related activities, including public bodies, and
- 2) groupings of athletes not affiliated to the sports organisations referred to in section 8.

2. The collaborative agreements referred to in paragraph 1 shall ensure that the parties concerned implement doping control and sanctions in such a way as to comply with the guidelines applying to the sports organisations, cf. section 8.

3. The Minister for Culture shall lay down further rules on the formulation of the collaborative agreements referred to in paragraph 1.

### **Funding**

**10.** The Ministry of Culture shall award funding to Anti-Doping Denmark each year.

2. A condition for the payment of the award referred to in paragraph 1 shall be that Team Denmark and the sports organisations that are entitled to lottery/pools funding issue a grant to Anti-Doping Denmark to be determined in consultation with the Ministry of Culture.

**11.** Anti-Doping Denmark may charge fees for services in relation to the collaborative agreements referred to in section 9.

### **Entry into force etc.**

**12.** This Act shall enter into force on 1 January 2005.

**13.** This Act shall not apply to the Faeroe Islands and Greenland.

Given at Marselisborg Palace on 22 December 2004 Under Our Royal Hand and Seal

MARGRETHE R.

/Lene Espersen

## Appendix 2

### **Executive Order No. 1447 of 14/12/2005 (current) on the Promotion of Doping-free Sport**

Pursuant to Section 1, Section 8(1) and Section 9(3) of Act No. 1438 of December 22<sup>nd</sup> 2004 on the Promotion of Doping-free Sport, the following provisions are hereby specified:

#### ***Definition of doping***

1. The agents and methods specified in Annex 1 (translation of WADA's (World Anti-Doping Agency) list of banned substances 2006) shall be deemed to constitute doping in the Act on the Promotion of Doping-free Sport and in this Executive Order.

#### ***Minimum requirements regarding sports organisations***

2. It shall be a precondition for qualifying for funding under the Act on Pools and Lotto to Team Denmark and the three major sports organisations The Sports Confederation of Denmark, The Danish Gymnastics and Sports Associations and the Danish Company Sport Federation that the organisations introduce and enforce rules on doping control and sanctions in accordance with the rules set out in Annex 2 (translation of the World Anti-Doping Code). Team Denmark and the three sports organisations shall make it a condition for qualifying for support for sports associations or federations etc. and for individual athletes that they comply with the above doping rules.

Subparagraph 2. It shall be a condition for qualifying for funding under the Act on Funding for Youth and Adult Education for voluntary work pursuant to the work etc. for sports associations which are members of one of the organisations mentioned in Item 1 or leagues etc. which are members of one of these organisations that the association comply with the rules on doping control and sanctions set out in Item 1. The provision contained in Item 1 shall similarly apply to the allocation of indoor and outdoor facilities under the Act on Funding for Youth and Adult Education.

#### ***Anti Doping Denmark's partnership agreements with exercise and fitness centres etc.***

3. Pursuant to Section 9(1) of the Act on Promotion of Doping-free Sport, the Danish Anti-Doping Agency shall seek to enter into partnership agreements with exercise and fitness centres and other private or public institutions, companies etc. which offer sporting activities or related activities as well as sports associations and unions with no connection to the sports organisations set out in Section 2. ADD may charge a contract fee for services pursuant to Section 11 of the Act.

Subparagraph 2. Such partnership agreements shall define doping in accordance with Annex 1, and the rules on doping control and sanctions agreed shall be in accordance with Annex 2.

Subparagraph 3. Such partnership agreements shall lay out detailed rules for the carrying out of doping controls and shall bind the institution, company or union etc. to advise its clients, members etc. of the consequences of entering into the partnership agreement.

Subparagraph 4. Such partnership agreements shall not be valid unless approved by the Minister of Culture.

#### ***Effective date***

4. This Executive Order shall come into force on January 1<sup>st</sup> 2006.

## **B. Report of the Evaluation Team**

### **Introduction**

The visit of the evaluation team was organised in a very friendly and hospital manner. The team was well guided during the whole visit by the managing director of Anti Doping Denmark Finn Mikkelsen

The report gave beforehand a good insight in and impression of the anti-doping work in Denmark, which impression was strengthened during the visit. The team met representatives both from the sports side and from the governmental. A meeting with the Minister of Culture, Brian Mikkelsen, stressed his and the Ministry's high visions on the combat against doping. And not only doping in sport. Although the combating of doping in society is not the aim of the convention there is such a fight in Denmark. The evaluation team learned of the extension of ADD's educational and controlling activities to fitness centres and prisons.

### **Article 1 – Aim of the Convention**

*The Parties, with a view to the reduction and eventual elimination of doping in sport, undertake, within the limits of their respective constitutional provisions, to take the steps necessary to apply the provisions of this Convention.*

Responsible for Governments actions concerning anti-doping matters in Denmark is the Ministry of Culture. The Minister of Culture has expressed the aim to make Denmark one of the leading countries in the world in the fight against doping and the wish to make Denmark a pioneer in anti-doping research.

Sport is largely autonomous in Denmark. There is no sports law that regulates the sport organisations. Danish sport has a long tradition in the fight against doping. Regulations to prevent doping in sport were already introduced in 1978. Denmark signed and ratified the Convention in 1989. A set of actions were implemented after the doping revelations in connection with Tour de France as a result on the work of a Committee, producing a White Book on Doping in the year of 2000. The 1 January 2005 the Act on Promotion of Doping-free Sport came into force, concurrently with the permanent establishment of Anti Doping Denmark as a national anti-doping organisation.

Anti-doping measurements are according to the law handed over to Anti Doping Denmark, financed by the State and the major sports organisations.

*The evaluation team found that the political commitment expected in Art. 1 is fulfilled.*

### **Article 2 – Definition and scope of the Convention**

*1 For the purposes of this Convention:*

*a “doping in sport” means the administration to sportsmen or sportswomen, or the use by them, of pharmacological classes of doping agents or doping methods;*

*b “pharmacological classes of doping agents or doping methods” means, subject to paragraph 2 below, those classes of doping agents or doping methods banned by the relevant international sports organisations and appearing in lists that have been approved by the monitoring group under the terms of Article 11.1.b;*

*c “sportsmen and sportswomen” means those persons who participate regularly in organised sports activities.*

*2 Until such time as a list of banned pharmacological classes of doping agents and doping methods is approved by the monitoring group under the terms of Article 11.1.b, the reference list in the appendix to this Convention shall apply.*

1a) In both the Act on Promotion of Doping-free Sport (Act No. 1438/2004) and the Executive Order No. 1447/2005 on the Promotion of Doping-free Sport that followed, it is clearly indicated that the organisations involved (i.e. the Sports Confederation of Denmark, the Danish Gymnastics and Sports Associations and the Danish Company Sport Federation) introduce and enforce rules on doping control and sanctions in accordance with the rules set out in the World Anti-Doping Code. Therefore, doping is defined as the occurrence of one or more of the violations set forth in Article 2.1 through Article 2.8 of the World Anti-Doping Code. By this definition, it covers not only the “administration” to sportsmen or sportswomen or the “use” by them of pharmacological classes of doping agents or doping methods as defined in the Convention, but also other infractions, such as refusing to be tested, tamper or attempt to tamper, possession or trafficking of prohibited substances, attempt to use, breach of rules on whereabouts information, etc.

Thus the definition of doping in sport in Denmark is broader than the convention’s.

1b) The Act on Promotion of Doping-free Sport and the Executive Order on the Promotion of Doping-free Sport both refer to the WADA’s Prohibited List International Standard for those classes of doping agents or doping methods. See comment below under 2.

1c) The abovementioned Act and Executive Order, on which the fight against doping in Denmark is based, concern the sports organisations and associations as well as other parties, such as owners of relevant businesses and others offering sports or related activities, including public bodies and groupings of athletes not affiliated to the main sports organisations and associations. This means that sports organisations, although not being members of the Sports Confederation of Denmark, the Danish Gymnastics and Sports Associations and the Danish Company Sport Federation, are included in the fight against doping in Denmark. For being subsidised by the State sports organisations have to follow the WADC.

2.) There are two lists of forbidden doping substances in Denmark. The Act Prohibiting Certain Doping Substances (Act No 916/1993/No 232/1999) defines what substances are forbidden for everybody, not only sportsmen. Following the Act and the Executive Order on the Promotion of Doping-free Sport the WADA’s Prohibited List is in force. Upon its adoption by WADA’s executive committee, Anti-Doping Denmark disseminates the List to the organisations concerned, releases it in ADD’s web page as well as the web page of the Ministry of Culture updating the relevant law. Its adoption by the Monitoring Group of the Council of Europe is not a prerequisite and there is no such procedure to adopt or recognize the list decided upon by the Monitoring Group that the Convention implies. Should the list decided upon by the Monitoring Group differ from the WADA list, which is fairly improbable, the problem would have to be dealt with in some way. The evaluation team finds that the missing decision procedure is not important when it comes to the commitment to the Convention.

***The evaluation team finds that the scope of the Convention and the definitions applied are more than fulfilled.***

### **Article 3 – Domestic co-ordination**

*1 The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.*

*2 They shall ensure that there is practical application of this Convention, and in particular that the requirements under Article 7 are met, by entrusting, where appropriate, the implementation of some of the provisions of this Convention to a designated governmental or non-governmental sports authority or to a sports organisation.*

1) The responsibility of the fight against doping in Denmark lies within the Ministry of Cultural Affairs. The Ministry of Science, Technology and Development has engaged in financing for research in doping. It is well acknowledged that the use of hormones in Denmark is a social problem. The involvement in this problem of the Ministry of Health is limited to discussions, initiated by Anti Doping Denmark, on projects concerning anti-doping work within the fitness sector. As far as the evaluation team learned there is no formal or informal grouping for coordinating anti-doping work between the Ministries.

The evaluation team had the possibility to visit the Copenhagen Police at the Copenhagen Airport and the International Postal Centre nearby under the guidance by Police Commander Per Larsen, also a member of the Board of the ADD. The team got at briefing about the doping status in the airport by Detective Chief Superintendent Carsten Holder.

In the International Postal Centre the team could watch how suspected packages from abroad were inspected and told how the investigation afterwards was handled by the local police of the addressee.

2) The implementation of most of the provisions in the Convention is entrusted to Anti Doping Denmark, a self governing body, formed in its present shape on the 1 of January 2005. As mentioned in the report ADD has a results contract from October 2006 with the Ministry which places heavy emphasis on the combating of doping and defining the partners in this work, inside and outside the government.

Also the major sports organisations have a role in fulfilment of the provisions of the Convention. In the Act and the Executive Order on the Promotion of Doping-free sport there is a criterion for the sports organisations in order to get governmental subsidies that they among other tasks shall introduce and enforce rules on doping control and sanctions in accordance with the World Anti-doping Code.

ADD is financed to about 28% directly by the Ministry of Culture. A little more than 50% comes from Team Denmark and the three major sport organisations. These are funded by the State through the Football Pool and Lottery Act. With the outcome of decisions on European level on the rights for enterprises in European member countries to arrange lotteries in every member state there might be a decrease in the profits of the Football Pool and Lottery. Even if the contributions to ADD from the sports organisations are determined in consultation with the Ministry of Culture there must be an awareness of the possibility for the sport organisations to contribute to ADD.

***The evaluation team finds that the aim of this article is fulfilled by delegating most of the measures to the ADD and by giving the organisation sufficient means to carry through the obligations.***

***The team would anyhow recommend that a ministerial group is formed to facilitate the cooperation within the government and coordinate the measures to combat doping. The team also recommends that the financing of ADD is safeguarded even if lottery profits decrease.***

#### **Article 4 – Measures to restrict the availability and use of banned doping agents and methods**

*1 The Parties shall adopt where appropriate legislation, regulations or administrative measures to restrict the availability (including provisions to control movement, possession, importation, distribution and sale) as well as the use in sport of banned doping agents and doping methods and in particular anabolic steroids.*

*2 To this end, the Parties or, where appropriate, the relevant non-governmental organisations shall make it a criterion for the grant of public subsidies to sports organisations that they effectively apply anti-doping regulations.*

*3 Furthermore, the Parties shall:*

*a assist their sports organisations to finance doping controls and analyses, either by direct subsidies or grants, or by recognising the costs of such controls and analyses when determining the overall subsidies or grants to be awarded to those organisations;*

*b take appropriate steps to withhold the grant of subsidies from public funds, for training purposes, to individual sportsmen and sportswomen who have been suspended following a doping offence in sport, during the period of their suspension;*

*c encourage and, where appropriate, facilitate the carrying out by their sports organisations of the doping controls required by the competent international sports organisations whether during or outside competitions; and*

*d encourage and facilitate the negotiation by sports organisations of agreements permitting their members to be tested by duly authorised doping control teams in other countries.*

*4 Parties reserve the right to adopt anti-doping regulations and to organise doping controls on their own initiative and on their own responsibility, provided that they are compatible with the relevant principles of this Convention.*

1 and 2) The acts, mentioned in the report, cover some of the aims of Article 4.1 but not all. The acts forbid the use of narcotics and some other drugs in the whole society. The use of hormones, such as anabolic steroids is not illegal.

The Act Prohibiting Certain Doping Substances applies to the whole society but does not cover the ingestion of the agents mentioned in the act. No legislation exists that is aimed at the use in sport. It is on the other hand mandatory for the sports organisations to get state funding that they implement the World Anti-doping Code in their regulations and that they make it a condition for sports associations or federations and for individual athletes that they comply with the Code to qualify for support.

3a and b) The three major sports organisations in Denmark, The Sports Confederation, which is also the national Olympic committee, the Danish Gymnastics and Sports Associations and the Danish Company Sport Federation are subsidised by the state via the Football Pools and Lotto Act. As stated before it is a criterion to get subsidies that the World Anti-doping Code has been implemented and is followed. These organisations have included the Code in their regulations. The results management of a suspected doping infraction is the responsibility of the sports organisations but most of the measures to combat doping is handed over to Anti Doping Denmark. The sports organisations in their turn have to pay contribution to ADD's budget to an amount that is determined in consultation with the Ministry of Culture.



Elite sport is handled by Team Denmark, (a self-governing institution charged with developing Danish top-level sport in a socially responsible manner, in conjunction with the National Olympics Committee and Sports Confederation of Denmark (DIF), DIF's member federations and other relevant partners. Team Denmark shall implement, co-ordinate and rationalise joint actions for top-level sport in Denmark". (The Top-level Sport Act – Act No. 288 of 26 April 2004). Team Denmark is financed to about 80% from the state and from DIF. One of Team Denmark's objectives is to ensure the physically, personally and socially sound development of top-level athletes. Working groups within Team Denmark helps the top-level athlete to find the best way to develop in his/her sport. In this work lies education to the athlete not to use listed drugs or nutritional supplements that can be contaminated with forbidden substances. The athletes get financial support from Team Denmark. About 1100 athletes are on the support list. Such support would be redrawn from the athlete, should he or she be convicted of a doping infraction.

Most of the anti-doping work is however laid on Anti Doping Denmark. ADD is to the major part funded from the Ministry of Culture and form the sports organisations as mentioned above. Should the ADD not fulfil the conditions for the awards from the Ministry the funding might get reduced or ordered to be repaid.

3 c and d, 4) By signing the Additional Protocol to the Convention, by the implementation of the World Anti-doping Code and by other agreements there are legal measures in place for doping controls by relevant stakeholders in as well outside competition and by duly authorised doping control teams in other countries.

***Even taken into consideration that the use of hormones, such as anabolic steroids, is not prohibited in the Act Prohibiting Certain Doping Substances or elsewhere the evaluation team finds that the measures taken fulfil the requirements of this article.***

## **Article 5 – Laboratories**

*1 Each Party undertakes:*

*a either to establish or facilitate the establishment on its territory of one or more doping control laboratories suitable for consideration for accreditation under the criteria adopted by the relevant international sports organisations and approved by the monitoring group under the terms of Article 11.1.b; or*

*b to assist its sports organisations to gain access to such a laboratory on the territory of another Party.*

*2 These laboratories shall be encouraged to:*

*a take appropriate action to employ and retain, train and retrain qualified staff;*

*b undertake appropriate programmes of research and development into doping agents and methods used, or thought to be used, for the purposes of doping in sport and into analytical biochemistry and pharmacology with a view to obtaining a better understanding of the effects of various substances upon the human body and their consequences for athletic performance;*

*c publish and circulate promptly new data from their research.*

1) An anti-doping laboratory was established in Denmark in 1990 via a contract between Team Denmark, the Danish Sports Confederation and the Department of Clinical Pharmacology of the National Hospital of Denmark. Although the laboratory gained IOC accreditation, problems with maintaining accreditation, financing operation and maintenance in addition to the relatively small number of samples analysed, led to the judgement that the resource consumption would be disproportionately. Nowadays, all collected samples are analysed at the Department of Clinical Pharmacology's Hormone Laboratory, Aker University Hospital, Oslo which is WADA accredited.

The contract between ADD and Aker University Hospital's Hormone Laboratory is reviewed annually.

2) ADD, Anti-Doping Norway (ADN) and Aker University Hospital's Hormone Laboratory, Oslo are jointly working on a "Blood Profile Project" with the aim to improve the understanding of variation of blood components in elite athletes during various training levels and environments.

*The evaluation team considered with interest the research project on the variation of blood components in elite athletes during various training levels and environments, as an example of appropriate programme of research in line with art. 5.2 of the convention and supported the prospect of systematically analyse of the findings of doping controls as this will help on creating the steroid and hormonal profile of their athletes.*

## **Article 6 – Education**

*1 The Parties undertake to devise and implement, where appropriate in co-operation with the sports organisations concerned and the mass media, educational programmes and information campaigns emphasising the dangers to health inherent in doping and its harm to the ethical values of sport. Such programmes and campaigns shall be directed at both young people in schools and sports clubs and their parents and at adult sportsmen and sportswomen, sports officials, coaches and trainers. For those involved in medicine, such educational programmes will emphasise respect for medical ethics.*

*2 The Parties undertake to encourage and promote research, in co-operation with the regional, national and international sports organisations concerned, into ways and means of devising scientifically-based physiological and psychological training programmes that respect the integrity of the human person.*

Anti Doping Danmark (ADD) attach priority to preventative and educational measures, even since the beginning of the anti-doping work in Denmark. A substantial proportion of the budget of ADD is spent on education and last year this budget was even increased. Two persons of ADD are involved in Information & Education. Besides them seven educational instructors who also are doping control officers are attached to the education unit. The target groups of their education are:

- Elite athletes (the registered testing pool counts  $\pm$  200 athletes);
- Trainers, coaches, managers and support staff;
- Children and young people active in sport and their parents;
- Other people active in sports;
- Public authorities.

Priorities on target groups and activities are determined by the amount of budget for the different target groups and activities. The main goal of the educational programmes are:

- To stimulate and develop preventive anti-doping work in the Danish sport and
- To influence the public attitude to and knowledge of the doping problem.

The educational programmes are based on the Council of Europe Anti-doping convention and the World Anti-doping Code. The model educational guidelines of the CoE and WADA were used to develop these programmes.

The educational focus for elite athletes is: TUE, the rights and obligations concerning doping controls and the risks of the use of nutritional supplements. The most visible information channel is the website of ADD: [www.antidoping.dk](http://www.antidoping.dk). A digital newsletter is sent almost every month. On the website athletes can find a digital drug database, which is a list of forbidden substances. Important written educational materials are the handbook ("Anti-doping and I") . which is updated every year and counts about 95% of the doping issues, a brochure especially for the testing pool and a brochure

on the doping control. In reaction to different doping cases in the media this year the campaign “No additives” was started among elite athletes. There is a campaign initiated by elite athletes of Denmark and supported by ADD which is called: “True winners”. The message is that the results in sport should be done on the bases of talent and hard work and not on the bases of the use of banned substances. The message is spread by a golden coloured bracelet.

Trainers, coaches, managers and support staff are being seen as important in the anti-doping work because of their pivotal role. For this target group ADD has developed an e-learning programme (The Doping Academy) which could certainly be served as an example in the field of anti-doping education. Not only information is shared but also ethical and moral issues are being addressed. The e-learning program is implemented in the elite coach education of the Danish Sports Confederation. For some federations the e-learning is compulsory for their coaches. Expanding the e-learning programme to other target groups is being considered.

There is a special interest in young sports(women). Besides knowledge attempts are being made to influence their attitude. Different means are: a website and a discussion book for schools.

Public authorities, like the police, customs, prisons, medicine agencies, and veterinary and food administration are also being informed as well as the media.

Much attention is being paid to fitness people. The educational material is focused on the health consequences of the doping use by the means of ads, posters, internet, go-cards and streamers. Besides the educational work doping tests are taking place in those fitness centers that have a contract with ADD. An anti doping hotline (not part of ADD) can be called by fitness people. This hotline gives answers to medical questions on (side) effects and risks when using doping agents.

The ADD education unit expects to be fully ISO certified in 2007.

There is also international co-operation in the field of education with; CoE advisory group on education, the Nordic network against AAS and the Nordic prevention managers meeting.

6.2) The evaluation team gained the impression that research in the area of anti-doping has a very high position in Denmark. The Minister of Culture stated his intention to make Denmark a pioneering nation within research into anti-doping. Following a decision by the Minister of Culture, ADD established a Research Committee with the aim to initiate, coordinate, and fund research into anti-doping. The Committee has since funded several research projects allocating the amount of 1 million Danish Kroner (€ 135,000) on an annual basis. Sponsored projects cover mainly issues related with the Prohibited Substances and Methods. In addition, the Ministry of Science, Technology and Development via the Strategic Research Council has also set aside a respectable budget (3 million Danish Kroner; approximately € 400,000) for research including the area of anti-doping. Apart from the aforementioned Ministries involved, ADD negotiates with the drug company Novo Nordisk for possible financial support for anti-doping research.

The team through the discussions with the Managing Director of the Danish Elite Sport Institution of Team Denmark and representatives of the athletes' committee as well as with the visit to the Institute of Sports Medicine had the chance to assess the provision of medical and scientific support of athletes in the country. Athletes are in benefit of state of the art facilities and expertise at the Institute and are provided with high level medical supervision. Professor Michael Kjaer, Director of the Institute and also Chair of the ADD's Research Committee and his team are carrying out cutting edge research in the field of sports medicine as well as in anti-doping.

*In conclusion, the educational work of ADD is of very high quality and could be seen as an international example. Our recommendation is therefore based on the fact that the work of ADD is already of a very high standard, and on that basis to try to develop new pathways for educational and preventative work to help other countries in their similar work.*

*The team finds that also the demands in the second part of the article is fulfilled.*

*The evaluation team recommends that a more elaborated monitoring system on the impacts of educational work is conducted, possibly through improving the collection of relevant statistical information.*

## **Article 7 – Co-operation with sports organisations on measures to be taken by them**

*1 The Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport.*

*2 To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their:*

*a anti-doping regulations on the basis of the regulations agreed by the relevant international sports organisations;*

*b lists of banned pharmacological classes of doping agents and banned doping methods on the basis of the lists agreed by the relevant international sports organisations;*

*c doping control procedures;*

*d disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen; these principles will include:*

*i the reporting and disciplinary bodies to be distinct from one another;*

*ii the right of such persons to a fair hearing and to be assisted or represented;*

*iii clear and enforceable provisions for appealing against any judgment made;*

*e procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen;*

*f procedures for the mutual recognition of suspensions and other penalties imposed by other sports organisations in the same or other countries.*

*3 Moreover, the Parties shall encourage their sports organisations:*

*a to introduce, on an effective scale, doping controls not only at, but also without advance warning at any appropriate time outside, competitions, such controls to be conducted in a way which is equitable for all sportsmen and sportswomen and which include testing and retesting of persons selected, where appropriate, on a random basis;*

*b to negotiate agreements with sports organisations of other countries permitting a sportsman or sportswoman training in another country to be tested by a duly authorised doping control team of that country;*

*c to clarify and harmonise regulations on eligibility to take part in sports events which will include anti-doping criteria;*

*d to promote active participation by sportsmen and sportswomen themselves in the anti-doping work of international sports organisations;*

*e to make full and efficient use of the facilities available for doping analysis at the laboratories provided for by Article 5, both during and outside sports competitions;*

*f to study scientific training methods and to devise guidelines to protect sportsmen and sportswomen of all ages appropriate for each sport.*

1 and 2a-c) With the cooperation within WADA, with the Minister of Culture as a Member of the WADA Board, implementing the Code and collaborating with other sports organisations, Denmark very well fulfils the obligations in the first parts of Article 7.

2d-f) The doping control process is the obligation of Anti Doping Denmark, authorized by the Anti-doping Regulations of NOC and Sports Confederation of Denmark (DIF) . The ADD conducts the whole investigation. When the ADD finds ground for suspicion the case is handed over to the DIF's Doping Commission for additional investigation, if needed, and decision about prosecution. ADD has no possibility to appeal, if the DIF's Doping Commission remises to prosecute.

The Doping Commission is elected directly by the Sports Confederation and consists of judicial and medical experts and a representative from the Athletes' Commission. The Commission is independent of the Confederation Board. Prosecution takes place before the Doping Tribunal, which is a fair and impartial hearing body. Before the Tribunal the legal rights of the suspected, either ha/she is an athlete or belongs to an athlete's entourage, are met. He/She has the right to legal representation or other assistance, can have an oral hearing and hear witnesses. The reasoned decision is presented in writing. The sanctions are in accordance with WADC and are mutually recognised by other Signatories to the Code according to article 15.4 in the Code. The Tribunals decision can be appealed to the Confederation's Appeals Commission and CAS by national athletes and directly to CAS by international level athletes. Out of 1729 tests in the Danish Sports Confederation during 2005 eight sanctions were given.

The two other major sports organisations cooperate with DIF on the results management of doping cases. Other sport organisations, such as the Danish Shooting Association, have their own legal system, which has to be compliant with the Code.

3a) Doping controls are, as mentioned earlier, carried out by Anti Doping Denmark as part of its obligations stated in the Act on Promotion of Doping-free Sport. Members in the sports organisations that get funding through the state, are bound to undergo doping control when requested to do so. Members in Bodybuilding and Professional Boxing and also fitness centers, which have signed an agreement with the ADD can be subject to doping control. The International Standard for Testing as part of the World Anti-doping Code is a mandatory set of rules for the doping controls. The ADD quality system, consisting of Quality handbook, Administration and Control Manual is also a part of the formal foundation for doping control.

ADD carried out 2270 doping controls in 2005. 1729 of these were on athletes from The Sports Confederation. To decide who is going to be tested a risk evaluation is carried through annually on sports/athletes where doping is most likely to occur. A Registered Testing Pool is selected, in 2005 about 200 athletes. A test distribution plan is developed and documented, based on risk evaluation and with the emphasis on athletes in high risk sports. The majority of the annual testing is conducted out of competition, in 2005 more than 65% of the tests taken within DIF. The controls inside fitness centers are always carried out OOC.

3b) Agreements within IADA and between the Nordic countries gives an immediate possibility that Danish athletes can be tested in another country on the request of Anti Doping Denmark. The ADD also has the legal right to negotiate with other countries and ANADO in this matter.

3c) To take part in events organised by the sports organisations the athlete has to abide by the World Anti-doping Code as it has been implemented in the sports regulations.

3d) The work in Team Denmark together with the top elite athletes to find the best possible ways for the athlete to develop in his/her sport gives them the knowledge to influence other sports people on international basis. Also in the Athlete's Commission the members have the possibility to get information and knowledge to refine their arguments in the combat against doping.

3e) The numbers of doping controls carried out in Denmark and the research and studies that are carried out jointly between doping organisations in Norway and Denmark speaks for that this article is fulfilled.

3f) The establishing within Team Denmark of a co-ordination unit, a working group, consisting of physical trainers, doctors, nutritionists, education people, physiotherapists, sports psychologists and test centers presents a possibility to scientifically study training methods that gives the athletes the best possibilities to develop in their sport. One example is a study on "Age Specific Training Concept" together with gymnastics, swimming, badminton and ice hockey. Also some of the research projects together with the Aker hospital can be used that way

The evaluation team had the possibility to learn about the work from the director of Team Denmark, Michael Andersen, who gave information about an evaluation of ADD's work 2000 – 2003 (before the present organisation came into place) and his view of the good outcome of the new organisation based on the Act on Promotion of Doping free sport.

The team also met with representatives of the Athletes Commission. The Commission is represented on the Boards of Team Denmark, Anti Doping Denmark and the Danish Confederation of Sports and have a good insight in the anti-doping work. The representatives expressed their great satisfaction with anti-doping work that according to their view works very well.

As mentioned on Article 6.2 the team had the chance to visit the Institute of Sports Medicine and met with its Director, Professor Michael Kjaer (who is also a member of the Board of ADD) and was presented of the work that is carried out there towards scientific training methods, exercise physiology, sports injuries, prevention etc.

***The evaluation team finds that the anti-doping work is extensive and with a great aim to combat doping in Denmark, both inside and outside sport and well covers the demands expressed in Article 7. Although the team recommends that a possibility for ADD to appeal if the DIF's Doping commission remises to prosecute should be considered.***

## **Article 8 – International co-operation**

*1 The Parties shall co-operate closely on the matters covered by this Convention and shall encourage similar co-operation amongst their sports organisations.*

*2 The Parties undertake:*

*a to encourage their sports organisations to operate in a manner that promotes application of the provisions of this Convention within all the appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;*

*b to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5; and*

*c to initiate bilateral and multilateral co-operation between their appropriate agencies, authorities and organisations in order to achieve, at the international level as well, the purposes set out in Article 4.1.*

*3 The Parties with laboratories established or operating in pursuance of Article 5 undertake to assist other Parties to enable them to acquire the experience, skills and techniques necessary to establish their own laboratories.*

Supported by the Act on Promotion of Doping-free Sport (No. 1438/2004) Denmark has well formulated goals and vision on international cooperation. The promotion and development of national and international harmonisation of the anti-doping work (anti-doping policies, rules and regulations for all sports in all countries) and the establishment of Denmark as one of the pioneering nations within the international anti-doping work is ADD's clear vision.

ADD consistently and constantly participates in the meetings of the Monitoring Group as well as the working groups of the Convention (and since 2004 ADD's Chief Executive chairs the Working Group on Database). The Ministry of Culture and the Minister himself together with ADD contributed significantly to the establishment of WADA. In 2003 Copenhagen hosted the WADA World Conference during which delegates from IFs, NADOs and Governments agreed to support WADA and adopt the World Anti-Doping Code which ensures anti-doping harmonisation worldwide. The Danish Minister of Culture sits as vice-chair of WADA Executive Committee representing European Governments. In addition, the Ministry of Culture and ADD are both involved in International Anti-Doping Arrangement (IADA), an organisation which aims mainly to develop quality systems for doping controls, and assist other countries in implementing those systems. During 2007-2008 Denmark will be responsible for the IADA Secretariat's tasks. ADD contributed to the establishment of the Association of National Anti-Doping Organisations (ANADO). Other international collaborations include the Nordic Anti-Doping Agreement between the Nordic countries, a partnership agreement between ADD and Greenland and Faeroe Islands, cooperation with member states of the European Union and UNESCO. The Ministry of Culture contributed to the preparation of the International Convention against Doping in Sport of UNESCO and Denmark was among the first countries that ratified it.

The National Olympic Committee and the Sports Confederation of Denmark (DIF) is signatory of the World Anti-Doping Code and all affiliated National Federations are in compliance/bonded with both the anti-doping regulations of the NOC and Sports Confederation of Denmark and the anti-doping regulations of their relevant IFs thus operating in a manner that fully comply with the provisions of the Convention. The Danish Gymnastics and Sports Associations (DGI) as well as the

Danish Company Sport Federation (DFIF) which both incorporate recreational athletes, are not affiliated with any international organisations. Even though they are not signatories of the World Anti-Doping Code they have into their regulations implemented and execute WADA-rules on doping control and sanctions in accordance with the World Anti-Doping Code. Based on the Act on Promotion of Doping-free Sport which covers the DGI and the DFIF, this is a prerequisite in order to receive public funding. Therefore, the DGI and the DFIF are operating in a manner that fully complies with the provisions of the Convention. Finally, the Danish Bodybuilding and Fitness Federation is regulated by the International Federation of Bodybuilding (IFBB) which is signatory of the World Anti-Doping Code thus the provisions of the Convention are fulfilled.

The provision of 8.2.a regarding ratification of international records only after negative doping control reports are submitted is in place in Denmark. In addition, ADD has in place a system for conducting doping controls at events where national records might be claimed.

The provisions of article 8.2.b and 8.3 are not relevant to Denmark.

*The evaluation team finds that all relevant provisions of article 8 are fully implemented by Denmark.*

#### **Article 9 – Provision of Information**

**Each Party shall forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention**

Denmark consistently and constantly provides the Council of Europe with the information required concerning the country's anti-doping policy through the Monitoring Group's Database on National Anti-Doping Programmes. ADD contributed to the technical development of the electronic version of the Database, which became an online solution since 2005. ADD's Chief Executive Mr Finn Mikkelsen chairs the Working Group on Database of the Monitoring Group of the Anti-Doping Convention since 2004.

*The evaluation team finds that Article 9 is fully implemented by Denmark.*



## General conclusions and recommendations of the evaluation team

The Danish anti-doping work fulfils with a good margin the commitments under the Council of Europe's Anti-Doping Convention. The evaluation team was impressed by the committed way the Danish Government on one hand and the major Sports Authorities of Denmark on the other, and with ADD as the main "player", are all working to eliminate doping in sport in the country.

The Act on the Promotion of Doping-free Sport and the associated Executive Order and the ADD's results contract with the Ministry of Culture give the ADD a solid platform from which to act in a targeted way.

Even if anti-doping work outside sport is not part of the Convention, the team was informed about and duly impressed by the engagement from ADD in conducting education, information and doping controls in fitness centres as well as discussing projects to promote anti-doping work within such centres.

As a conclusion the evaluation team found the anti-doping work of high value and could find very few recommendations to improve the already efficient system. The recommendations thus serve as suggestions for further development of the Danish anti-doping measures. No prioritising could be made between the recommendations.

Article	Recommendation	Actor concerned
4	To form a ministerial group to facilitate the cooperation within the government and coordinate the measures to combat doping.  To safeguard the financing of ADD even if lottery profits decrease.	Ministry of Culture
5	To systematically analyse the findings of the doping controls to create steroid and hormonal profiles of the athletes	ADD
6	To conduct a more elaborated monitoring system on the impacts of educational work	ADD
7	To consider if not ADD should be given a possibility to appeal if the DIF's Doping Commission remises to prosecute a case, investigated by ADD.	DIF

### Composition of the evaluation team

Bart Coumans (Netherlands)  
 Michael Petrou (Cyprus)  
 Juha Viertola (Finland)  
 Kristina Olinder (Sweden), coordinator

## **Programme of the evaluation visit**

### **Sunday 29 October**

Preparatory meeting of the expert team

### **Monday 30 October**

#### *Morning*

Anti Doping Denmark

- Responsibilities in the fight against doping in Denmark

Domestic coordination Police/Customs

- Introduction on the availability of banned substances
- Visit at the International Post centre and information on the handling of post packages, suspected to contain illegal doping substances

#### *Afternoon*

Anti Doping Denmark

- Education and prevention

Team Denmark

- Cooperation with ADD

Doping Commission of NOC

- Results management and Disciplinary Procedures

### **Tuesday 31 October**

#### *Morning*

Meeting with representatives of Athletes Commission of NOC and Sports Confederation of Denmark

Anti Doping Denmark

- Doping Control System

#### *Afternoon*

Anti Doping Denmark

- International cooperation

Meeting with the Minister of Culture, Brian Mikkelsen

Institute of Sports Medicine Research and Laboratory

### **Wednesday 1 November**

Cooperation with fitness centers

Concluding discussion with the evaluation team and Finn Mikkelsen

## **C. Comments from Denmark**

The Danish authorities, comments on the evaluation report are as follows:

We are very grateful to the evaluation team for its report. The work in preparing the national report and in conducting the evaluation visit was challenging for us.

The recommendation to article 4 has already been carried out between the Ministry of Culture, The Ministry of Health and Ministry of Justice in preparation on a coming plan of action for the fight against doping in gyms and fitness-sport. The same ministries will also be involved in a network, where ADD jointly with police, customs and others, regularly will discuss the environments in which doping is used or where doping is a potential problem including trafficking of doping agents in and outside Denmark in order to create an overview of the scope of the problem.

We have also have taken note of the recommendations about future financing of Anti Doping Denmark.

Denmark is considering the recommendation that “ADD should be given the possibility to appeal if the DIF Doping Commission decides not to prosecute a case, investigated by ADD”