

**MONITORING GROUP (T-DO)**

ANTI-DOPING CONVENTION



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

Project on Compliance with Commitments

**Respect by Romania of the Anti-Doping Convention**

**Follow up Report  
by Romania on the implementation  
of recommendations of the Evaluation visit on 19-21 September 2007**

**Final report**

Discussed at the T-DO COMP meeting on 19 March 2012 and  
Adopted at the 35<sup>th</sup> meeting of the Monitoring Group

## Introduction

Romania ratified the Anti-Doping Convention of the Council of Europe (by Law no. 171/1998) and the Additional Protocol to the Anti-Doping Convention adopted in Warsaw on 12 September 2002 (by Law no. 302/2006), thus committing to enforce the provisions of these documents on domestic level.

Between 18 and 21 September 2007, Romania hosted a visit by an evaluation team appointed by the Council of Europe. The general conclusion in the evaluation report was: "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 also made a couple of recommendations intended as help to improve the anti-doping activities in Romania. These recommendations have been reviewed and assumed by the National Anti-Doping Agency, the organization responsible to implement the anti-doping policies on domestic level.

The national report of Romania, the report of the evaluation team and general conclusions and recommendations of the evaluation team are reflected in the document [T-DO (2008) 18] adopted by the Monitoring Group in May 2008.

This report provides an overview of the steps and actions taken by the National Anti-Doping Agency in respect to the recommendations of the evaluation team of the Council of Europe. At the same time, the most important accomplishments of the National Anti-Doping Agency following the evaluation visit are shown in this report.

## Article 2 – Definition and scope of the Convention

### *Recommendation*

*The evaluation team finds that "the scope of the Convention and the definitions applied are taken into account in a satisfactory manner" and recommended to extend the legal framework, so that "the legal right to carry out doping controls on low level athletes should be created", considering that "this is a necessity as low level athletes may develop into high level athletes."*

Taking into account the recommendation of the evaluation team, the National Anti-Doping Agency has improved the definition of "athletes" as described in the Law regarding the prevention and fight against doping in sport. The law defines the athlete as follows:

"1. Athlete – any person who participates in sport at the international level, as defined by each international federation or any person who participates in sport at the national level, registered to a sport club affiliated to a national sport federation or to a county sport association and any other person competing in sport at an inferior level, under the jurisdiction of other sport organization accepting the Code. The current definition refers also to the recreational-level competitors, but they are not obliged to submit whereabouts information or to apply for Therapeutic Use Exemptions (TUE)."

In this regard, starting with 2008, the National Anti-Doping Agency planned and carried out a considerable number of tests among the following categories of athletes: children, cadets, juniors and youth. At the present moment, the budget of the National Anti-Doping Agency finances more than 50% of the number of tests carried out in compliance with the National Annual Testing Plan.

## Article 3 – Domestic co-ordination

### *Recommendation*

*The domestic coordination provides a setting that fulfils the demands for practical application of the Convention*

Following the governmental restructuring in 2009, the National Anti-Doping Agency remained under the subordination of the Government, coordinated by the Prime-Minister, financed by its own incomes and

subventions from State Budget, through the budget of the General Secretariat of the Government. At the same time, the structure of the Board Council was changed as follows: ANAD president, representatives of: the General Secretariat of the Government, the National Authority for Sport and Youth, the Ministry of Health, the Romanian Olympic and Sport Committee and a representative of the elite athletes within a national sport federation.

The collaboration of the National Anti-Doping Agency has been extended to other national public authorities aiming to implement the legislation for the prevention and fight against the illicit traffic with prohibited substances. The Council for the prevention and fight against illicit traffic of high-risk doping substances consists in members of the General Inspectorate of Romanian Police, National Authority of Customs, National Authority for Customer Protection, Ministry of Justice, Ministry of Health and Public Ministry.

The Quality Management System implemented by the National Anti-Doping Agency was certified in November 2007, in compliance with ISO 9001:2000 system by the certification body TUV Rheinland.

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

##### *Recommendation*

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

The Law regarding the prevention and fight against doping in sport was amended in compliance with the new provisions of the World Anti-Doping Code and at the same time the recommendations made in the report of the evaluation team were taken into account with the purpose of complying with the Anti-Doping Convention of the Council of Europe.

The Law regarding the prevention and fight against manufacturing and illicit traffic of high- risk doping substances has also been elaborated and approved. The normative act regulates the criminalization and sanctions for manufacturing, preparing, changing, offering, selling, purchasing, owning, introducing or taking out of the country, as well as importing –exporting or other operations concerning the circulation of prohibited substances.

As for the regime of the food supplements use by the athletes, which is regulated on domestic level, the National Anti-Doping Agency initiated in August 2011 the procedure for the amendment and completion of the normative act aiming to have it approved and published by December 2011.

The amendments concern the mandatory principles that should be fulfilled for the food supplements introduced on the market or the ones that are going to be introduced on the market and marketed within the Community, their composition as well as the forms of use, in compliance with the Directive no. 2002/46/CE of the European Parliament and of the Council of the European Union.

#### **Article 5 – Laboratories**

##### *Recommendation*

*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.*

Based on the recommendations of the evaluation team, in the period subsequent to the visit, the Agency requested to have the possibly positive A-samples confirmed by a laboratory accredited by the World Anti-Doping Agency.

In July 2009, the Doping Control Laboratory was accredited by the World Anti-Doping Agency. Starting with the above-mentioned date, the possibly positive A-samples were confirmed by the Doping Control Laboratory of Bucharest.

At the present moment, the activity of the laboratory is developed in compliance with 42 procedures out of which 23 operational procedures that cover the entire range of substances in the Prohibited List of WADA.

The Doping Control Laboratory performs doping control analyses for A and B samples, qualitative and quantitative analyses for all the classes of substances in the Prohibited List of the World Anti-Doping Agency. As a result of the status obtained through the international accreditation and aiming to raise funds to the budget, the laboratory performs doping analyses upon the request of the testing authorities in the region, international sport federations and international anti-doping bodies.

In order to comply with the requirement of the World Anti-Doping Agency concerning the expansion of the mandatory analytical capacities, the Government of Romania allocated additional funds in 2010 to equip the

Doping Control Laboratory with a new equipment of gas chromatography coupled with isotopic ratio mass spectrometry (GC/C/IRMS) as well as equipment for EPO detection.

The Doping Control Laboratory also performs special analysis – expertise for food supplements contamination with prohibited substances and/or pro-hormones, as well as the analysis of some medicine seized following the enforcement of the Law regarding the prevention and fight against manufacturing and illicit traffic of high- risk doping substances.

*Recommendation*

*To publish the most recent data obtained within the researches carried out by the laboratory. To share new data from the research done in the laboratory with others.*

The Doping Control Laboratory team took into consideration the recommendation in the evaluation report regarding the publication of the data obtained within the researches carried out by the laboratory. At the same time, the laboratory personnel undergo trainings continuously.

The laboratory's staff is composed of 10 academic positions (chemists, biochemists, physicists) and four technical positions. The academic personnel consist in four researchers with the scientific title of doctor and four researchers who undergo doctoral studies. The academic personnel is certified for research: rank I scientific researchers, rank III scientific researchers and scientific researchers, all of them being specialized in WADA accredited doping control laboratories worldwide (Cologne, Ankara, Lisbon, Madrid, Warsaw).

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

The laboratory's employees continuously perfect themselves by participating to professional training courses, seminars and conferences, as well as to courses for quality system design and implementation. Since 1998, the laboratory's staff participates to the Manfred Donike Workshop for doping analysis in Cologne with posters showing the results of the research studies on the analytical techniques for the detection of the prohibited substances and biochemical aspects adjacent to the doping control domain. The themes synthesized in posters are published in extenso in the volumes of the Workshop.

The results of the research studies have been disseminated by scientific articles published in specific magazines. Articles were published in ISI rated magazines recognized in Romania (The Magazine of Chemistry) and prestigious doping control publications abroad (Drug Testing Analysis), (as shown in the attached list of paper works).

In 2008-2009, ANAD financed a research project developed in collaboration with the University of Sport and Manfred Donike Institute of Cologne, Germany, completed with presentations in the workshop plenary and articles published in prestigious magazines:

- the development of a method for the detection of S107 stabilizer of calstabin-ryanodin receptor;
- the excretion study for the detection of Epitestosterone abuse by isotopic ratio;

The following research themes are developed at the present moment:

- The definition of individual steroidal profile and its application in the detection of testosterone prohormones abuse. The development of mathematic pattern to describe the threshold values of endogenous steroids. Participant institutions – ANAD, Doping Control Laboratories of Madrid, Tunisia and Bogota; financial support – the Government of Spain;
- The study of JWH-xxx synthetic cannabinoids in ethnobotanic products „Spice”; participant institutions – ANAD, Central Laboratory of Drug Analysis and Profile of IGP; financial support – ANAD.

## **Article 6 –Education**

*Recommendation*

*The evaluation team found that the requirements in Article 6 were excellently fulfilled.*

The appreciation of the evaluation team with regard to the way the requirements in the article concerning the education are fulfilled was an additional motivation to develop the anti-doping education and information program.

Aiming to accomplish the objectives of this program, the National Anti-Doping Agency initiated and implemented many domestic educational campaigns, different in terms of objectives, message, target audience, event and period of development.

ANAD treated the Olympic Games seriously, no matter their type – summer, winter or for youth – and an educational campaign was carried out for each. “Beijing 2008 – The Chance of Clean Athletes!”,

“Vancouver 2010– The Chance of Clean Athletes!”, “Singapore2010- The Chance of Clean Athletes!” were educational campaigns addressing the athletes, the medical doctors and the coaches participating in the Olympic Games. Following a decision of the Executive Board of the Romanian Olympic and Sport Committee, all athletes and medical personnel within the Olympic team have to get the “Anti-Doping Education Certificate”. The echo of this demarche was immediate. No single Romanian athlete registered any ADRV in Beijing OG, Vancouver OG and Singapore OG.

The collaboration with the World Anti-Doping Agency materialized in implementing the educational program of WADA “Athletes Outreach Program”.

In partnership with the Ministry for Education, Research, Youth and Sport, we have launched an educational campaign called “First Steps for a Clean Sport”. The target groups of this campaign are the pupils in gymnasium as well as the youngsters in sport high schools.

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

##### *Recommendation*

*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.*

The National Anti-Doping Agency reviewed carefully the recommendation of the evaluation team of the Council of Europe and re-organized the disciplinary bodies. The Sanctions Committee was dissolved, while its responsibilities were taken by the Hearing Commission for the athletes and their support personnel who violated the anti-doping rules. At the same time, the number of members appointed by the Government of Romania and the other organizations with responsibilities in sport increased; thus providing the Commission independence in connection with the National Anti-Doping Agency. At the same time, the hearings of the athletes and their support personnel are carried out with the participation of the Secretary General of the relevant national sport federations, as guest, with no right to vote. The Appeal Commission is independent from the Agency and its members are not part of any other body with responsibilities in anti-doping.

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

##### *Recommendation*

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

The international collaboration with the bodies with responsibilities in the domain (Council of Europe, WADA, UNESCO), with NADOs from other states has always been one of the main preoccupations of the National Anti-Doping Agency. As a result of this collaboration we managed to learn the best practice and to share our experiences with the others. Financial support was obtained for research projects as well as anti-doping education and information programs from WADA and UNESCO. At the same time, bilateral collaboration protocols were signed with NADOs in other countries.