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Anti-Doping Convention (T-DO)

Compliance with Commitments project
Respect by Romania of the Anti-Doping Convention

Reports by:

- Romania**
- The Evaluation Team**

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A. National report

Preface

Through Law no. 171/1998, published in the Official Journal, Part I, no. 385 from 9 October 1998, Romania ratified the Anti-Doping Convention adopted by Council of Europe in Strasbourg, on 16 November 1989.

In 2006, through Law no. 302, Romania ratified the Additional Protocol to the Anti-Doping Convention, adopted in Warsaw, on 12 September 2002.

This report has been prepared by National Anti-Doping Agency and expresses the Convention's implementation on national level. For a systematic exposure of the information, the report is structured in accordance with the Articles of the Convention. The Convention test is quoted in italics.

1. Introduction

National sports policy

National Sports Agency (NSA) is the central public administration's body that coordinates physical education and sports activity in Romania, in accordance with Law no. 69/2000 for physical education and sports, with the subsequent amendments and completions.

Physical education and sports domain includes the following activities: physical education, sport for all, elite sport, physical activities practiced for maintaining the shape or in prophylactic or therapeutic purposes.

The Ministry of Education, Research and Youth coordinates the school and university sport on national level.

Public funding in sports field

The budget of NSA consists of allowances from the state budget and personal incomes. From NSA budget there is financed the activity of the subordinated institutions (district sport directorates, sport clubs, national sport centers, Sport Museum, National Institute for Sport Research and National Center for Coaches' Formation and Perfection), as well as the sports programs developed by private sport structures (national sports federations and other sport structures) for accomplishing the following programs:

- Program "The promotion of performance sport"
- Program "Sport for all"
- Program "The maintenance, functioning and development of material resources".

Romanian Olympic and Sports Committee

Romanian Olympic and Sports Committee (ROSC) is the successor of National Olympic Committee, founded at the beginning of 20th century on an undetermined period and recognized by International Olympic Committee (IOC) in 1914.

ROSC is a private law legal person, a nongovernmental entity, autonomous, nonprofit, apolitical and of public utility.

ROSC has the exclusive competence for representing Romania at Olympic Games and the other programs conducted under the aegis of IOC or Continental Olympic Associations. In Romania, it is the unique holder of the rights to use the emblems and all other Olympic symbols, the Olympic flag, logo and hymn, according to its own statute, the Olympic Chart and other normative documents regulating the Olympic movement.

ROSC members are legal and natural persons, which adhere to the organization's statute and comply with its provisions.

Since 2004, at the same time with the changing of the name from Romanian Olympic Committee in Romanian Olympic and Sports Committee, in addition to national Olympic sport federations, national non-Olympic sport federations have become members of ROSC, base on their own, free expressed agreement.

The ROSC governing, administration and control bodies are: the General Assembly (the supreme governing body), the Executive Committee (ensures the conduct of ROSC activity between General Assemblies), Board Council (solves the emergency issues occurred between the Executive Committee meetings), the Censors Commission (verify the ROSC financial - accountancy activity and the management of its patrimony).

Funds come from state budget through NSA and from private sources, according to the in force legislation.

The principle of autonomy

The principle of autonomy of sports organizations is an overriding prerequisite in the Romanian national sports policy.

According to Law no. 69/2000 for physical education and sport, the sport structures are private law associations, composed from natural or legal persons, established for organizing and administering a sport activity and have as main objective the promotion of one or more sport disciplines, their practicing by its members and participation to sports activities and competitions.

For the purposes and conditions established by the law, there are also functioning the sports clubs, as public law legal persons, subordinated to central or local administration's bodies.

Regardless their particularities and legal form, all sports structures are registered in the Sports Register.

Sports federations are sports structures of national interest, established by the association of sport clubs and district and Bucharest association, for each sport. According to in force legislation, sports federations are private law legal persons, of public utility, autonomous, nongovernmental, apolitical and without lucrative purpose. National sports federations are organized and function in accordance with their own statute, developed according with the in force legal provisions and the relevant international federations' statutes.

1. The articles of the Convention

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.

The Government of Romania has assumed the responsibility to implement the Convention's provisions. To this end, there have been ensured the following:

- An organizational structure in the anti-doping field, by setting up National Anti-Doping Agency;
- Public funding of anti-doping activity;
- Legislation regulating the anti-doping activity;
- Favourable frame for developing a good national and international co-operation.

The organizational structure of the anti-doping activity in Romania

Anti-doping activity in Romania has its roots around 1966, when it was created a small nucleus within Sport Medicine Institute, for the determination of stimulants. Being aware of the danger of doping in sport, in 1983, the authorities of that time have decided to set up a doping control laboratory, dedicated particularly to the analysis of anabolic steroids.

After the Revolution in December 1989, the Romanian governmental and nongovernmental authorities have joined their efforts in fighting against doping in sport, according to the international recommendations. Romania adhered to the Cultural Convention of Council of Europe, and, in June 1994, adhered to the Anti-Doping Convention of Council of Europe, thus being imperiously to harmonize the Romanian legislation with the international one.

As a consequence, in December 1993, is has been established National Antidoping Commission (NADC), as the body responsible for coordinating anti-doping activity, but, unfortunately, without legal personality and financing.

The first regulation of anti-doping activity in Romania was the Disposition of minister of youth and sports, no. 452/1996. The governmental authorities' consistency in anti-doping policy was materialized into Law no. 171/1998 for the ratification of Anti-Doping Convention of Council of Europe; this fact imposed the acceleration to establish a coherent legislative frame in this field. Therefore, in 2000 it is adopted the Law no. 69/2000 for physical education and sport, which, through Art. 84 paragraph (2) and Art. 86 paragraph (2) and (3), confirms the support of National Anti-Doping Program by Ministry of Youth and Sports and ROC, according to the provisions of Anti-Doping Convention of Council of Europe.

The Disposition of minister of youth and sports no. 329/2001 regulated the organization and functioning of NADC, of doping control laboratory, as well as the technical norms for organizing and conducting doping controls and sanctions where applicable. This Disposition was abrogated by the Disposition of NAS President no. 199/2003 for approving the prevention, control and repression of prohibited substances' use.

Willing to discourage doping in sport, before the Olympic Games in Sydney, the Executive Bureau of ROC decided that any athlete who was found positive should be excluded for life from the Romanian Olympic pool; this decision is still in force. At NSA's initiative, it has been elaborated

and adopted Law no. 552/2004 regarding the prevention and fight against doping in sport, which shall be modified at WADA's request, in order to be harmonized with World Anti-Doping Code.

Consistent with its policy for eradicating doping in sport, the Government of Romania has established National Anti-Doping Agency, through the Governmental Decision no. 1091/2005 modified by the Governmental Decision no. 1522/2006.

National Anti-Doping Agency (NADA) is managed by a President having the rank of a Secretary of State, assisted by a Vice-president having the rank of a Sub-secretary of State. The Board Council functions besides the Agency, as an advisory body, composed of nine (9) members, as follows:

- NADA's President;
- Two (2) representatives of Prime-Minister's Chancellery designated by the Head of Chancellery;
- One (1) representative of NSA designated by its President;
- One (1) representative of ROSC;
- One (1) representative of the pharmacology or toxicology field designated by the Ministry of Public Health;
- One (1) representative of sports medicine field designated by the Ministry of Public Health;
- One (1) representative of elite athletes designated by ROSC;
- One (1) representative of national sports federations designated by ROSC.

The Board Council assembles in monthly ordinary meetings and extraordinary meetings when necessary, at the request of its President or of at least 2/3 of its members.

The members of Board Council have signed statements of confidentiality and conflict of interests, and they are compelled to keep the professional secret.

Besides the Agency, it also functions the Hearing Commission for athletes and their support personnel who violated anti-doping rules, the Sanctions Committee, the Appeal Commission and the Commission for granting therapeutic use exemptions (TUEC).

The commissions' composition and competencies are approved through Dispositions of the President.

The organizational chart of NADA is presented in Appendix 1.

National Anti-Doping Agency (NADA) is a public institution with legal personality, specialty body with decisional autonomy in anti-doping field, subordinated to the Government, coordinated by Prime-Minister through Prime-Minister's Chancellery, being financed from state budget subventions and its own incomes.

On national level, NADA is responsible for preventing and fighting against doping in sport, by adopting and implementing anti-doping policies and regulations for the a clean sport, for protecting athletes' health and respecting the principle of fair-play in sport. NADA develop its activity within four (4) programs: education and information program, testing program, research program and international cooperation program.

Doping Control Laboratory (DCL) has been set up in 1983 and, presently it has entered the probationary phase of WADA's international accreditation.

For further details on Doping Control Laboratory please confer Articles 5 and 8 below.

Public funding for anti-doping activity

In the last years, the Government of Romania has assigned substantial funds for supporting national anti-doping activity, i.e. approx. 1 million Euros for building a new official seat for NADA and Doping Control Laboratory, and 1.5 million Euros for endowing the laboratory with high-tech equipment.

NADA's budget for 2006 was of 2.133.000 Euros, from which 1.746.000 Euros (81.85%) represents the subvention from state budget.

The funds assigned to NADA have been used for supporting the 4 programs and for finishing the new official seat for NADA and DCL, as well as for continuing the laboratory's endowment with advanced equipments.

NSA also receives subventions from state budget for anti-doping activity and for conducting doping controls; NSA distributes these funds to national sports federations for supporting the anti-doping activity.

NADA and ROSC pay annually to WADA the fee that is incumbent to Romania, each of them contributing with 50%.

Since November 2006 NADA is a member of ANADO and pays annually the relevant membership fee.

Legislation

For legislation information, please confer Article 4 below.

National and international cooperation

Please confer to Article 3 and 8 below.

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 organizations 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 organized 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.*

On national level, the definition of "doping in sport" is found in Article 2 of Law no. 227/2006 regarding the prevention and fight against doping in sport. This definition corresponds with the definition of doping in Anti-Doping Convention of Council of Europe and with the one in World

Anti-Doping Code and it is respected by all Romanian sport structures and all governmental and nongovernmental bodies with responsibilities in sports.

At the same time, the Prohibited List adopted and revised annually by WADA is accepted in Romania, being approved through NADA's President Disposition, published in Romania's Official Journal.

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 organization.

As we mentioned before, National Anti-Doping Agency is the specialty governmental body with decisional autonomy in anti-doping field, which coordinates and manages the anti-doping policy on national level.

NADA shall become a leader recognized both on national and international level for conducting and implementing the most performing projects in the frame of its operational programs – education and information, testing, research, international cooperation – for maintaining a clean sport and decreasing the number of anti-doping rules violations.

The Agency's competencies are set forth in Article 6 of Law no. 227/2006 regarding the prevention and fight against doping in sport.

For achieving its prerogatives, NADA cooperates with governmental and nongovernmental organizations with responsibilities in sports and recommends specific measures for fighting against doping in sport and intensifying the fight against trafficking of prohibited substances and / or methods.

NADA has developed the National Anti-Doping Strategy with the National Action Plan as appendix, which is currently in full process of approval and will be adopted through Governmental Decision. We consider that this Governmental Decision approving the 2007-2012 National Anti-Doping Strategy shall come into effect no later than June 2007.

National Anti-Doping Strategy establishes the coordination of anti-doping activity on national level and the public governmental and nongovernmental authorities involved in accomplishing this coordination.

The National Action Plan describes the frame necessary for anti-doping activity, the general and specific objectives, as well as the actual activities and measures and the responsible institutions.

Governmental and nongovernmental organizations with responsibilities in sports or even the ones not having direct responsibilities in sport contribute in fighting against doping in sport on national level.

In achieving its objectives, NADA cooperates, based on written agreements, with National Sports Agency, ROSC, National Antidrug Agency, national sports federations, district sports directorates and sports clubs.

NADA has developed the Methodological Norms for organizing and conducting doping control, which have been approved through the Governmental Decision no. 1592/2006 and has the authority to establish the procedure for conducting the hearings for the athletes and their support personnel who have violated anti-doping rules, the procedure for granting therapeutic use exemptions and other procedures that are approved through Disposition of NADA's President and published in Romanian Official Journal.

Quality system

NADA is in full process of certification in accordance with ISO 9001:2000.

Obtaining this certification means that both the conduction of doping controls and the information and educational activity shall be evaluated by an independent third party.

NSA, ROSC, national sports federations and sport clubs

NSA, ROSC and the other bodies have an important role in the fight against doping in sport.

National sports federations (NSF), ROSC and Romanian Sport Federation for the Disabled People are signatories of World Anti-Doping Code. Therefore, the anti-doping rules from NSFs statutes and those of the ROSC reflect the Code's implementation. Thus, on the ground of Law no. 227/2006 regarding the prevention and fight against doping in sport, NSFs were compelled to set up a federal anti-doping commission, which has as main objective to maintain the relations between the respective federation and NADA.

NSA, ROSC and NSFs cooperate with NADA in order to ensure a permanent and efficient flux of information towards the athletes and their support personnel.

The federations have the ongoing responsibility to submit to NADA the internal and international competition agenda and the athletes' whereabouts information. At the same time, they are bound to apply NADA's decisions, ensuring the withdrawal of the medals, points and prizes and the fact that an athlete who has violated the anti-doping rules shall not receive any financial support from NSA, ROSC or the relevant sport structure.

NSA and ROSC sustain NADA in promoting and conducting the educational program.

3.4. 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 organizations shall make it a criterion for the grant of public subsidies to sports organizations that they effectively apply anti-doping regulations.*

3. *Furthermore, the Parties shall:*

- a. *assist their sports organizations to finance doping controls and analyses, either by direct subsidies or grants, or by recognizing the costs of such controls and analyses when determining the overall subsidies or grants to be awarded to those organizations;*
 - 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 organizations of the doping controls required by the competent international sports organizations whether during or outside competitions; and*
 - d. *encourage and facilitate the negotiation by sports organizations of agreements permitting their members to be tested by duly authorized doping control teams in other countries.*
4. *Parties reserve the right to adopt anti-doping regulations and to organize 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 sanctions

In Romania there is an anti-doping legislation specifically targeting the sporting area; the Law no. 227/2006 regarding the prevention and fight against doping in sport establishes the sanctioning system of the actions involving prohibited substances and / or methods. At the same time, there are normative acts limiting the availability of medical products i.e. most of the relevant substances can be bought by prescriptions only, and the sale and distribution of certain substances (medical products for humans and veterinary use, nutritional supplements etc.) are subject to legal restrictions.

NADA is promoting a Law Project, now being approved by the concerned institutions, a project that intends to incriminate the illicit trafficking of prohibited substances and / or methods as a response to the acute need for incriminating and sanctioning this kind of actions and for decreasing the criminal phenomenon.

Through the above mentioned Law Project it is intended to incriminate and sanction the producing, manufacturing, preparation, transformation, offering, sale, distribution, delivery, sending, transportation, procurement, purchase, possession, import and export and any other actions regarding the circulation of prohibited substances.

Doping offences

The Law no. 227/2006 presents in Article 2 paragraph (1) and (2) the definition of doping in sport and the anti-doping rules violation.

Article 42 of the same Law incriminates the procurement, distribution, offering, sale, illegal possession or administration of prohibited substances to the athletes. The prescription and administration of prohibited substances to athletes by physicians also constitute an offence and is punished with imprisonment from 1 to 4 years. In this particular case, the Romanian Medical Doctors College is informed.

At the same time, the instigation by any means to use prohibited substances for enhancing the performance capacity is incriminated, and the sanctioning system is differentiated whether the instigation was followed by execution or not. When the instigation is followed by execution, the penalty shall be imprisonment from 6 months to 2 years or fine from 7500 RON to 15000 RON;

when the instigation is not followed by execution, the penalty shall be imprisonment from 2 months to 2 years or fine from 1500 RON to 5000 RON.

We mention that the special maximum of the penalties shall be increased with a third (1/3) when the actions are committed in the following circumstances:

- a) by a person who has competencies in preventing and fighting against doping in sport;
- b) offering, prescription, administration of prohibited substances or methods to a minor athlete;
- c) together with a minor;
- d) by a person who perform a function within a public authority and the violation is committed in the exercise of this function.

At the same time, when the substances found during doping controls are subject to Law no. [143/2000](#) regarding the prevention and fight against the illicit trafficking of drugs (we mention that 57 of the substances listed in the appendix to this law are also included on WADA's Prohibited List) or Law [no. 300/2002](#) regarding the legal regime of the precursors used for the illegal manufacture of drugs, NADA informs National Antidrug Agency (specialty body subordinated to the Ministry of Interior and Administrative Reform), as well as the prosecution bodies.

The use of nutritional supplements by athletes

Taking into account that in the last years the range of nutritional supplements contaminated with hormonal precursors has enlarged considerably, some products being commercialized as nutritional supplements (such as dehydroepiandrosterone, norandrosterone, norandrosterone diol, included on the Prohibited List), it has been provided that the sport environment should use only nutritional supplements that are not contaminated with hormonal precursors and / or prohibited substances, in order to protect athletes' health and to respect the ethic principles and fair-play in sport.

Thus, the Govern Ordinance no. 59/2006, approved through Law no. 511/2006 provides that nutritional supplements should be used by athletes only by prescription, and the athletes' support personnel has the responsibility to prescribe, recommend or offer to athletes only nutritional supplements that do not contain precursors of androgenous hormones and / or prohibited substances. At the same time, the labelling, production and trade of nutritional supplements are also regulated. The commercialization of nutritional supplements is conditioned by their correct labelling. The label should contain:

- a) the name of the nutrients or substances contained by the product or an indication of the nature of these nutrients or substances;
- b) the product's dose recommended for daily use;
- c) an warning that nutritional supplements should not replace an adequate diet;
- d) an warning mentioning "PROHIBITED TO ATHLETES" only in the cases when the respective nutritional supplement contains prohibited substances and / or precursors of androgenous hormones.

The Law no. 511 /2006 also provides the sanctioning system for failing to comply with the provisions of Article 3 paragraph (2) – "it is forbidden to prescribe, recommend or offer to athletes nutritional supplements containing androgenous hormones' precursors and / or prohibited substances"; these actions are sanctioned with fine from 2500 RON to 10000 RON, while the inadequate labelling of nutritional supplements is sanctioned with fine from 10 000 RON to 50 000 RON.

Funding of doping

Since 2004, funds have been allocated from the state budget for conducting approximately 1500 doping controls. In 2006, **2316 doping controls and the respective analyses have been funded** through NADA, NSA, ROSC and other sports structures and 122 doping controls have been funded by sports clubs and the Professional Football League.

At the same time, starting with 2004, only Berlinger kits are used for collecting the biological samples for doping control, thus ensuring the samples' integrity and validity.

Doping controls required by competent international sports organization

Taking into account that in 2006 NADA has become member of ANADO, the Agency may collect urine biological samples at international competitions organized both on the territory of Romania and on the territory of other state member of ANADO.

Therefore, at the International Rugby Board's request, NADA collected urine biological samples at the game between Romania and Georgia. At the same time, at the Romanian Water polo Federation's request, with the approval of the European Swimming League, NADA collected 20 urine biological samples at the Water polo European Championship for juniors.

The samples collected have been sent for analysis to a doping control laboratory accredited by WADA.

Agreements permitting to athletes to be tested by duly authorized doping control officers in other countries

Based on the collaboration agreement between NADA and the Hungarian Anti-Doping Unit, two (2) Romanian doping control officers participated to the doping control conducted during the European Swimming Championship, in Budapest, on 31 July – 4 August 2006.

3.5 Article 5 – Laboratory

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.

Doping Control Laboratory (DCL) from Romania has been established in 1983 and functioned within the National Institute for Sport Research, which was subordinated to the Ministry of Youth and Sports and, then, to the National Sports Agency (after the Ministry's dissolving).

In November 2005, along with the establishment of National Anti-Doping Agency, the DCL became part of NADA's administrative structure, but maintaining its analytical autonomy, conforming to the provisions of Governmental Decision no. 1522/20006 regarding the approval of the NADA's organizational structure and the Regulation of its organizing and functioning.

DCL performs control analyses for A samples collected by NADA. Starting with 2004, the laboratory has analyzed over 1500 urine samples for a wide range of substances included on WADA's Prohibited List. We mention that in 2006 there have been analyzed 2543 samples.

The DCL's organizational chart is presented in Appendix 2.

Presently, the laboratory is endowed with the following analytical equipments: one (1) GC/NPD/MS; three (3) GC/MS; one (1) HRMS; one (1) LC/MS/MS; one (1) HPLC; one (1) Elecsys System; one (1) EPO System and one (1) ELISA System.

We should mention that we intend to purchase this year two (2) analytical equipments: GC/MS equipment and LC/MS/MS equipment.

At the same time, the laboratory is endowed with a secured refrigerating room, with an estimated storing capacity of 5000 urine samples.

Since April 2004, the Romanian laboratory is certified in accordance with the International Standard ISO/IEC 17025:2001, by RENAR – the national accreditation body, which is a signatory of EA-MLA and ILAC-MRA International Recognition Agreements, for the domain of trial laboratories. Following the audit for monitoring and extension of analysis procedure, since October 2005, the laboratory develops its activity in conformity with 18 general procedures and 17 specific operational procedures (SOP), which cover a wide range of substances included on WADA's Prohibited List.

In October 2005, the laboratory applied for WADA's accreditation and in November 2006, WADA's Scientific Committee for Laboratories has favourably reviewed the laboratory's application and sent the documentation package for evaluation. In February 2007, WADA decided for the laboratory to enter the probationary phase of the accreditation process.

Doping Control Laboratory also performs specific analyses – toxicological expertise ordered by Medico-Legal Institute or hospitals, besides those received from NADA.

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.*

The laboratory's staff is composed 9 academic positions (chemists, biochemists, physicists) and 5 technical positions. The academic personnel is certified for research: rank I scientific researchers, rank III scientific researchers and scientific researchers, all of them being specialized in accredited doping control laboratories worldwide (Cologne, Ankara, Lisbon, Madrid, Warsaw).

The laboratory's employees continuously perfect themselves by participating to professional training courses, seminars and conferences, in accordance with the annual program for personnel's training and evaluation; finally, the personnel is evaluated through various tests for examining their knowledge.

At the same time, the laboratory's staff has attended courses for drawing up and implementing the quality system.

Two (2) specialists from the laboratory are affiliated members of World Association of Anti-Doping Specialists (WAADS).

Since 1998, the laboratory's staff participates to the Manfred Donike Workshop for doping analysis in Cologne.

Doping Control Laboratory pays a particular attention to scientific research by participating to research and development projects within the national research programs, where different themes have been approached:

- The development of methods for the detection and quantification of doping agents in urine biological samples;
- The elucidation of biochemical issues regarding the biotransformation and excretion of some medicinal substances;
- The technology for steroid hormones' quantification, applicable in doping control;
- The development of new formulas representing the basis of some nutritional supplements based on natural products;
- Pharmacological studies for understanding the influence of doping substances over the human body and their consequences over the sport performance.

At the same time, the laboratory's researchers have published numerous scientific studies in national and international journals and presented various works in congress the conferences organized both within the country and abroad.

Please confer Appendix 3 for the list with the main works published in the volumes „Recent Advances in Doping Analysis”.

3.6 Article 6 –Education

1. The Parties undertake to devise and implement, where appropriate in co-operation with the sports organizations concerned and the mass media, educational programmes and information campaigns emphasizing the dangers to health inherent in doping and its harm to the ethical values in 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 emphasize respect for medical ethics.

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

By educational program, National Anti-Doping Agency intends the accomplishment of the following goals:

- prevention and fight against doping phenomenon on national level by adopting and implementing the anti-doping politics and rules;
- encouragement of practicing a clean sport, in order to protect athletes' health and complying with fair-play principles in sport.
- promotion and support for anti-doping researches.

The Agency has the responsibility of initiating, supporting financially and/or promoting, as necessary, educational programs and programs for the prevention of doping in sport.

Education and information program has the premise that is easier to prevent than to combat and it addresses mainly to athletes, their support personnel and sports structures' managers. It also addresses family and media.

SPECIFIC GOALS OF THE EDUCATION AND INFORMATION PROGRAM:

1. Information outreach to the athletes, the medical personnel and athlete support personnel on the anti-doping regulations in force.
2. Doping prevention in the sports environment in Romania, with an emphasis on the junior and young athletes.
3. Inspiring athletes towards attitudes and practices of a 'clean sport' and fair-play.
4. Raising awareness among athletes with regards to the risks of using prohibited substances and/or methods.
5. Briefing the athletes on the doping testing procedure and on the rights and obligations incurred to them throughout the doping control.

Information and education campaigns

In 2006, National Anti-Doping Agency started two educational campaigns: **Say No to Doping!** and **Champions for a Clean Sport.**

Education and information campaign Say No to Doping! has been launched at the end of February 2006 and has been developed on two modules:

- **Module 1** – Information and education actions for junior and senior athletes, coaches and medical personnel.

Target groups: national and international level athletes, coaches, medical personnel.

- **Module 2** - Regional conferences with the directors of District Sport Directorates, top officials of sports clubs and the principals of sport schools and High schools.

Target groups: the managers of the district sport directorates, the top officials of the sports clubs, the principals of sports schools and high-schools.

Main methods used in this campaign:

- Information courses;
- Information seminars;
- Round tables;
- Informal discussions with the representatives of national sports structures;
- Individual counselling.

All these have been delivered by specialized trainers from the staff of the National Anti-Doping Agency.

Up to the moment, 85 actions have been developed within module 1, with the participation of 2 000 athletes and their support personnel.

Up to the moment, 5 regional conferences have been held within Module II, attended by the representatives of sport structures from 20 districts, divided in 5 groups:

- Dolj conference: Olt, Gorj, Meghedinti;
- Pitesti conference: Teleorman, Dambovita, Valcea;
- Constanta conference: Braila, Galati, Tulcea;
- Baia Mare conference: Suceava, Salaj, Satu Mare;
- Bacau conference: Vaslui, Vrancea, Buzau.

Audience: 50-60 persons / action.

Educational materials used:

- Booklet: „Athletes rights and obligations. Sanctions”
- Leaflet: “Therapeutic Use Exemptions”
- Poster: “13 steps in doping control”
- “CLEAN SPORT” trophy awarded to District Sport Directorate co-organizer
- Prohibited List
- Brochure: “Athlete’s Guide”
- Informative Bulletin “Clean Sport” – monthly publication.

Regional conferences on the organization and development of anti-doping activity on national and international level were organized based on cooperation partnerships by the Agency with the district sport directorates.

The conferences focused on the following topics:

- ◆ news in anti-doping regulated through the Anti-Doping Convention of Council of Europe and the World Anti-Doping Code and by the internal legislation;
- ◆ the process of TUE granting for national and international level athletes (TUE/ATUE);
- ◆ in-competition and out-of-competition doping control procedure, complying with International Standard for Testing
- ◆ the Prohibited List and the doping related risks.
- ◆ Athletes’ rights and responsibilities during doping control procedure.

The national information and education outreach campaign 'Champions for a Clean Sport' was launched on November 08, 2006 and it targets primarily the junior athletes, the pupils and the students, and, last but not least, the athletes who violated anti-doping rules and are currently under suspension.

In this campaign former World champions have been involved, champions who have never breached and have never been held under suspicion of breaching the anti-doping rules, such as: Ivan Potzaichin, Elisabeta Lipa, Ilie Nastase, Nicu Vlad, Ionut Lupescu, Doina Melinte, Maria Olaru, Monica Iagar, Marius Urzica, Laura Badea, Otilia Badescu.

Main methods used in this campaign:

- Informal discussions between “champions” and junior athletes
- Meetings between athletes who violated anti-doping rules and a “champions”;
- Individual counselling;
- Round tables;
- Sport events;
- Public shows;
- Thematic contests.

Target groups: athletes in the age range 16-21 registered in sports schools, high-schools and P.E. faculties, and in Olympic junior centres.

Up to the moment, 3 **round tables:** 'YOU CAN ALSO BE A CHAMPION!' have been organized. One of them has been held to PE and Sport Faculty of „Spiru Haret” University of Bucharest and involved as guests the champions Elisabeta Lipa and Marius Urzica. The second **round** table has been held in Sport High school “Emil Racovita” from Bucharest, where the champions Ionut

Lupescu and Otilia Badescu have been invited. In Sport High school from Onesti the third round table has been held, with the participation of the champions Monica Iagar and Doina Melinte.

Audience: 70 persons (students and teachers, media's representatives).

Educational materials used:

- Leaflet: "Side effects of Prohibited Substances";
- Prohibited List
- Poster: "Do NOT use doping!";
- Informative Bulletin "Clean Sport";
- Bracelets with the messages of champions involved in campaign;
- Trophies awarded to the champions involved in campaign;
- Advertising spot of the campaign "Champions for a Clean Sport", broadcasted on national television during the campaign. (Appendix 4).
- Post ensemble.

The themes of the campaign:

- Sanctions applied as result of anti-doping rules in compliance with normative acts.
- Side effects of prohibited substances and/or methods use.

Training courses

1. Courses for students

Complying with the provisions of Article 57 of the Law no. 227/ 2006 regarding prevention and fight against doping in sport, all PE and sport faculties and National Centre of Coaches Formation and Perfection should introduce in their curricula courses for presentation of national and international anti-doping rules as well as National anti-doping program for the information and education of the personnel involved in sport activities. The courses are conducted only by PhDs and are mandatory.

Materials used: The course support is represented by the book: "Doping in sport. Prevention and fight against", Fest Publishing House, 2006, elaborated by experts within the Agency. The book presents the doping issue in a more extended way and treats a very delicate issue, with an impact into sport movement, namely the one of nutritional supplements. On the one hand, the book brings into attention the negative consequences on health caused by doping and on the other hand presents other aspects of the fight against doping in sport, from legislation to doping control procedure.

2. Courses for Doping Control Officers

According to Article 6 and 7 of the Methodological Norms Regarding the Organization and Conduct of Doping Control approved by GD no. 1592/2006, National Anti-Doping Agency organized **courses of training and perfection of Doping Control Officers**, issuing a certificate for their qualification.

Materials used: Methodological Norms Regarding the Organization and Conduct of Doping Control, Law no. 227/2006, regarding the prevention and fight against doping in sport, World Anti-Doping Code, Doping in Sport. Prevention and Fight against.

3. Courses for medical personnel of the athletes

NADA organized **information courses for medical personnel** who assist the athletes related to International Standard for TUE, updated legislation in the field and Code review process.

Materials used: TUE IS, normative acts and Prohibited List.

Conferences

National Anti-Doping Agency organized two national and an international conference.

In cooperation with the National Sport Agency and the Romanian Olympic and Sport Committee, the Annual National Conference on Anti-Doping Activities in Romania was held in January 2006 and February 2007. In attendance were officials from the hosting organizations, chairpersons and secretaries-general of the national sport federations, top officials of the Bucharest sport clubs and sports reporters.

In November 2006 the National Anti-Doping Agency hosted the International Conference Say 'NO' to Doping!. The event was attended by app. 200 guests, such as the WADA Director for Standards and Harmonization - Mr. Rune Andersen, officials from peer national anti-doping agencies from Poland, Austria, Ukraine, Slovakia, Belarus, Belgium, Spain, officials on behalf of the Romanian President's Office and the Prime-Minister's Office, the Romanian Olympic and Sport Committee, the National Sport Agency, directors of the district sport directorates, sport federations and clubs, P.E. & Sport faculties.

Within the conference, there have been presented paper-works of the representatives of NADOs from abroad as well as of Doping Control Laboratory's experts and NADA's experts, such as:

- The Strategy of National Anti-Doping Agency for 2006-2012;
- The evolution of testing program in Romania during 2004-2006;
- The evolution of anti-doping system in Romania;
- Polish anti-doping system and the accredited laboratory;
- Study regarding the information level of Romanian athletes on anti-doping activity;
- The control of analytical instruments used for anabolic steroids analysis;
- The activity of Doping Control Laboratory of Romania – present and perspectives;
- Screening of corticosteroids and androgenous anabolic steroids by LC/MS/MS with triple Quadruple;
- Doping and performance in a success society.

Within this international conference, a poster contest took place, with the participation of the following posters:

- Excretion study of hCG subunit B and its influence on steroidal profile;
- The place and role of national anti-doping systems of Belarus Republic within the fight against traffic of drugs and doping substances;
- Detection of adraphynil and its metabolites through GC/MS;
- The accreditation SR EN 17025 of Doping Control Laboratory in the perspective of WADA accreditation;
- NADA's activity reflected in educational and propaganda materials;
- The group of experts for education and information of Polish Commission against Doping in Sport – main goals and activity forms;
- Information and education campaigns on prevention and fight against doping in sport – present and future.

Beside educational actions stipulated in National Education Plan, after the publication of Law no. 227/ 2006 regarding prevention and fight against doping in sport in the Official Journal, there have been organized debates with all Olympic sports federation on the new regulations.

Films

Educational activity also consists in making films aiming to present NADA and DCL's activity. Up to the present moment, two such films have been made: **National Anti-Doping Agency** and **Doping Control Laboratory**.

Web site

Another important information source is NADA's web site (www.anad.gov.ro). The page contains information about the Agency – organization structure, activity, including Activity Report on 2006, National Anti-Doping Strategy 2007-2012, the legislation regarding anti-doping activity on national and international level as well as other educational information.

Partnerships

The National Anti-Doping Agency has signed a series of protocols of cooperation with national and international organizations. Thus, some Protocols of Cooperation with the National Sport Agency, the Romanian Olympic and Sport Committee and National Anti-drug Agency and many District sport directorates – have been signed.

Also, in sustaining anti-doping activity, NADA has media as partner too. One of the three sport journals, "Sports News Paper" became NADA's partner in educational campaign "Champions for a Clean Sport".

NADA also established a partnership with Romfilatelia for the elaboration and distribution of the post ensemble with the emblem of "Champions for a Clean Sport" campaign.

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 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.*

Anti-doping rules

There are 59 national sport federations in Romania. Each federation should comply with the provisions of Law no. 227/2006 regarding prevention and fight against doping in sport and of GD no. 1592/2006. Failure to comply with the above mentioned rules is regulated by art. 53, paragraph (1) and (2) of the Law no. 227/ 2006. In this situation, National Anti-Doping Agency together with National Sports Agency may take the following measures: for start, fine between 5000 and 30000 lei, followed by the withdrawal of any financial support from State Budget for these federations and finally the suspension of Sport Identity Certificate or erasure from Sport Register. World Anti-Doping Code is presently implemented by all sport federations from Romania.

Prohibited List

Starting with 1990, in Romania has been respected the List of Prohibited Substances and Methods of International Olympic Committee and since 2004, WADA's Prohibited List. This List is accepted by all national sport structures.

Doping control procedure

Doping control procedure is conducted in compliance with International Standard for Testing of World Anti-Doping Agency and with GD 1592/2006 for the approval of Methodological Norms Regarding the Organization and Conduct of Doping Control. The policy of quality ensuring shall be implemented by obtaining ISO 9001/2000 certification, the process being developed at the moment.

Doping control procedure is coordinated by Testing and social educative programs Department of the Agency. Doping Control Officers (at the moment, 34) are not employed by the Agency but by a Service Provider.

We underline that the Agency is responsible for training and certificating DCOs, who are bound to know NADA's anti-doping policy and apply it.

Doping Control Officers have medical or biological knowledge and they are requested to conduct Sample Collection Sessions. Doping Control Officers are certified by the agency based on an exam and the certificate gives them the right to practice this activity.

Periodically, the qualified personnel of the Agency organize seminars with the officers, informing them about Methodological Norms Regarding the Organization and Conduct of Doping Control and updating them on the latest news and regulations in the domain.

National Anti-Doping Agency elaborates every year the National Testing Plan, Registered Testing Pool and Target-testing Pool as well as a register with the athletes who requested a TUE.

National Anti-Doping Agency has its own policy of doping testing, in and out of competition, focusing on out of competition no advance notice testing.

In 2006, the Agency conducted 2438 doping controls, from which 1235 in competition tests (50,65%) and 1203 out of competition tests (49,35%). From 2438 doping controls, 1248 have been planned by NADA, 1043 have been planned by NSF, 74 by clubs, 25 by ROSC and 48 by Professional Football League.

From the total number of doping controls, 8 athletes have been found positive for prohibited substances from the Prohibited List. The sport disciplines where the 8 doping cases occurred are: athletics (2 cases), judo, karate kyokushin iko 2, bodybuilding, taekwondo wtf, water polo and boxing.

Compared to 2005, when the percent of doping cases had been 1,8%, in 2006 the percent decreased to 0,32%.

The Registered Testing Pool has been established at the beginning of year 2006, based on the information submitted by national and international sport federations and WADA.

In compliance with the provisions of art. 5 of World Anti-Doping Code and art. 4.3 of International Standard for Testing and art. 5 of Law no. 227/2006 regarding prevention and fight against doping in sport, the categories of athletes included by NADA in Registered Testing Pool are the following:

- a) international level athletes and athletes part of Olympic and Paralympic Pools;
- b) national level athletes – seniors, young athletes, cadets and juniors – selected based on their place on annual classification of relevant national sport federations.

In compliance with international and national provisions, NADA established at the beginning of 2006 the Registered Testing Pool, by taking into consideration the total number of elite athletes submitted by National Sports Agency (2440). Related to this number, NADA planned 500 (20%) athletes to be part of Registered Testing Pool. Regarding the athletes who are now ineligible for violating anti-doping rules in 2005 and 2006, the Agency has established a Target Testing Pool.

For establishing and updating the Registered Testing Pool, NADA collaborated with international sport federations.

The athletes within Registered Testing Pool have been tested at least once during 2006.

Pursuant to these provisions, the 8 athletes who tested positive in 2006 along with other 2 who had tested positive in 2005, were included in the Registered Testing Pool. The same pool incorporated the athletes of the coach who had 4 cases of doping in 7 months.

This Pool also included athletes who have not been found on the location submitted in Whereabouts information and who registered the first Missed Test, according to World Anti-Doping Code as well as the athletes included in 3 month monitoring program aiming to establish whether the T/E ratio >4 is due to a physiological/ pathological state or has an exogenous origin, namely a prohibited substance. The total number of the athletes included in this Pool is 36.

NADA has established **a register of the athletes who requested and have been granted a TUE**. The activity of TUE granting is based on *International Standard for TUE elaborated by WADA, which aims to harmonize TUE granting process in all countries and all sport disciplines*.

TUE granting process is different taking into account athletes' level. International level athletes request TUE from international sport federations and national level athletes from TUEC set up beside NADA.

In 2006, NADA, through Testing and social educational programs Department managed 15 files of national level athletes requesting TUE. All TUE requests have been granted. Also 14 copies of the files for TUE requests of international level athletes have been managed by NADA. From these, 2 requests have been denied. All medical data submitted by athletes and their doctors are kept in **strict confidentiality**.

Disciplinary procedures

Hearing procedure

The athlete and/or the person suspected of anti-doping rules violation has the right to a fair hearing, organized in a reasonable period of time, in compliance with justness and impartiality principles. In this regard, beside Agency, it functions the *Hearing Commission for the athletes and athletes' support personnel who violated anti-doping rules*, its activity being in compliance with its own regulation.

Hearing Commission for the athletes and athletes' support personnel who violated anti-doping rules consists of: NADA's Vice-president, the director/ head of Testing and social educational programs Department, the Head of Juridical Service of NADA, a representative of National Sports Agency and two representatives of Prime-Minister's Chancellery.

Hearing Commission's own regulation stipulates athlete's rights, such as athlete's right to be represented, to be informed correctly and timely about the anti-doping rule they are deemed to have been violated, to defend himself/ herself by presenting evidences and by calling in witnesses, to a interpreter during the hearing, to a written decision, justified and communicated in due time. The athlete is informed about his rights, including the right to request B Sample analysis and the right to witness personally and/or by a representative B Sample identification, unsealing and analysis.

After the review of documents and evidences, statements and, if requested, B sample analysis result, Hearing Commission takes a reasoned decision stating the anti-doping rule violated or athlete's innocence, as necessary.

In case of anti-doping rules violation, the file shall be submitted to Sanction Committee in 48 hours.

Disciplinary bodies

Disciplinary bodies are **Sanctions committee** and **Appeal Commission**, which function beside NADA, in compliance with their own regulations.

Sanctions Committee consists in: President of National Anti-Doping Agency, the Head of NADA's Juridical Service, two representatives of Prime Minister's Chancellery, two representatives of National Sports Agency and a representative of Romanian Olympic and Sports Committee.

In maximum 5 days after receiving the file from Hearing Commission of the athletes and athletes' support personnel who violated anti-doping rules, **Sanctions Committee** meets. After the review of documents within the file, the Committee takes a decision regarding the applicable sanction. The decision shall be reasoned and written and shall be notified to athletes and/or athletes' support personnel, to the club the athlete is registered, to the relevant national sport federation, National Sports Agency, Romanian Olympic and Sport Committee as well as World Anti-Doping Agency in 10 days since the decision taking.

Sanctions Committee's decision may be appealed to Appeal Commission beside NADA in 10 days after notification.

Appeal Commission, as a result of the review, may decide to maintain, change or repeal the sanction applied by Sanctions Committee.

Appeal Commission consists of three independent jurists, from Prime Minister's Chancellery and Ministry of Justice.

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 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.*

Introduction

Romania, through NADA, participates actively to the international fight against doping in sport, therefore National Anti-Doping Agency contributing to the improvement of Romania's image abroad. NADA also supported the efforts of Doping Control Laboratory aiming to obtain WADA's accreditation. This commitment means the membership to international organizations and participations to the reunions organized by them as well as bilateral cooperation with other signatory states in anti-doping field.

Council of Europe

The implementation of Anti-Doping Convention of Council of Europe on national and international level is observed and evaluated by Monitoring Group. The Group meets twice a year and Romania has attended the reunions of Monitoring Group since 1992, in the last few years by NADA's experts. Also, NADA designated experts to represent it to the reunions of Advisory Groups within Monitoring Group – Advisory Group on Science, Advisory Group on Education, Advisory Group on Legal Issues and Database. Within the works of each Group, NADA's activity in anti-doping field in Romania has been presented, precisely on the following domains: legislation, scientific research, education and information programs etc. Within the reunions of Advisory Group on education, on Amsterdam, February 14th, 2007, NADA has been requested to present the Educational Program, as a new Anti-Doping Agency, which develops an educational program significant and effective.

In the same time, NADA attends the reunions of Ad-Hoc Committee European Coordination Forum for the WADA (CAHAMA) within Council of Europe.

UNESCO

As a result of a coherent policy, the Government of Romania accepted the International Convention against doping in sport of UNESCO, in due time, by Law no. 367/2006. Romania has been the 21st State that accepted the International Convention of UNESCO, being the first south-east-European country accepting the Convention. On this occasion, Mr. Koichiro Matsuura, General Director of UNESCO congratulated Romanian Government. After accepting the Convention, Romania attended the First Conference of State Parties to UNESCO Convention, on Paris, 5 – 7 February 2007. Beside NADA's representatives, the ambassador of Romania to UNESCO, Mr. Nicolae Manolescu attended the Conference.

WADA

Romania signed the Copenhagen Declaration in 2003, thus accepting World Anti-Doping Code elaborated by WADA.

Since its set up, NADA cooperated closely with WADA, both by keeping a permanent correspondence with WADA's official representatives and by participating to the meetings organized by WADA (The Symposium of NADOs and IFs – Lausanne, 2006; Educational Symposium organized in cooperation with Hellenic Anti-Doping Agency – ESKAN – Athens, 2006).

Also, in order to implement ADAMS, Romanian NADA attended the trainings held by WADA in this regard.

A representative of WADA's board – Mr. Rune Andersen, Director, Standards and Harmonization answered to NADA's invitation, attending to the launching of educational campaign "Champions for a Clean Sport", as well as the International Conference "Say NO to Doping", held by NADA on Bucharest, November 2006. On this occasion, he could evaluate the evolution of anti-doping activity in our country.

In its quality of World Anti-Doping Code, Romania, through National Anti-Doping Agency paid in due time the annual contribution to WADA's budget, together with Romanian Olympic and Sports Committee.

Bilateral agreements

By now, NADA signed bilateral agreements in anti-doping domain with Poland, Hungary and South Africa. These are framework agreements, which represent the basis of bilateral cooperation in the fight against doping in sport. Based on these agreements, anti-doping organizations collaborate on the following programs: education, testing and research. Collaboration is carried out through experience changes related to anti-doping activity, ensuring support for sample collection session by doping control officers, elaboration and implementation of commune research project, organization of international conferences and seminars in partnership.

ANADO

ANADO has been set up on 28 April 2003, and its goals are, among others, to facilitate sharing the information and experience between NADOs, to support the development of national anti-doping programs and to maintain and develop quality standards and professional practices in anti-doping domain.

In 2006, NADA became member of ANADO, participating to the workshops and AGA held by this association.

Cooperation between laboratories

Another aspect of international cooperation is represented by the development of the collaboration between doping control laboratory of Romania and other doping control laboratories abroad. In this regard, there have been concrete discussions with decision making bodies (WADA, Council of Europe) as well as with representatives of accredited laboratories, showing the progress and efforts of the specialists within the laboratory for the accreditation by WADA. As a result of these demarches, the laboratory has been accepted in March 2007 in the probationary phase of WADA's accreditation.

Recognized on international level for their professionalism and experience, the specialists within Doping Control Laboratory of NADA have been invited and attended the Symposiums held on Vienna and Budapest by Agilent Scientific, on issues regarding high tech analytical techniques used in doping control, to the reunion of Advisory Group on Science as well as the annual workshop „Manfred Donike” organized on Koln for the experts in anti-doping analysis.

Pursuant to the protocol established on governmental level between sports authorities of Romania and Portugal, Sport Institute of Portugal invited 2 researchers from Romanian Doping Control Laboratory to one week training. On this occasion, Romanian experts studied the documentation related to WADA's accreditation requests and some specific procedures implemented by Lisbon Laboratory.

3.9 Article 9 – Provision of information

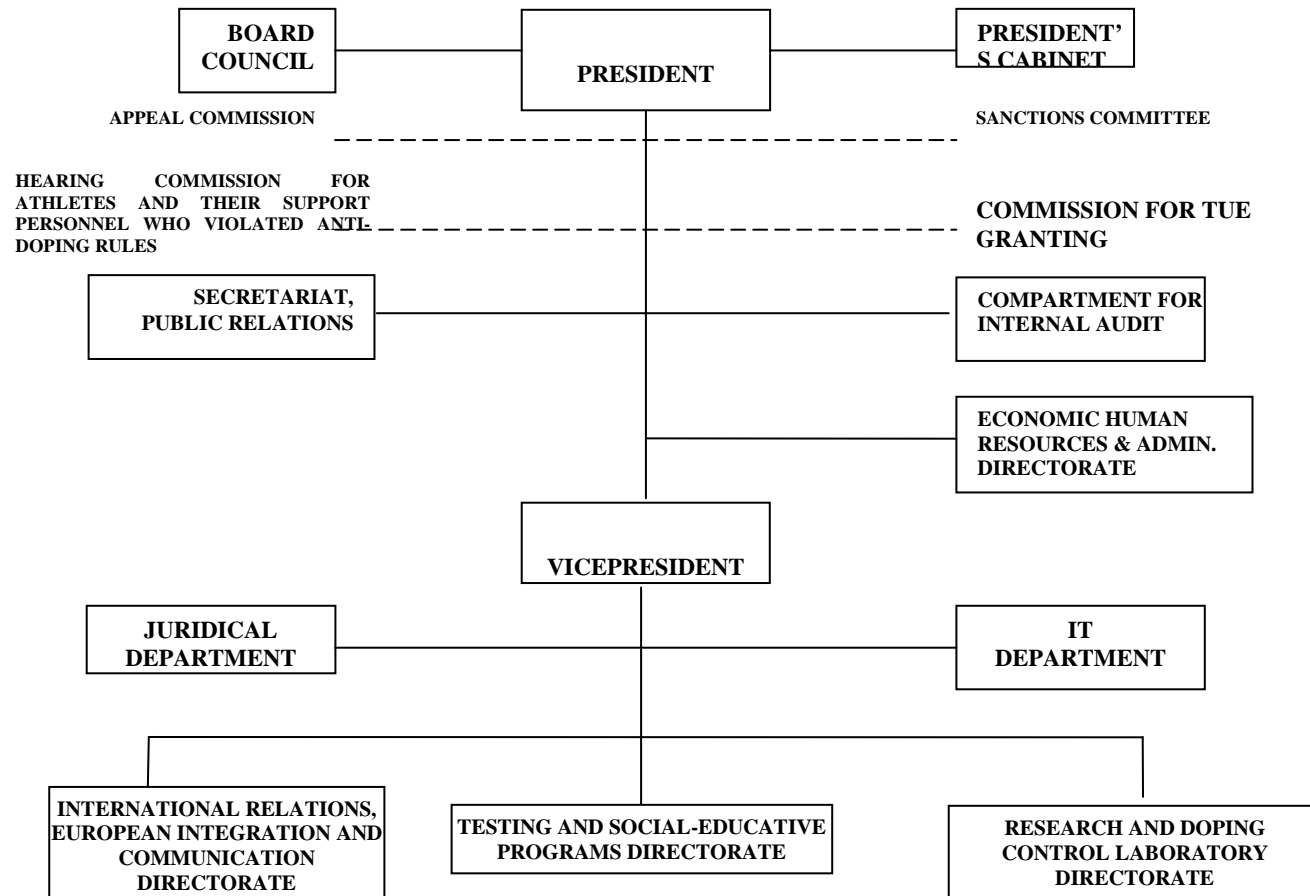
Each Party shall forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention.

Information on anti-doping domain is submitted by NADA to Council of Europe by filling in the annual

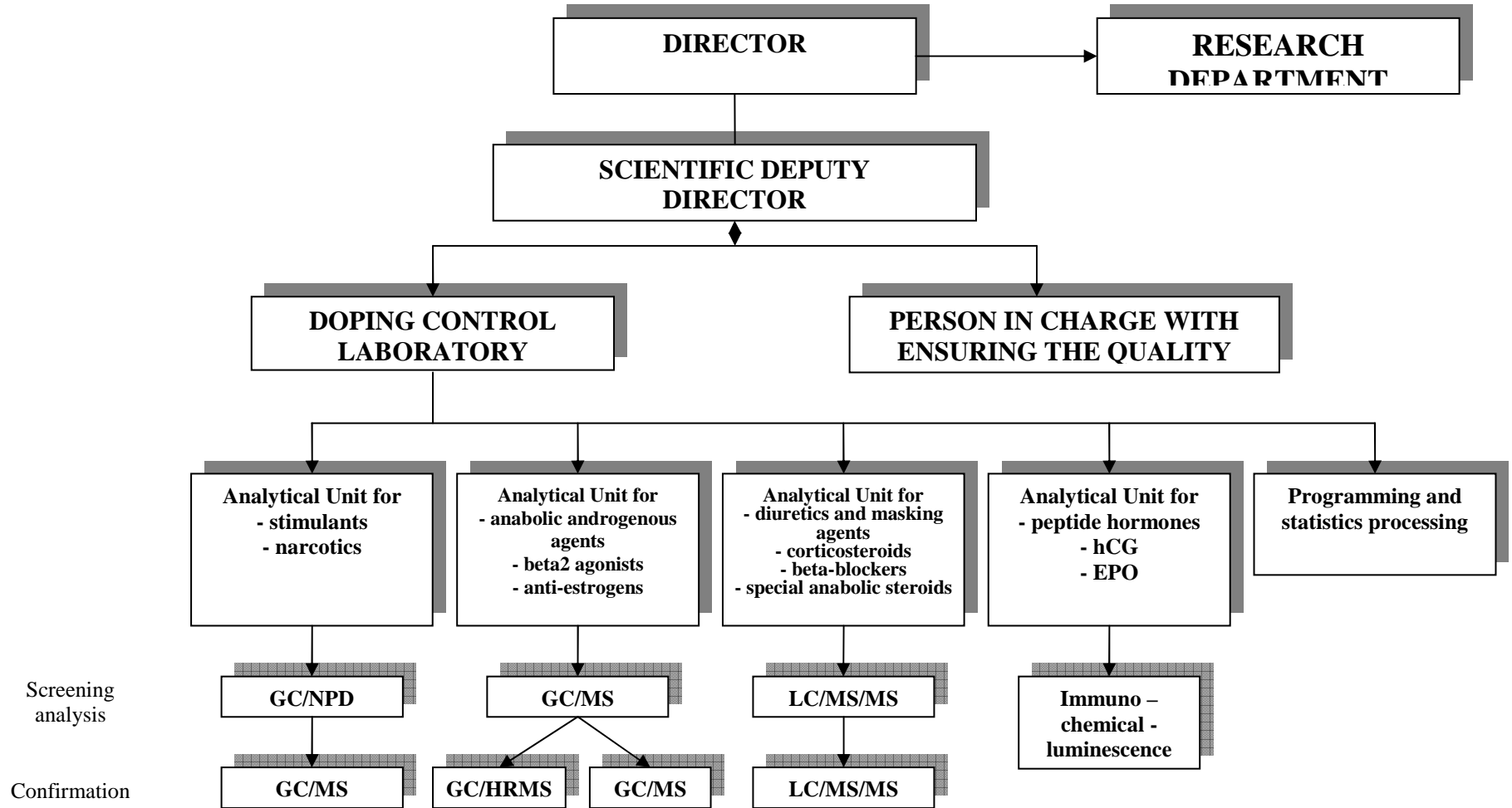
Appendix 1

The Organisational Structure of National Anti-Doping Agency

Maximum number of positions for the Agency's internal staff = 55, excluding the dignitary



Appendix 2



Appendix 3

List of the most important works published in the volumes „Recent advances in doping analysis”

- VAJIALA GRAZIELA, MIHAILESCU RUXANDRA, LAMOR MIA - *Benzbromarone – a possible masking agent of androgen anabolic steroids; identification by GC/MS and action upon the steroid profile (1)* – Recent Advances in Doping analysis (8), Koln, p. 215-221, 2000.
- VÂJIALĂ GRAZIELA, LAMOR MIA, SUBAȘU RUXANDRA - *The tracing out of the contamination with doping agents of the nutritional supplements comercialized on the Romanian market*, Workshop on doping analyses, Koln, p. 267-271, 10-15 March 2002.
- LAMOR MIA, VÂJIALĂ ILEANA, VÂJIALĂ GRAZIELA – *The Quantification of Pro-hormones in nutritional supplements*, Recent Advances in Doping Analysis (12), p. 497-501, Koln, 7-12 March, 2004.
- POP VALENTIN, VÂJIALĂ GRAZIELA, LAMOR MIA, BICAN GEORGETA, ȚONE MIHAELA – *Comparative analytical techniques for the identification of some androgenic anabolic steroids (GC-MS – LC-MS-MS)*, Recent Advances in Doping Analysis (13), p. 369-374, Koln, 27 Febr.-4 March, 2005.
- BICAN GEORGETA, POP VALENTIN, LAMOR MIA, VÂJIALĂ ILEANA, VÂJIALĂ GRAZIELA, B. SAGLAM, S. ONOL, A. TEMIZER – *The separation of betametazone from dexametazone after intramuscular administration*, Recent Advances in Doping Analysis (14), p.459-462, Koln, 4 - 9 June, 2006

B. Report of the evaluation team

Introduction

The visit of the evaluation team was very well organised by the National Anti-Doping Agency. The program gave the team a good possibility to view the anti-doping work in Romania from different angles. Any information asked for by the team was produced, including a translation into English of relevant laws and other legislative materials. Meetings with other organisations taking part in anti-doping work were conducted in a friendly and open way.

Romania ratified the Council of Europe Anti-Doping Convention against doping in Sport in November 1989 and the Additional Protocol to the Convention in September 2002. A consultative visit on the implementation of the Anti-Doping Convention was held in June 2005. Influenced by the results and recommendations included into the report of the visit a new structure of anti-doping work was built in the form of National Anti-doping Agency directly under the Prime Minister's Chancellery. This spring (2007) dramatic changes in the structure of governmental institutions in Romania took place and the number of Agencies under the Prime Minister's Chancellery was reduced from 32 to 11. Among those Agencies remaining still in force is the Anti-Doping Agency, which is considered to be a strong sign of Governments commitment towards implementation of anti-doping policies. The president of the Agency has the status at State Secretary. According to the rules of procedure the Agency is entitled to submit legal proposals directly to the Prime Minister's Chancellery, which gives the anti-doping issues better and quicker chance to be considered compared to normal bureaucratic procedure through ministerial machinery.

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.

With the experiences of anti-doping work in Romania since 1966 the fight to-day has its foundation in Law no. 227/2006 regarding prevention and fight against doping in sport. Article 1 in the law refers to the Anti-Doping Convention as well as the World Anti-Doping Code (WADC). Doping in sport is prohibited for ethical and medical reasons. The law thus provides basis for implementation of the Convention.

The law clarifies the status of the National Anti-Doping Agency and names three objectives for the agency and its responsibilities. The objectives are:

- a) prevention and fight, at national level, against doping in sport by adopting and implementing the anti-doping policies and regulations, in conformity with the law
- b) encouraging the practice of a clean sport for protecting athletes' health and complying with the principles of fair-play in sport; and
- c) promoting and supporting anti-doping scientific researches.

The abovementioned responsibilities consist of an extensive list of assignments to lead the anti-doping work in Romania. A national strategy outlining the anti-doping work for 2007 – 2012 is produced by the Agency. There seems to be no concern about the financing of the increase of costs over the coming years.

The funding of the Agency and the four programs – Education and information program, Testing program, Research program and International cooperation program comes mainly from the state

budget, but also from taking tests, ordered by federations, which in their turn are subsidized by subventions from the state budget through the National Sports Agency (NSA).

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.

a) The definition of doping in sports is provided in the 2006 Law regarding the prevention and fight against doping in sports. The definition is compliant with the World Anti-Doping Code. Part 2 of article 2 of the law corresponds with Article 2 of the Code. Thus the definition of doping in the law is broader than the definition of the Anti-Doping Convention as the Code gives the possibility to penalize also persons in the athlete’s entourage.

b) The definition of pharmacological classes of doping agents or doping methods is described in Art. 15 and 16 of the Law and it solely refers to the WADA list and subsequent changes made by WADA. The list is adopted through the president’s of the Agency disposition and is published in Official Journal of Romania. The decision of the Monitoring Group on the list is not a prerequisite to decide on a new list in Romania.

c) The definition of sportsmen and sportswomen is included in Art.3 part 1 and 2 of the Law. It corresponds to the definition of athlete and international level athlete of the World Anti-Doping Code and comprises those who belong to an international or national testing pool. According to article 22 in the law an athlete participating in a sports competition has the obligation to submit himself to doping control. Nothing is here mentioned about low level athletes. Only the Education, information and prevention program reaches the low level athletes, and then as juniors or young athletes.

As the definition in the Convention covers all sportsmen and sportswomen who participate regularly in organized sport there is a gap between the Romanian application and the Convention.

The evaluation team wants to point out that all anti-doping work should reach out to everybody who regularly participates in organized sport. The possibility to carry out doping controls on low level athletes is a necessity as low level athletes may develop into high level athletes.

2. As, decisions by the Monitoring Group regarding the list of banned substances and methods, are not relevant in Romania, a problem with the compliance towards the Convention can occur in the circumstances that the Monitoring Group does not accept the list approved by WADA. Several countries are in a similar position and the problem has to be dealt with if it ever occurs, taken into account that also the UNESCO Convention refers to the WADA list.

The evaluation team does not think it is appropriate to make a recommendation on this deviation from the Convention.

Apart from what is mentioned about the possibility to conduct doping controls on low level athletes the evaluation team finds that the scope of the Convention and the definitions applied are taken into account in a satisfactory manner.

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.

The National Anti-Doping Agency has the responsibility for fighting doping in sport. As it is an agency coordinated by the Prime Minister through the Prime Minister's Chancellery policies and actions can be coordinated between the Agency and Ministries. The National Anti-Doping Agency has the responsibility to collaborate with public authorities and institutions, governmental and non-governmental.

Also the Board Council of the Agency, an advisory body to the Agency, provides possibilities for co-operation between governmental institutions and non-governmental organizations. According to the Law regarding prevention and fight against doping in sport the Board consists, beside the president, of representatives of the Prime Minister's Chancellery, of the National Sports Agency, of the Ministry of Public Health as well as representatives from the Romanian Olympic and Sports Committee, including an elite athlete, and from a national sports federation.

The Strategy for 2007 – 2012 formulates the Agency's mission to consist of promoting, coordinating and monitoring all the forms of the fight against doping in sport on national level. The Agency's work and the co-operation with sports organizations provide an excellent framework for implementation of Anti-Doping Convention and especially requirements under article 7.

The evaluation team finds that the domestic coordination provides a setting that fulfils the demands for practical application of the Convention.

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.

The Law (227/2006) regarding prevention and fight against doping in sport contains in Article 2 the anti-doping rule violations, that can be committed by an athlete, compliant with corresponding regulation in the WADC. Articles 42 – 46 contains civil offences. Article 42 forbids obtaining, distribution, offering, selling, illegal possession or administration of prohibited substances to any Athlete. The hearing regarding rule violations according to Article 2 is conducted in the Hearing Commission within the Agency. The hearing concerning offences under Articles 42 – 46 is not regulated in the Law no. 227/2006.

A new bill regarding the prevention and fighting against the illicit trafficking of prohibited substances and/or methods was by the time of the evaluation visit under process. The definition on prohibited substance and method is the same as in Law no. 227/2006. This draft envisages establishment of a special advisory Board, which can review activities of different authorities in the field of trafficking of doping substances, in order to identify any irregularities, and propose improvement of legislation to avoid such irregularities. The Board shall be headed by the president of the National Anti-doping Agency and consist of representatives of police, customs, the National Anti-Drug Agency, prosecution and ministries of Public Health and Justice.

The law will allow the National Anti-doping Agency to control gyms and gym users (only with written consent of the gym user). Gyms will be receiving a certificate from the National Anti-doping Agency. In case of incompliance with the law the certificate will be cancelled and the gym can not operate. The law will provide for sanctions in case of illegal circulation or production of doping substances – fines and/or imprisonment.

The evaluation team got the possibility to visit the Anti-drug Agency, where it's President Mr. Pavel Abraham in detail described the work of National Anti-drug Agency in the field of countering illicit drug manufacture, trafficking and drug money laundering. Much emphasis is put on the therapeutic treatment of drug misusers, if needs with force. This however does not reach the

misusers of androgen anabolic steroids if not on a voluntary basis, as the use in the society is not prohibited by law. Special emphasis was put on sincere and long lasting co-operation with National Anti-doping Agency, which is focused mainly to the preventive activities due to the increasing number of drug users.

Notable is that nutritional supplements are only permitted for athletes after a prescription.

2. The National Sports Agency (NSA), also an institution under the Prime Minister's Chancellery, provides State budget subsidies to the sports organizations. These subsidies are provided under specific terms of a contract, which is renewed every year. The contract includes a minimum number of doping controls, which have to be covered by the federation apart from controls done under National Anti-Doping Agency of Romania program. In case of incompliance to the anti-doping rules the National Sports Agency is entitled to reduce the subsidies. This has been the case for e.g. the Bodybuilding Federation, which does not receive any public subsidies.

3 a) The National Anti-doping Agency carries out doping controls according to its annual plan and budget. For the sports federation to get subsidies from the state (through the NSA) they have to purchase service for a certain number of doping controls from the National Anti-doping Agency. The sports federations also have the possibility to purchase more tests than is stipulated in the agreement with NSA. NSA, the Romanian Olympic and Sports Committee, sports clubs, professional leagues and other sports events organizers can on their own initiative request tests.

3 b) According to the contract between sports federation and the National Sports Agency subsidies can be withhold, furthermore – all athletes punished for anti-doping rule violation are excluded from any possibility to take part in the Olympic Games in the future.

3 c) There is nothing to prevent the Agency to carry out doping controls requested by international sports organizations and it has been done a couple of times.

3 d) Sports federation representatives and National Anti-doping Agency's doping control officers confirmed that there are no obstacles for duly authorized international organizations to carry out doping controls in Romania.

4. Doping control procedure in Romania is also guided by the 2006 "Law regarding the prevention and fight against doping in sports". Article 20 of the Law provides that the doping control procedure shall be in compliance with WADA International Standard for Testing (IST). Other provisions included in this Law are also referring to the IST. The standard is transformed for Romania into Methodological norms regarding the conduct of doping control.

The evaluation team considers that Romania is in full compliance with Article 4.

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.

The Romanian Anti-doping Laboratory is part of the National Anti-doping Agency and receives almost exclusively the samples for doping analysis from this agency. It is funded by the agency via an independent budget, which is exclusively administrated by the laboratory. At least 7 percent (ISL 4.0, August 2004) of the annual budget goes into research activities.

The head of laboratory, Dr. Mia Lamor, owns a PhD in chemistry and acts totally independent from the agency.

This is described in specific quality documents and part of the ISO 17025 accreditation of the laboratory.

About 15 persons are currently performing laboratory work.

The laboratory staff is partially trained in accredited laboratories, including Cologne, Ankara and Madrid.

It analyses routinely an increasing number of samples, peaking in about 3000 samples for 2007.

As informed by the head of the National Anti-Doping Agency, negative samples are reported to their clients after screening analysis. Positive samples are confirmed in the lab (A1-analysis) and should be sent to an accredited laboratory for further confirmation (A2-analysis). Unfortunately this had not been done in any case. B-sample analysis is in any case done by an accredited laboratory.

Research activities focus on the development of new or adoption of published procedures for the detection of doping substances or their metabolites (e.g. Benzbromarone, nutritional supplements etc).

Sharing of knowledge is mostly done via poster presentations at the international Manfred Donike Workshop in Cologne.

The lab applied for WADA accreditation in 2005 and was accepted for the pre-accreditation phase in September 2007 by a letter of the scientific director of WADA, Dr. Olivier Rabin.

The evaluation team had the opportunity to visit the laboratory. During this visit, the rooms, the analytical instruments as well as the storage facilities and laboratory furniture were evaluated. Some questions were asked to the lab staff. In addition there was a deeper discussion about the laboratory procedures with the head (Dr. Mia Lamor) and the deputy head (Dr. Ileana Vajjala) of the laboratory.

The laboratory is situated in a partly new building and is well equipped with modern analytical instruments. The impression of the rooms and the furniture was very good, reflecting an up-to-date status of laboratory equipment.

The staff is well trained and knows the procedures. The long-term knowledge and experience with doping analysis lasts back to the 1980's.

As part of an external quality control, the laboratory took successfully part in an international proficiency test from the World Association of Anti-Doping Scientists (WAADS). Norandrosterone, a metabolite of the anabolic steroid Nandrolone, was quantified; the laboratory was among the best third of participators, having Z-scores below 1 for both samples (Z-scores 0,48 and 0,75, 0,48 and 0,75).

In total the impression was very good and fit for the WADA pre-accreditation process. This can be underlined by the fact, that the laboratory has sufficient support by the National Anti-Doping Organization, is well above the sufficient number of sample (1500 / year) and owns the necessary analytical facilities and instrumentation.

The evaluation team considers that the policy, to do a second confirmation of a possibly positive A-sample in an accredited laboratory is highly recommended, leading to a high quality of positive results. The team recommends that the laboratory should re-consider their research strategy and publish their results in international peer-reviewed journals as they did in earlier years. The sharing of research results gives a benefit to the whole anti-doping work. With these considerations the evaluation team considers that the requirements in Article 5 are fulfilled.

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.

1. One of the main areas of activities of National Anti-Doping Agency of Romania is education for different target groups and with different education and information methods. This task is defined to National Anti-Doping Agency of Romania by the 2006 “Law regarding the prevention and fight against doping in sports”, specifically in Article 6 and is provided by the Agency budget. This education is free of charge for the target groups. Many good examples are described in the National report and the evaluation team got the opportunity to discuss these activities both with education staff at Agency and sports federations, who are the target group for some of these activities. The Agency campaigns have been evaluated as relevant and well performed.

Apart from activities mentioned in the National Report, the evaluation team would like to stress some additional points of interest:

- a novelty in the field of anti-doping regulations is that the Law (article 7) states that Public systems of radio and television has to provide the Agency with rights to use national radio and television free of charge to promote doping-free sports. This undertaking was presented to the evaluation team –the Agency has developed a number of video clips with famous Romanian athletes stating their commitment to anti-doping fight;
- all national championships are included in the Agency outreach program, which means that these competitions are visited by the Agency’s specialists; they set up a tent, presentation stands and discuss anti-doping issues with athletes and their support personnel;

- the Agency prints a colourful and substantial monthly magazine “Clean Sports” in Romanian and English languages and distributes it to all federations and main sports organizations (~200 copies);
- anti-doping education for pupils in the schools is provided on the contractual basis between the Agency and the Ministry of Education, since school curricula includes anti-doping issues. This contract also extends to the school competitions because in those also take part high level athletes, e.g. national junior team members;
- anti-doping propaganda in sports for all activities has to be viewed in context with general attitude towards sports in Romanian society. It is assumed that currently the attitude for healthy and active lifestyle is on the rise, contrary to previously dominating sports activities only by being spectators. Sports activities in free time are becoming more popular and in future with involvement of local municipalities some anti-doping information could be provided.

2. Research in field of scientifically-based physiological and psychological training programs has not been specifically discussed during the evaluation visit. But the evaluation team was informed that anti-doping issues are an integral part of physical education specialists and coaches’ education. This special course provides knowledge to the coaches and thus prevents them from trying to use prohibited substances and methods, when training athletes. The Romanian Olympic and Sports Committee co-ordinates the work of sports federations and have introduced a head doctor for each federation, who is regularly educated and updated on different issues of sports medicine and anti-doping. The aim is to provide assistance to the athletes and coaches, as well as to prevent overloads and inappropriate training methods

The evaluation team finds that the requirements in Article 6 are excellently fulfilled.

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.*

The evaluation team finds the account in the Romanian report of the practical anti-doping work extensive and clarifying. The report was for the benefit of the evaluation team complemented with Information on the activity of National Anti-Doping Agency since the establishment up to the present moment.

The evaluation team also got the opportunity to meet different sports federations, the Romanian Olympic and Sports Committee and the National Sports Agency. During these meetings the team understood that the activities of the National Anti-Doping Agency activities are highly appreciated and welcomed by the sport society. Leading sports organizations – the National Sports Agency and the Romanian Olympic and Sports Committee - have certain legal and financial instruments to influence sports federations, if they are not complying with relevant anti-doping rules. On the other hand, the Agency actively assists sports federations in their activities to promote drug free sport and to provide necessary doping controls upon their request.

The Agency (NADA) makes every year a testing plan. The federations have an obligation to order a certain amount of doping controls to get subsidies from the state budget through the National Sports Agency. Apart from that some of them order extra doping controls.

Nearly half of the 2438 doping controls totally conducted in 2006 by NADA are accordingly to the national annual testing program, the other half is demanded by sports federation and other sporting organizations. .

1. At the round table meeting with high level representatives from football, gymnastics, weightlifting, handball, table tennis, canoe, bobsleigh, rowing, swimming, athletics, cycling, water-polo, fencing, tennis, martial arts, boxing and volleyball federations the evaluation team had an open discussion about achievements and problems of special sports federations in the field of anti-doping. Some of the federations have their own anti-doping commissions. The general opinion from the federations was that the Agency does a great work and is a very good partner to co-operate with. Interestingly during the discussions with sports federations, some of them expressed little dissatisfaction with the system that they had to pay for doping controls, which were considered quite costly. However NADA defended it and explained that it helps to keep sports federations involved in anti-doping work, which otherwise would not be done.

2 a) b) and c) The about 60 federations belong to international federations that have signed the World Anti-Doping Code. As the Law regarding prevention and fight against doping in sport is compliant with the Code the federations have harmonized regulations concerning anti-doping. Should they disrespect the provisions in the law they can get fined and lose financial support from the state budget.

Doping control procedures are regulated in Methodological norms regarding the conduct of doping control. The procedures and the doping list are compliant with the World Anti-Doping Code and relevant International Standards, thus they are in harmony with international sports federation rules. Currently the NADA's doping control process is undergoing a certification process to be recognized within ISO standards for quality in doping control.

d) The disciplinary procedures are partly described in the Romanian Report. The Law regarding prevention and fight against doping in sport regulates the result management and the hearing process. Under the law there are regulations for organization and function of the Hearing Commission, the Sanctions committee and the Appeal Commission. They all belong under the umbrella of the National Anti-doping Agency but are said to be independent from the Agency. The structure of the commissions and committee are approved of the Agency's President Decision. The budget for them is established annually through the Board Council's decision, approved through a Government Decision.

The **Hearing Commission** is chaired by the vice-president of the Agency and consists of the director of Testing and social-educational programs Department within the Agency, the Head of Juridical Service within the Agency, a representative of sport structures and three representatives from other public authorities without responsibilities in sport activity. After the hearing process, which gives the athlete (or athlete's support personnel) the civil rights in a fair hearing, the Commission gives a reasoned decision, establishing the anti-doping rule that has been violated or the athlete's innocence.

The **Sanctions Committee** is headed by the president of the Agency and consists of a member of the Agency's Board Council, the Head of the Juridical Department of the Agency and four representatives of other public authorities without responsibilities in the sports field. The Committee takes its decision on the documentation from the Hearing Commission and decide on the applicable sanction, according to the law.

The **Appeal Commission** is composed of five members, representatives of other public authorities than the Agency, three of which must have a juridical background.

The decisions that may be appealed are among other the Agency's (the Sanction committee's) decision regarding an anti-doping rule violation.

The regulation ensures the right to a fair and equitable hearing, the right to be represented on own expenses and the right to a written, reasoned decision, issued and communicated in due time. The proceeding can be either oral or in writing. The Appeal Commission may re-consider the evidence and administer new evidence, if necessary.

2 e) The violations regulated in Articles 42 – 46 in the 227/2006 law comprises acts committed by the athlete's entourage personnel as well as other persons outside that area. The sanctions seem severe enough to be effective. The handling of such violations of anti-doping rules committed by a person that is not an athlete, follows evidently another legal procedure in ordinary courts.

2 f) According to the 227/2006 law the national sports federations shall have statutes that are compliant with the World Anti-Doping Code, which means that there is an obligation to harmonize sanctions by other sports organizations.

3 a). The annual plan for doping tests has been mentioned before. When deciding on the plan the tendency in each sport to use doping substances is valued and the controls are distributed mostly on high risk and medium risk sports. A small number of tests are also carried out in low risk sports.

According to the Agency's annual plan more and more no notice out of competition controls are carried out. It is reported that it has reached 50% in 2006.

3 b) Romania ratified the Additional Protocol to the Anti-Doping Convention in 2006 and thus is obliged for mutual recognition of doping controls. Also National Anti-Doping Agency of Romania has become a party to ANADO network which gives the opportunity to carry out controls on foreign athletes and ask other countries to test Romanian athletes.

3 c) Article 22 in the 2006 "Law regarding the prevention and fight against doping in sports" defines certain provisions when and how doping controls should be done, including testing national record holders.

3 d) As described earlier in the report (on Article 6) athletes are actively involved in anti-doping fight joining various activities of the Agency including TV appearances.

3 e) The sports federations are bound to use the services of National Anti-Doping Agency laboratory and doping control officers as a condition in the contract for state budget money.

3 f) The work that is done in the field of scientifically-based physiological and psychological training programs is mentioned under Article 6.

The team has concerns about the independence of the Hearing Commission and the Sanctions Committee. They are headed by the vice president and the president, respectively, and staff personnel in the Agency are members. With the amount of expertise these persons have they can get a great influence on the decisions both in the hearing decision and the meted sanction. Apart from that the evaluation team finds that the commitments in the Article are well fulfilled.

The evaluation team recommends that the Hearing Commission and the Sanctions Committee should be totally separated from the Agency with no members with a right to decide from the Agency. Thus the regulation in Article 7 2d) i that the reporting and disciplinary bodies be distinct from each other.

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.*

The Romanian Report contains full account on its international activities and evaluation team got a chance to verify that Romania acts very openly and mutually beneficiary at the international stage – in Council of Europe, UNESCO, World Anti-Doping Agency (WADA) and Association of National Anti-Doping Organisations (ANADO).

The doping control laboratory's international activities are also well described in the National Report and members of the evaluation team are aware of this co-operation.

The evaluation team finds that the commitments in Article 8 are fulfilled.

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

Romania completes the annual data base questionnaire of the Monitoring Group, as well as other inquiries from working groups for improving certain areas in anti-doping work within Council of Europe.

The commitments in Article 9 are fulfilled

General conclusions and recommendations of the evaluation team

The evaluation team considered that the anti-doping work of Romania as it is now in its present form, built up under a short time, is well organized and has every possibility to function well for the benefit of athletes and their entourage. The education and information activities have the possibility to reach people in the society, creating an awareness of the risks with using doping substances. This awareness gives a good ground for the athletes to be clean.

The evaluation team though has some recommendations that are meant to better the anti-doping work and especially the rights of the athlete

Article	Recommendation	Actor concerned
2	The legal right to carry out doping controls on low level athletes should be created	Government
5	As long as the laboratory is not fully accredited a second confirmation of a possibly positive A-sample should be carried out by an accredited laboratory	NADA
5	Sharing of new data from the research done in the laboratory with others	Anti-doping laboratory
7	Distinction between the reporting and disciplinary bodies	Government

Acknowledgments

Evaluation Team would like to express its gratitude to the organisers – National Anti-Doping Agency of Romania and all representatives from different entities involved in anti-doping program: under the presidency of Mrs. Graziela Elena Vajjala - President of Romanian NADA,

The team also thanks Mr. Octavian Bellu - President of National Sports Agency (NSA) and his co-workers and Mr. Pavel Abraham - President of National Antidrug Agency for information given when the team got the opportunity to visit them.

Lastly the team appreciated the possibility to visit the Olympic grounds and the information given there and to meet and discuss with representatives of Romanian Football Federation, Gymnastics Federation, Weightlifting Federation, Handball Federation, Table Tennis Federation, Canoe Federation, Bobsleigh Federation, Rowing Federation, Swimming Federation, Athletics Federation, Cycling Federation, Water-Polo Federation, Fencing Federation, Tennis Federation, Martial Arts Federation, Boxing Federation and Volleyball Federation

Composition of the evaluation team

Günter Gmeiner (Austria)
 Liene Koslovska (Latvia)
 Kristina Olinder (Sweden), coordinator
 From the Council of Europe: Irena Aradavoaipei

Programme of the evaluation visit

Wednesday, 19 September 2007

During breakfast

Preparatory meeting of the evaluation team

Morning

Visit to the National Anti-Doping Agency, including discussions with representatives of the Testing and Social-educative Programs Department and with doping control officers.

Afternoon

Visit to the National Anti-Drug Agency and discussions with the president
 Visit to the Doping Control Laboratory

Thursday, 20 September 2007

Morning

Meeting and discussions with representatives of a number of sports federations

Afternoon

Visit to the Olympic Sports Centre “Sydney 2000” – meeting with the leadership of the Romanian Olympic and Sports Committee

Friday, 21 September 2007

Morning

Meeting and discussions with the President of the National Sports Agency

Press conference

C. Comments from Romania