

**MONITORING GROUP (T-DO)**

ANTI-DOPING CONVENTION



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

Project on Compliance with Commitments

**Respect by the Russian Federation of the Anti-Doping Convention**

**Auto-Evaluation Report by the Russian Federation  
Report by the evaluation team  
Comments by the Russian Federation**

**FINAL**

**Adopted at the 40<sup>th</sup> meeting of the Monitoring  
Group of the Anti-doping Convention**

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### **A. Auto-Evaluation Report by the Russian Federation**

Prepared by the Ministry of Sports of the Russian Federation

#### **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.*

Since 2009 Russia enjoys the status of a country whose policies are completely compliant with the WADA Code. This has become possible as a result of systematic (and often very challenging) work of the federal executive bodies, including that related to amending the legislation to comply with the provisions of the UNESCO Convention on fight against doping in sport. Currently the anti-doping policies of the Russian Federation target the following objectives: enhancement of the legal foundation, development of the material and technical base, international cooperation, education and scientific research.

A. The legal basis allowing the above initiative is provided for by a selection of the federal laws and acts of the Government of the Russian Federation:

- 1) The Federal Law dated 07 May 2010 No. 82-FZ “On Amendments to the Federal Law on Physical Culture and Sport in the Russian Federation” (hereinafter – the Law) was adopted on 10 November 2010.

The law provides for the notions of anti-doping rules, doping control, testing, and anti-doping organization, and determines a selection of the anti-doping policies which can be grouped as follows:

- policies related to doping control implementation and qualification of the personnel working in the field of anti-doping;
- preventive measures related to the propaganda and public awareness (preventing doping as a social phenomenon).

The scope of the rights and responsibilities of the federal executive body in the field of physical culture and sport (*at the moment ‘the Ministry of Sport of the Russian Federation’*) and those of the all-Russia sport federations and organizing committees of sport events was defined as applicable to the field of anti-doping, as well as the liability of the latter related to any case of a failure to fulfill their obligations.

The notion of an all-Russia anti-doping organization (*at the moment «the Non-Profit Partnership Russian Anti-Doping Agency “RUSADA”»*) was introduced, its status and mission determined and legalized. The law makes it mandatory for the Ministry of Sport of the Russian Federation to be part of the Foundation Board of the all-Russia anti-doping organization, or the Russian Anti-Doping Agency “RUSADA” at the present time. This participation is regulated by the Order of the Government of the Russian Federation dated 17 October 2010.

Additionally to the exclusive unconditional testing jurisdiction on the territory of the Russian Federation, the all-Russia anti-doping organization is authorized to hold hearings with the subsequent implementation of the sanctions in relation to the persons accused of an anti-doping rule violation.

- 2) At the joint initiative of the Ministry of Sport, Tourism and Youth Policy of the Russian Federation and the Federal Drug Control Service of the Russian Federation the Federal Law dated 06 December 2011 No. 413-FZ “On Amendments to the Code of Administrative Offences of the Russian Federation and Articles 26 and 261 of the Federal Law “On Physical Culture and Sport in the Russian Federation” was adopted.

This law provides for the administrative liability of coaches and doctors specializing in the sport medicine, or of any other specialist in the field of physical culture and sport for a violation consisting in administration or attempted administration to an athlete of a prohibited substance or a prohibited method. Physical persons and officials may face administrative liability in the form of professional ineligibility. A coach or a doctor proved guilty under the Code of the Administrative Offenses of the Russian Federation is made ineligible by the court of

general jurisdiction, not by an anti-doping organization. Where the fact of an anti-doping rule violation by an athlete has been confirmed, in all cases the athlete is liable to a sanction determined by the relevant anti-doping rules.

Though considering that often, especially in relation to the minor athletes, it is the coach who initiates the use of the prohibited substances, while the athlete simply follows his/her will, the guilty ones escape any punishment. At the moment internationally the number of cases involving the athlete personnel's liability is rather low. The adoption of this law is a practical step to make the athletes' personnel, where those are guilty in the anti-doping rule violation, also liable.

- 3) The Labour Code of the Russian Federation, in particular as amended in 2011, provides for the athlete's liability in relation to the anti-doping rule violation. Besides, the responsibility of the employer is secured to make the athletes and coaches aware of the anti-doping rules of the International Sports Federations and of the National Anti-Doping Rules of the Russian Federation, as well as to include in the labour contract a clause securing athletes' responsibility to comply with the anti-doping rules and provide information on their whereabouts, where required, and determining the coaches' responsibility to ensure that their athletes comply with the anti-doping rules.

The employer is also entitled to terminate the labour contract where the athlete has been recognized to have violated the anti-doping rule.

- 4) The legislation of the Russian Federation does not provide for the criminal liability in relation to the anti-doping rule violation, though the trafficking of a number of substances that appear both on the WADA Prohibited List and on the List of the Potent Agents and Poisonous Substances as stipulated by article 234 of the Criminal Code of the Russian Federation by an athlete, athlete's personnel, or other person can lead to criminal liability.

Article 234 of the Criminal Code of the Russian Federation determines liability for illegal production, recycling, acquisition, storage, transportation or couriering for commercial purposes, trafficking of toxic or poisonous substances, which are not narcotics or psychotropic substances, or of devices used to produce or recycle them, sanctioned by a minimum fine of 40.000 rubles up to imprisonment of up to three years.

- 5) The customs policy of the Russian Federation was adapted to facilitate the implementation of the national anti-doping policy on 11 November 2010 when the "Regulations on the import into the territory of the Russian Federation, the export from the territory of the Russian Federation and transportation on the territory of the Russian Federation of samples and equipment as part of doping control for the prevention of and the fight against doping in sport" (hereinafter – Regulation) were adopted by the Decree of the Government of the Russian Federation.

The Regulation describes samples transportation by people authorized by anti-doping organization as well as by courier delivery by international postal companies. Such samples are excused from paying stamp duty, taxes and declaration according to standard procedure. As the Russian Federation is a member of the Customs Union the Parties to which are the Russian Federation, the Republic of Belarus, and the Republic of Kazakhstan, it was necessary to make amendments to the Decision of the Commission of the Customs Union that allowed relocating samples through borders of the member-states without any limitations.

Opening of the borders was one of the main tasks that were set before the Russian Federation by the WADA and the IOC.

**B. Practical implementation of the policies pursued by the federal legislation and normative acts of the Government of the Russian Federation is ensured and enforced at the national level through a selection of normative acts issued and approved by the Ministry of Sport of the Russian Federation:**

- 1) The National Anti-Doping Rules of the Russian Federation came into force on 24 October 2011. The Rules were developed by the Russian Anti-Doping Agency "RUSADA" and adopted by the Order of the Ministry of Sport and Tourism of the Russian Federation dated 13 April 2011 No. 307.

The National Anti-Doping Rules of the Russian Federation were developed in accordance with the Federal Law dated 4 December 2007 No. 329-FZ "On Physical Culture and Sport in the Russian Federation". Responsibility for development of the Rules and their implementation lies with the all-Russia anti-doping organization, now the Non-Profit Partnership Russian Anti-Doping Agency "RUSADA".

Provisions of the Rules are in conformity with the regulations of the International Convention against Doping in Sport, adopted at the 33rd UNESCO General Conference, Paris, 19 October 2005, and ratified by the Federal Law dated 27 December 2006 No. 240-FZ "On Ratification of the International Convention against Doping in Sport", the World Anti-Doping Code accepted by the World Anti-Doping Agency, and the WADA International Standards.

The Rules apply to:

- physical culture and sports organizations;
- sports federations;
- organizing committees of the sports events held in the Russian Federation;
- the all-Russia anti-doping organization of the Russian Federation;
- Laboratories accredited or otherwise approved by WADA, other duly authorized anti-doping organizations;
- athletes:
  - a) members of the physical culture and sports organizations registered in the Russian Federation, independently of their current or permanent place of residence, or otherwise falling under the jurisdiction of the above-mentioned sports organizations;
  - b) participating in physical culture and sports events held by the physical culture and sports organizations or sports events organizing committees registered in the Russian Federation, provided that the Event Regulations do not define its status as that of an international sports event;
- coaches;
- other experts in the field of physical training and sports, including experts in the field of physical training and sports who are the part of national teams of the Russian Federation;
- experts in sports medicine (physicians, instructors-methodologists, massage nurses) (hereinafter referred to as "the Athlete Support Personnel");
- parents or other legal representatives of minor athletes.

Certain regulations of the Code are incorporated in the Rules with no essential changes, except for minor alterations in translation of the name of the organization, sports, numeration of the sections etc. Code provisions not incorporated in the Rules are subject to implementation in accordance with the International Convention against Doping in Sport.

2) The Order of the Ministry of Sport, Tourism and Youth Policy of the Russian Federation dated 13 May 2009 No. 292 "On adoption of the Guidelines for Doping Control" governs the procedures of sample collection, transportation, sample analysis, results management and disciplinary hearings and specifies participants of these procedures.

3) The Order of the Ministry of Sport, Tourism and Youth Policy of the Russian Federation dated 11 July 2011 No. 715 "On the amendments to the Order of the material and technical provision, including... anti-doping provision for national sports teams of the Russian Federation, from the federal budget adopted by Order of the Ministry of Sport, Tourism and Youth Policy of the Russian Federation dated 27 May 2010 No. 525" provides for a number of measures directed at fight against doping in sport, including doping-control and educational programs.

## 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.*

In 2008 the all-Russia Anti-Doping Organization "RUSADA" became a signatory to the World Anti-Doping Code, including the International Standard of Prohibited List, which is implemented without modifications. The Prohibited List is translated into Russian and its updates are available on RUSADA website at <http://www.rusada.ru/documents/prohibited-list>. Each year the newly effective version of the WADA Prohibited List is printed and web-published on RUSADA site, and delivered to athletes, athletes support personnel, students in sports schools, as well as to all persons interested in the problems of anti-doping.

Section IV dealing with the Prohibited List forms part of the National Anti-Doping Rules of the Russian Federation, according to which the Prohibited List becomes effective for all the Stakeholders of the Rules in three months since the date of its publication on the official WADA website, without any additional action or clarification on RUSADA part. Further, in order to prevent and fight doping in sport the Ministry of Sport of the Russian Federation adopts the lists of substances and (or) methods prohibited in sport which are issued in accordance with the effective WADA Prohibited List.

RUSADA regularly initiates meetings with officials of the Ministry of Sport of the Russian Federation, Ministry of Internal Affairs of the Russian Federation, Ministry of Justice of the Russian Federation, Ministry of Healthcare of the Russian Federation, Ministry of Culture and Science of the Russian Federation, and other federal institutions whose competence in the legislative initiative extends to the anti-doping issues. The meetings are aimed at the elaboration of a strong jurisdictional basis for restriction and prevention of use and distribution of substances and methods prohibited by the effective WADA List.

### 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 main body that is responsible for realization of commitments of the Russian Federation under Convention is the **Ministry of Sport**. For purpose of fulfillment of these obligations the special anti-doping department of the Ministry of Sport was created. It is responsible for the following:

- formation of the state anti-doping policy;
- drafting of national anti-doping legislation (see comments to Article 1 of the Convention);
- intensification of cooperation with other state bodies and law enforcement agencies such as Customs, Ministry of the Interior, Drug Control Service, etc.
- financing of organizations involved in anti-doping activities by distribution of money from the federal budget;
- representation of interests of the Russian Federation in international organizations in connection with fight against doping.

In 2008 **Russian Anti-Doping Agency RUSADA** was created in order to realize in practice provisions of the WADA Code. Its covers all stages of doping-control except laboratory analysis and appeal review.

**Moscow WADA-accredited laboratory** is responsible for analysis of samples for anti-doping purposes and scientific researches of new methods of detection of prohibited substances.

Under supervision of the Ministry of Sport internal cooperation between anti-doping bodies and law-enforcement bodies has been established. According to the Administrative Code of the Russian Federation **the Federal Service on Drug Control (FSCN)** is responsible for investigation of athlete's personnel involvement in violation of anti-doping rules. On completion of investigation RUSADA transfers cases of athlete's personnel to FSCN. If athlete's personnel are found guilty they shall be suspended according to the Administrative Code of the Russian Federation.

Moreover, according to the Criminal Code of the Russian Federation **the Ministry of the Interior, the Federal Customs Service and FSCN** investigate cases of some drugs distribution and smuggling via Russian border. For this purpose the special lists of such drugs were approved by the Russian Government in 1998 and 2007. They contain some substances prohibited by WADA including anabolic steroids and narcotics. There is a channel of information exchange between these governmental agencies and RUSADA in order to make fight against doping in sport more effective.

#### **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.*

#### **A. Legal measures to restrict availability of prohibited substance**

Narcotics and anabolic steroids have limited circulation in the Russian Federation. They can be acquired only by special prescriptions on rigorous medical reasons. For this purpose the special lists of such drugs were approved by the Russian Government in 1998 (narcotics) and 2007 (potent drugs including anabolic steroids). According to the Criminal Code of the Russian Federation distribution and/or smuggling of these substances via national boarder is a criminal offence that leads to criminal liability including imprisonment. Moreover inducement to narcotics is also a criminal offence. So athlete's personnel can be found guilty if they insist on using narcotics by their athletes.

#### **B. Funding of anti-doping activity**

Material basis is preserved at the federal level to support the anti-doping activities in the Russian Federation. The Ministry of Sport finances RUSADA and Anti-Doping Centre.

98% of RUSADA budget is financed by the Ministry of Sport of the Russian Federation. Additionally to the resources allocated to RUSADA for day-to-day operation, the Ministry grants the extra funds for the events connected with the Olympic and Paralympic Games 2014 in Sochi and other major international sports events, such as the IAAF World Championships 2013 in Moscow, the Universiade 2013 in Kazan, etc. In accordance of subsidy of the Ministry of Sport RUSADA collected more than 19000 in-competition and out-of-competition samples in 2012. Almost the same amount will be collected in 2013 (this number does not include samples collected during major international events such as the IAAF World Championships 2013 in Moscow, the Universiade 2013 in Kazan). The increase in positive-resulted samples has been fixed, but it is seen it as a positive result of anti-doping work as such an increase must have been caused by the effective testing planning with special emphasis on targeted testing. Since 2010 RUSADA has annually been collecting 5000 samples for the purposes of the Athlete Biological Passport Program.

A prioritized direction of the Russian anti-doping policy is education and popularization of sport free of doping. The main aim of this direction is changing public opinion and developing zero tolerance to doping, especially among young people. The Ministry of Sport of the Russian Federation allocates the funds for RUSADA development and realization of educational programs for different age target groups as well as for



organization of the scientific conferences and forums completely dedicated to anti-doping issues or forming part of an event. Special attention is given to young athletes.

The Ministry of Sport subsidizes collection of samples during international events that take place in Russia with national federations as organizers. But if a national federation wishes to collect additional samples or conduct doping-control outside of the subsidy of the Ministry of Sport it pays for doping-control from its own budget.

## 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 WADA-accredited laboratory in Moscow “Anti-Doping Centre” was created in 1979 and has enjoyed the status of being accredited by the IOC and WADA since 2002.

In November 2012 the construction of a new four-floor building for Moscow Anti-Doping Centre laboratory was finalized. The new building has the state-of-art equipment installed. The laboratory productive capacity is 25-30.000 samples per year. 19000 samples collected by RUSADA only are analyzed annually. In 2012 the Anti-Doping Centre laboratory was ahead of all the WADA accredited laboratories for the volume of analysis conducted, it performed analysis of 20 000 samples.

In November 2012 the construction of a new building of a temporary laboratory in Sochi that duplicates the building of the Moscow laboratory was also finalized. For equipping the temporary laboratory the Ministry of Sport of the Russian Federation spent 271.1 million of Russian rubles.

Moreover, the Ministry of Sport of the Russian Federation allocates a significant budget for the laboratory’s scientific development, including introduction of new anti-doping methods. Some of scientific research is taking place in cooperation with the anti-doping laboratories in Cologne (Germany), Lausanne (Switzerland), Beijing (China) and Los-Angeles (USA). At the symposium that took place in Cologne (Germany) in 2012 an employee of Moscow laboratory was recognized as the best scientist in anti-doping sphere based on his scientific findings.

It shall be emphasized that, notwithstanding the fact of the predominant percentage of state financing through the Ministry of Sport of the Russian Federation in RUSADA and Moscow Anti-Doping Centre laboratory’s budgets, they keep to be completely independent in their operational activities.

## 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.*

The main purpose of educational programs is increasing athletes and their personnel awareness in the matters related to doping deterrence and prevention. The programs were worked out in accordance with provisions of the UNESCO International Convention against Doping in Sport, the WADA Code and International Standards.

Seminars and interactional education quizzes are conducted by Russian Anti-Doping Agency RUSADA.

The main target audiences of educational programs are:

- Athletes (of different ages and levels),
- Athletes personnel (coaches, instructors, team managers and sport doctors),
- Athletes parents.

A number of framework presentations on the most urgent anti-doping issues: «Anti-Doping Rules Violations and Sanctions», «Doping Side Effects», «Athlete's Rights and Obligations», «Athletes Personnel Obligations and Responsibility», «Doping-Control Procedure», «Dietary Supplements in Sports», «Whereabouts Information and ADAMS» were elaborated for these seminars.

A number of presentations were created especially for doctors taking into account their competence, professional features and sphere of responsibility: «WADA Prohibited List», «Therapeutic Use Exemption» and «Athlete Biological Passport».

RUSADA integrates questionnaires to evaluate the quality of educational seminars and to find out the participants' wishes and preferences.

RUSADA organizes regularly seminars for athletes and their personnel in accordance with inquiries received from the national sport federations and organizations. Sometimes RUSADA itself initiates the seminar for groups because of high number of anti-doping rules violation or coming important competitions. Before the major sport events RUSADA specialists conduct the seminars for all the candidates-participants of the events from the national team. RUSADA also organizes the educational workshops with the persons responsible for anti-doping in the national sport federations and for submitting requests for therapeutic use exemption in anticipation of major sport events. For example, such seminars and workshops were conducted before the London 2012 Summer Olympic Games, 27th Summer Universiade in Kazan. Nowadays RUSADA organizes such seminars in anticipation of Sochi 2013 Winter Olympic Games.

Especially for sport doctors RUSADA conducts seminars on the basis of the Federal Medical and Biological Agency of Russian Federation.

RUSADA has made educational seminars available via video, Skype or Webinars. Online seminars became a convenient and cost-efficient tool to educate athletes who are difficult to access personally (who train abroad or in remote regions of Russia).

RUSADA educational department works side by side with the Ministry of Sport and national sport federations.

The other important direction of educational department is issuing of educational materials. RUSADA specialists have translated the international documents into Russian (for example, Word Anti-Doping Code, International Standard for Testing and International Standard for TUE), they also have developed and printed own brochures such as «10 Important Questions about Doping», «Energy Drinks in Sport», «Submitting Athlete's Whereabouts, ADAMS», «Athletes Pocket Guide».

RUSADA organizes itself and helps to organize interactive Outreach-quizzes conducted by international sport federations. For example, RUSADA specialists helped to organize an Athlete Outreach program during the IAAF World Championships 2013 in Moscow and the 27th Summer Universiade in Kazan. RUSADA carried out such quizzes during test events to Winter Olympic and Paralympic Games 2014 in Sochi. Hundreds of athletes and support personnel participated in such quizzes, benefiting from a large choice of educational documents, quizzes and other free materials. All the educational materials for the participants were issued in English, German, French and Russian.

Upon request of the Ministry of Sport RUSADA has developed the educational program for the informational terminals. Such terminals are set up in the main training centers. The athletes and supporting personnel can learn the information on doping in sport using materials of these terminals. The terminals content information about the doping control procedure, anti-doping rules, the list of prohibited substances and methods and so on.

All-Russian Scientific-Practical Conferences "Doping in Sport: Risks, Resistance, Prevention» are organized annually. A lot of athletes, coaches, doctors, team managers and other representatives of national sport federations participate in it. They present reports on subject on fight against doping, discuss important questions.

RUSADA web-site is a source of information and latest news in the field of anti-doping. It also provides on-line consultation for people about prohibited substances, sanctions, investigation, etc.

The system of education in institutions of higher medical and sport education in the field of anti-doping is developed and functioning in Russia. As part of the curriculum the classes on the subject about fight against doping in sport are conducted. Students gain knowledge about the kinds of anti-doping rules violations, sanctions for violations, as well as the legal aspects of the fight against doping. In biochemistry faculties, the students attend lectures on a subject of adverse side effects of doping and licit ways to enhance performance.

The education program in sport schools is established too and reaches many young athletes at the early phases on their sporting career.

In the regions of Russia the special workshops for the sport doctors, coaches and lecturers from institutions of higher medical and sport education are conducted too. Moreover in several regions specialist in the field of anti-doping were educated to consult athletes and supporting personnel and coordinate the cooperation in the anti-doping field.

### **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:*
  - e. *the reporting and disciplinary bodies to be distinct from one another;*
  - f. *the right of such persons to a fair hearing and to be assisted or represented;*
  - g. *clear and enforceable provisions for appealing against any judgment made;*
  - h. *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;*
  - i. *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.*

#### **A. Anti-doping legislation in Russia**

As it was mentioned above the Russian Anti-Doping Rules were developed by RUSADA and approved by the Ministry of Sport as a regulation that gives them obligatory force on the territory of the Russian Federation making these rules a part of the Russian legislation. That is why national federations, the Russian Olympic Committee and other sports bodies do not have to elaborate their own anti-doping rules (though Russian Olympic Committee has its own anti-doping rules elaborated in accordance with the WADA Modal Rules for National Olympic Committees). This form was chosen as it guarantees uniform application of principles of the WADA Code. Annually the Ministry of Sport approves WADA Prohibited List as a regulation.

#### **B. Results management, disciplinary procedures, sanctions and appeals**

All possible anti-doping rules violations are investigated in accordance with the Russian Anti-Doping Rules that were elaborated in strict conformity with principals of the WADA Code.

The special Disciplinary Anti-Doping Committee was established in 2010. It consists of 13 members (lawyers, doctors and sports representative) from the Russian Olympic Committee, Ministry of Sport and Russian jurisprudence institute, federal hospitals, etc. All its members are independent from RUSADA.

The Disciplinary Anti-Doping Committee conducts hearings that athlete or athlete's personnel can attend with their representatives. A decision of the Disciplinary Anti-Doping Committee is a RUSADA decision. It is sent to a relevant national federation for application. According to the Federal Law "On Physical Culture and Sport in the Russian Federation" this decision cannot be changed.

The Russian Anti-Doping Rules provide responsibility of the athlete's personnel for violation of anti-doping rules. Moreover if the personnel are found guilty the case is transferred to the FSCN for investigation in accordance with the Administrative Code of the Russian Federation.

If an athlete or athlete's personnel do not agree with a decision it can be appealed to the Court of Arbitration for Sport under Trade-Industrial Chamber of the Russian Federation. Since 2010 5 cases have been appealed to this organization.

### **C. Testing**

Approximately 20 000 samples are collected annually. 5 000 samples are collected in framework of Athlete Biological Passport Program (blood and steroid profiles). As it was described above under subsidy of the Ministry of Sport RUSADA collects in-competition and out-of-competition samples with priority on out-of-competition testing that takes 60% of all tests. Test distribution plan was developed on basis of risk assessment that included different parameters: violations of anti-doping rules in previous years, sports with good perspectives to medals, etc. Priority has been given to Olympic sports and powerlifting. All sample collection missions are entered into ADAMS for quick access of all relevant anti-doping organisations.

Upon requests of organizers RUSADA collects samples during international competitions conducted on the territory of the Russian Federation. RUSADA also collects out-of-competition samples under requests of WADA and international federations (for more detailed information see paragraph 8).

Doping-control is conducted on all levels including junior sport (about 40% - in order to prevent use of prohibited substance in youth).

### **D. Appointment of people responsible for anti-doping**

Under order of the Ministry of Sport people responsible for anti-doping were appointed in each national federation. Special meetings and workshops take place on basis of the Ministry of Sport with these representatives from the national federations and RUSADA where all problems in anti-doping sphere are discussed, suggestions to improve fight against doping in sport are made.

### 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;*
  - 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.*

**A. The foreign anti-doping policy of the Russian Federation forms an important part of the internal anti-doping policy development.** We duly participate in the intergovernmental anti-doping projects and, where appropriate, ensure the presence of the Russian Federation in the international structures responsible for tackling doping in sport.

Mr. Pavel Koloblov, Sidney 2000 Olympic Champion in fencing and currently the Deputy Minister of Sport of the Russian Federation, ensures the presence of the country in the WADA supreme decision-making body, the Foundation Board.

Mr. Vyacheslav Fetisov, a distinguished Russian ice hockey player and coach, is part of the WADA Athlete Committee performing the role of its Senator.

Mrs. Natalia Zhelanova, head of Antidoping Department of the Ministry of Sport of the Russian Federation, is part of the WADA Finance and Administrative Committee.

The officials of the Ministry of Sport of the Russian Federation and the representatives of the Russian Anti-Doping Agency "RUSADA" have regularly participated in the working sessions of the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA) hosted by the Council of Europe.

RUSADA has also regularly submitted the united proposals of the Russian sports community and its feedback on the Code through the online WADA Connect tool.

We appreciate and accept the proposal of the WADA Executive Committee to create an ad hoc working group that will unite the representatives of the IOC, the WADA and the Russian Federation and will work against doping in sport on the threshold of the Olympic Games 2014 in Sochi.

Since this year the Russian Federation also makes annual additional payments to the WADA.

Russia finances annually the UNESCO Fund for the elimination of doping in sport that specializes on educational activities.

**B. RUSADA international cooperation forms a major part of the international anti-doping activities in the Russian Federation.**

RUSADA international cooperation has witnessed a progressive dynamics since 2008, when the Agency was established.

By the end of the year 2012 RUSADA had **18 (eighteen) effective testing services agreements signed with Anti-Doping Organizations (ADOs) worldwide** providing for both out-of-competition and in-competition doping controls to be conducted by the Agency on behalf of the respective ADOs. In total in 2012 **434 tests** were carried out by RUSADA on behalf of IFs and other ADOs worldwide (see also Table 1. Testing services by RUSADA for the International Sport Federations and other ADOs worldwide in 2010 – 2012).

<b>Table 1. Testing services by RUSADA for the International Sport Federations and other ADOs worldwide in 2010 – 2012</b>
ADN – Anti-Doping Norway
CADF – Cycling Anti-Doping Foundation
CCES - Canadian Centre for Ethics in Sport
Clearidium – Danish Anti-Doping Service Provider
FEI – International Equestrian Federation
FIB – Federation of International Bandy
FIBT – International Bobsleigh and Skeleton Federation
FIE – International Fencing Federation
FIG – International Gymnastics Federation
FIL – International Luge Federation
FILA – International Federation of Associated Wrestling Styles
FISA – International Rowing Federation
FIS-Savate - International Savate Federation
IAAF – International Association of Athletics Federations
IBU – International Biathlon Union
ICF – International Canoe Federation
IIHF – International Ice Hockey Federation
IJF – International Judo Federation
IOF – International Orienteering Federation
IRB – International Rugby Board
ISU – International Skating Union
ITU – International Triathlon Federation
SportAccord – Association of International Sports Federations
UIPM – International Union of Modern Pentathlon
WA – World Archery
WADA – World Anti-Doping Agency
WAKO – World Association of Kickboxing Organizations
WDSF – World Dance Sport Federation
WTF – World Taekwondo Federation
Republican Centre of Sport Medicine and Anti-Doping Policies of the Republic of Armenia (NADO of Republic of Armenia)

Apart from the RUSADA/IF testing services agreements, **the Agency enjoys its cooperation with IFs within the framework of international sports events taking place in Russia**, where it has been appointed a Sample Collection Authority by the LOC. The coordination of the doping controls related to the international sports events where RUSADA is the sample collection authority is held on a regular basis to ensure strict compliance of the doping controls with the IFs anti-doping regulations.

Further to the international cooperation in the field of doping controls, RUSADA makes its best efforts to sustain and develop **international cooperation in the field of ADRVs prevention by means of information and education:**

by organizing **joint education programs with IFs and overseas ADOs:**

thus in April 2012 RUSADA and FIE set up a joint Outreach program at the FIE World Cadets and Junior Championships 2012, Moscow, Russia. The initiative received a positive feedback and public coverage by the WADA;



by taking active part in creating **information and education materials at the international level:**

e.g. at the request of the rugby colleagues RUSADA **renders regular assistance in preparing the Russian translation** of the IRB anti-doping brochures;

at the request of the WADA preparing Russian translation and updating **Russian translation of the ADAMS interface.**

In order to make them user-friendly for to the international sports community and other stakeholders, in 2012 RUSADA prepared the **English translation of the anti-doping normative acts and amendments to the legislation of the Russian Federation implemented during the previous years.**

RUSADA by all means pursues the policy of maintaining and developing friendly and professional **relations with foreign NADOs.**

**One of RUSADA strategic partners since 2009 has been the Anti-Doping Norway (ADN).** The ADN – RUSADA collaboration has been marked by a series of special projects **supported by the WADA and the IOC.**

Russian and Norwegian anti-doping experts received an opportunity to work in the partner-organization as trainees, to take part in the joint educational seminars for athletes and DCOs and to share experience with foreign colleagues.

In 2011 RUSADA and ADN carried out two educational events in Kirkenes and in Murmansk for young athletes within the Barents Project. Norwegian and Russian DCOs took part in a joint mission explaining the rules of doping control procedures to cadets and juniors. The Outreach educational quiz was carried out as well.

In collaboration with the Anti-Doping Norway over the years 2009–2011 RUSADA developed a **comprehensive quality Anti-Doping Program** embracing all major RUSADA activities which was formally presented in December 2011. The document got a positive review from WADA and IOC.

In 2012–2013, further to the meetings between the top managers and employees of both NADOs that have become regular over the previous four years, the new stage of cooperation targeted the personnel exchange program for the office and field staff.

**Collaboration between RUSADA and Armenian NADO** formed an autonomous project in 2012. An agreement was signed between the two NADOs under which RUSADA held education workshops for the Armenian colleagues featuring development and implementation of the quality anti-doping program.

Another direction of international cooperation in 2012 was that with **Bulgarian NADO**, for which RUSADA played a role of an experienced and professional partner.

An important aspect of the international cooperation for RUSADA is the **collaboration with the IOC and the WADA**, in view of the Games 2014 in Sochi ever closer focusing on RUSADA participation in developing and implementing the anti-doping program for the LOC Sochi 2014. RUSADA has been part of the IOC CoCom meetings on anti-doping program of the OG Test Events in Sochi in 2012 and 2013.

**C.** The Ministry of Sport of the Russian Federation allocates **an extra budget for the purposes of some of the scientific development of Moscow Anti-Doping Centre laboratory to take place in cooperation with** the anti-doping laboratories in Cologne (Germany), Lausanne (Switzerland), Beijing (China) and Los-Angeles (USA).

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

### **Introduction**

The evaluation visit in Moscow on 2-5 December 2013 by the experts of the Monitoring Group of the Anti-Doping Convention was efficiently and carefully organised by the Ministry of Sport of the Russian Federation. The national report submitted by the Russian Federation regarding the implementation of the Anti-Doping Convention covered the articles 1 to 8 of the Convention, and it formed the basis for evaluation by the Evaluation Team.

The evaluation visit started at the Ministry of Sports of the Russian Federation with an introductory meeting with Deputy Minister Mr Yuri Nagornyh, continued by a presentation of the report on anti-doping policies of the Russian Federation since 2009 by Ms Natalia Zhelanova, Head of Department for Anti-Doping and Intersectional Cooperation.

During the visit the team had the opportunity to meet representatives from the other public authorities involved in anti-doping – Federal Service for Drug Control (DSDC), Federal Customs Service (FCS) and the Federal Medical-Biological Agency (FMBA).

Regional experience was showed in the presentation on anti-doping activities in Moscow by representatives from the Physical Culture and Sport Department of Moscow. A representative of the Russian State University of Physical Culture, Sport, Youth and Tourism (SKOLIPE) gave a presentation on the university's strategy on fighting doping in sport. The Evaluation Team also met representatives of All Russia Athletics Federation. The Evaluation Team was shown the Doping Control Laboratory and visited RUSADA, the national anti-doping organisation of Russia.

A final discussion on the anti-doping work in Russia was held in the ministry; and a visit to the Central museum of the physical culture and sport ended the visit.

**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 Anti-Doping Convention has entered into force in the Russian Federation in 1991. So far Russia is not a Party to the Additional Protocol of the Convention. As mentioned in the national report Russia is since 1999 compliant with the World Anti-Doping Code (WADC). The Federal Law, dated 4 December 2007, on Physical Culture and Sport in the Russian Federation (Law on Sport), was amended in May 2010 to comply with the provisions of the UNESCO Convention against Doping in Sport. Article 26.1 in the Federal Law regulates the mission of the All-Russian Anti-Doping Organization, named the Non-Profit Partnership Russian Anti-Doping Agency, "RUSADA".

In 2013 the federal budget for the work of RUSADA (sample collection, result management, education and information) and the laboratory (sample analysis) amounts to 7 629 939€, for scientific research and conferences – 999 695 € and for international co-operation to 840 000 €.

Considering the legal framework and experience of the evaluation team during its visit as well as taking into account the assigned subsidies for anti-doping activities, it seems likely that the policies defined in the national report can be fulfilled and that necessary steps have been taken to apply the provisions of the Convention.

***The Evaluation Team finds that the political commitment expected in Article 1 is fulfilled.***

## Article 2 – Definition and Scope of the Convention

1. For the purpose 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.

**1 b.** The definition in the Convention on *pharmacological classes of doping agents and of doping methods* refers to those banned by sport in the WADC and approved by the Monitoring Group. According to the order on the Adoption of the Anti-Doping Rules of the Russian Federation, in Article 4.1.1, the Ministry of Sport adopts, after consultation with the Federal Drug Control Service (FDCS), the list of substances and (or) methods prohibited in sports according to the Prohibited List adopted by the World Anti-Doping Agency (WADA). The list goes into effect three months after publication of the WADA Prohibited List on the WADA website without any further action by RUSADA. It is also available on the website of the Ministry of Sport.

**1 a. and c.** The Anti-Doping Rules of the Russian Federation consists of provisions deriving from the UNESCO Convention and the WADC and its International Standards. They apply to physical culture and sports organisations, sports federations, organising committees of the sports events held in the Russian Federation. They also apply to coaches, experts in the field of physical training, experts in sports medicine and athletes.

The Anti-Doping Rules of the Russian Federation provide the following definition of athletes:

- members of the physical culture and sports organisations registered in the Russian Federation, independently of their current or permanent place of residence, or otherwise falling under the jurisdiction of in the rules named sports organisations
- participants in physical culture and sports events held by the physical culture and sports organisations or sports events organising committees registered in the Russian Federation according to the Law on Sport, provided that the event regulations do not define its status as that of an international sports event.

A sports organisation cannot arrange a sports competition or other activity without being registered. All such registered organisations and their athletes are covered by the Law on Sport.

It is not clear for the Evaluation Team if all local level young athletes are members in a registered sports organization and thus covered by the anti-doping policies and activities in the Convention. The Evaluation Team suggests a clarification in the Russian regulations that the definition in the Convention of sportsmen and sportswomen is covered.

### Recommendations

- **that the definition of sportsman/ sportswoman in the Anti-Doping Rules of the Russian Federation (13.04.2011) is clearly harmonized with the one in the Convention.**

### 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.*

**3.1** The Ministry of Sports of the Russian Federation is responsible for coordinating the domestic work and for funding the RUSADA and the Anti-Doping Laboratory. The anti-doping policy shall also be in compliance with all international regulations. The Deputy Minister expressed that this was especially important as Russia is going to host many important international events in the years to come, just to mention the Olympic and Paralympic Games in 2014. The anti-doping work should not be important only to top level athletes but should start already from young age at the sport schools on to universities with the aim to change the behaviour and attitudes towards use of doping.

The legal basis for anti-doping activities is formalized in the Law on Sport. The law was amended on 7 May 2010 No. 82-FZ in accordance with international regulations, and defines the status of the NADO of the Russian Federation – RUSADA – and its goals.

The legal basis for the anti-doping work also includes amendments of the Labour Code of the Russian Federation which amongst other rules outlines the athlete's responsibility and the employer's right to terminate the contract with those sanctioned for doping violations. Further, the Code of Administrative Offences provides a legal consequence of professional ineligibility for persons and officials, specifically addressed in Article 6:18 covering violation of the requirements to prevent doping abuse in sport and fight against doping.

Further, the regulations on the transport of samples and equipment for the purpose of doping control (Decree No 884) dated 11 November 2010 now makes it possible to cross the border with doping samples and equipment.

A number of organisations at central and regional level are involved in the anti-doping work, for example the Federal Drug Control Service of the Russian Federation (FDCS), RUSADA, regional authorities and sports organisations covering a wide range of topics.

The Ministry of Sport has a cooperation agreement with the FDCS on investigation of athlete's personnel involvement in violation of anti-doping rules. Each All-Russian Sports Federation signs an agreement with the Ministry on implementation of the requirements of Article 10 of the Federal Law "On Physical Culture and Sport in the Russian Federation" on prevention and combating doping. In addition, the Ministry has a regular cooperation with Federal Custom Services (FCS) and the Federal Medical and Biological Agency (FMBA). The Ministry is the point of contact for coordinating this work.

FDCS presented statistics about the trafficking of doping substances and distribution channels for such substances. The agreement was signed with the Ministry of Sports on 29 June 2010. The Agency has also developed a collaboration and dialogue with the RUSADA.

FMBA gives medical and biological support to national teams of the Russian Federation and guidance and coordination of health care in sports medicine. It is represented by 301 physicians in sports medicine and conducts research in the field of anti-doping, including 25 physicians taking care of actual issues of clinical pharmacology personalization and pharmacological support for high class sportsmen. Further, FMBA provides assistance in TUE questions; and analyses products (e.g. nutritional supplements) for doping substances as well as other substances to prevent unintentional use of doping among the athletes. FMBA also conducts education and research in the anti-doping area.

The Evaluation Team appreciates the Russian Federation's success in involving a number of public authorities into the anti-doping work. Moreover, related to the Winter Olympic Games, a special Task Force

has been established in anticipation of the Olympic Games in Sochi for the exchange of information with law enforcement agencies in order to follow-up the potential trafficking of illegal substances and handle other uprising questions. One of the objectives is to enhance target testing.

**Even if there is no formal forum for the coordination the Evaluation Team considers the described collaboration as a very valid and important step to exchange and share information. The team believes that the Task Force established in anticipation of the Olympic Games in Sochi may strengthen the Russian anti-doping program on a permanent basis and could serve as a model for a permanent co-ordination group.**

**3.2** This Article requires that the Parties shall ensure that there is a practical implementation of the Convention, and in particular that the requirements under Article 7 are met.

During the visit the evaluation team was informed that the Ministry of Sport is directly involved in the operation of top sports through different means. As an example, there are two different Vice-Ministers, one for summer sports and one for winter sports, direct funding for national sports federations based on specific criteria and contracts with coaches and athletes are under the auspices of the Ministry. Much of the practical work, which will be described under Article 7, is designated to the national anti-doping agency - Non Profit Partnership Russian Anti-Doping Agency - the RUSADA.

RUSADA was created in 2008, and started with basic education in sample collection procedures. In 2009 a collaboration project started between Anti-Doping Norway, WADA and RUSADA. It has led to a comprehensive up-to-date anti-doping program covering testing, result management, therapeutic use exemptions, education, information, as well as ISO certified quality control management, where Anti-Doping Norway helped as a mentor. From 2011 the IOC became a part of this collaboration and helped for Sochi preparation. Collaboration with Anti-Doping Norway, WADA and IOC is prolonged to 2014 aimed at creation of a sophisticated program and reach partner relation level leading to equal status of all involved. The Ministry of Sport is responsible for RUSADA and the laboratory through contractual and financial commitments, although the Ministry of Sport is not involved in the daily business/activities of the two organisations.

The Ministry of Sport is the main point of contact for other public authorities with responsibilities linked to the anti-doping work.

In order to avoid any perceived conflict of interest for the Ministry of Sport, it is the advice of the Evaluation Team that the Ministry of Sport clarifies its role and responsibilities in the anti-doping work to avoid involvement in specific cases. For example, it is recommended that the Ministry of Sport considers RUSADA as the coordinating organisation for operational anti-doping matters even when dealing with public authorities in charge for the police and customs. However, the Ministry's role as a general regulator and policy maker is well perceived and appreciated by the Evaluation Team.

**Recommendations:**

- **A permanent co-ordination group on the basis of the Task Force for Sochi Olympics is established in order to:**
  - o **co-ordinate actions to combat doping**
  - o **act as a discussion forum for specific target projects.**
  - o **identify possible distribution channels for doping substances and the user groups with specific focus on organised sport and top sports**
- **To ensure the independence of RUSADA it could be considered that more specific distribution of roles and responsibilities would be defined between the Ministry and RUSADA should be drawn, with the focus of the Ministry's role in policy development and RUSADA's executive role in the anti-doping field.**

#### 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 analysis, 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, provide that they are compatible with the relevant principles of this Convention.*

**4.1.** The Evaluation Team met representatives of the FDCS who gave a presentation on “Counteracting illicit traffic of drug-doping substances”. The FDCS has intense cooperation with Interpol and Europol and with other countries. FDCS officers together with regional institutions participate in preventive activities for young people to change their attitudes towards doping. Preventive activities are aimed at creating zero tolerance for doping in society.

The Criminal Code of the Russian Federation prohibits illicit sale of drugs and doping substances and smuggling. Time in prison can be up to 8 years for sale, and up to 12 years for smuggling. Currently there are 44 doping substances on the list of controlled substances, mostly androgenic anabolic steroids. hGH and EPO are not yet included in the list, but representatives of the FDCS ensured that they will be.

In 2011 154 kilograms and in 2012 138 kilograms illicit doping substances were confiscated. FDCS’s aim is to cut down the availability of illicit drugs and according to cooperation agreement from June 29, 2010 with the Ministry of Sport engages in the prophylactic work.

If an anti-doping rule violations case cannot be handled as a criminal offence, it can be brought to an administrative court. In these cases in addition to the anti-doping rule violation and a respective sanction by the All-Russian Sports Federation, a coach, expert in sport medicine or other expert in the field of physical culture and sport who was found guilty for administration to an athlete a prohibited substance and (or) any prohibited method or assisting an athlete in the use or administration to the athlete any prohibited substances and (or) any prohibited method he/she can be disqualified for the period of one to two years in accordance with the Code of the Administrative Offences of the Russian Federation (Article 6.18). If the athlete is a minor the disqualification period will be three years.

There are actions that can be brought against internet sales as since January 1, 2013 it is possible to close down webpages advertising prohibited doping substances.

In order to facilitate the transportation of the doping samples and for the to distinguish the transportation of samples and doping control equipment from smuggling there is a regulation from 11 November 2010, permitting their entry, transportation within and export from the territory of the Russian Federation, with simplified clearance procedure and without any taxes or customs fees.

Currently there is a good cooperation between Federal Customs Service (FCS) and RUSADA to detect criminal or administrative offenses.

Within the framework of the Task Force established in relation to the Winter Olympics 2014 the officers of the FCS will look at the delegations' luggage when leaving or entering the Russian territory. Information about persons bringing in pharmaceutical and medical drugs gathered in these investigations will be shared to the Task Force and will be used for target tests in the Olympic/Paralympic Games

FCS pays attention to the education aspect and seminars have been held to educate customs officers on doping substances and related topics. Custom officers have also been engaged in lecturing for students.

**The Evaluation Team finds that there is a need for a legal possibility to restrict the availability of more doping substances, for example prohibited hormones as hGH and EPO and new substances and that such substances could be on the list for criminal liability. Otherwise the legal measures to restrict the availability of banned doping substances and (or) any prohibited method fulfil the Convention.**

**4.2** The Anti-Doping Department within the Ministry of Sport is responsible for the funding of leading organisations involved in anti-doping activities. As explained to the Evaluation Team the application of the anti-doping regulations is a prerequisite for the sports organisations to get the government funding. A violation of these requirements will result in discontinuing subsidies to the implied institution or organization.

**The Evaluation Team is of the opinion that in any case of funding – public or private – to a sport organisation or activity the funding contract should include conditions on effects of a breach of the anti-doping regulations.**

**4.3.a** As described before the Ministry of Sport finances both the national anti-doping organisation - RUSADA and WADA accredited doping control laboratory - Anti-Doping Centre. For regular activities only, the federal budget for RUSADA in 2013 is 4 647 868 Euros and the regular budget for the Anti-Doping Centre WADA-accredited laboratory for 2013 is 2 982 071 Euros. Additionally to the resources allocated to RUSADA for day-to-day operation, the Ministry of Sport funds the extra costs for the events connected with the Olympic and Paralympic Games 2014 in Sochi and other major international sports events, such as the IAAF World Championships 2013 in Moscow, the Universiade 2013 in Kazan, etc.

When funding the activities of RUSADA, the Ministry of Sport develops an annual plan for national and international competitions where testing may be conducted. This represents the general platform for the funding contract between the Ministry of Sport and RUSADA. The contract is mainly based upon the number of samples expected to be conducted.

In accordance with the subsidy from the Ministry of Sport, RUSADA collected more than 20000 in-competition and out-of-competition samples in 2012. Almost the same amount will be collected in 2013 (this number does not include samples collected during major international events). Since 2010 RUSADA has annually been collecting 5000 samples for the purposes of the Athlete Biological Passport Program.

Based on article 4.3.a, the current funding covers the compulsory requirements for the huge number of international events hosted in Russia, but taking into account the major role Russia plays in international sports funding could be increased to allow for more targeted and intelligent tests. However it has to be noted that target testing composes about 10% of all samples collected.

The Ministry of Sport explained that the budgeted cost per sample collection is higher than average to allow possibility to fund more expensive missions linked to target testing, testing athletes training in rural areas and abroad. In addition, RUSADA can run education activities for the same funding. The funding model, though, can induce RUSADA to deliver more testing on athletes staying in Russia and on competitions in the country, instead of out-of- competition testing on Russian athletes training abroad.

**The Evaluation Team has concerns that the funding model based on price for number of samples collected could be an incentive to focus on quantity for low costs in urban areas instead of small missions for target testing, testing in rural areas or abroad and that for these purposes the funding is too low. The Evaluation Team suggests that additional criteria are defined to the funding principles of the anti-doping program by the Ministry of Sports, e.g. number of seminars, number of participants in education activities, number of publications.**

**4.3.b.** The Russian legislation provides several items that require withdrawal of funding from athletes who have been suspended for anti-doping rule violation for the duration of the suspension period. All athletes



are contracted under the auspices of the Ministry of Sport. When the RUSADA makes a decision to sanction a person, the decision is reported to the Ministry of Sport and the respective regional sports authority who will withhold the grants and subsidies. All decisions made by an IF or NADO shall be reported to the national sports federation that shall ensure that all public funding and grants is withheld from the athlete.

**Based upon the information received the Evaluation Team finds that the obligations covering withhold of grants to suspended athletes are well implemented.**

**4.3.c and d.** RUSADA conducts all testing within the territory of Russia. Moreover, RUSADA informed that outside Russia they tested Russian athletes in former USSR countries and other neighbouring countries with its own DCOs. For other countries the tests were conducted through respective NADOs or private doping control organisations (e.g. IDTM, PWC). Approximately 20 tests on foreign territories were conducted in 2013 using outside organisations. In very urgent matters, RUSADA sends Russian DCOs abroad, but such missions are very costly. The legislation regarding transportation of samples and RUSADA's opportunity to analyse samples in Moscow at no extra costs are good incentives to bring samples to the Russian Federation for analysis, when collected from the Russian athletes abroad

**4.4** The Evaluation Team considers that the anti-doping regulations currently in force are compatible with the relevant principles of the Convention as required by the Article 4.4.

**Recommendations:**

- **In order to ensure up-to-date fight against trafficking of doping substances, to construct a legal possibility for the Federal Service for Drug Control to rapidly include prohibited hormones as HGH and EPO and new banned doping substances for criminal liability;**
- **To encourage the strategy that a private funding (e.g. sponsorship) is provided only to the sport activity or organisation, which effectively implements anti-doping policy;**
- **To consider alternative funding models in order to avoid potential incentives for RUSADA to deliver high quantity of tests to low costs and rising the funding to RUSADA for more anti-doping activities, especially for intelligent target testing in rural areas and abroad.**

## 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 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.*

**5.1** The doping control laboratory of Moscow – Anti-Doping Centre – was created in 1979 and has been accredited by WADA since 2002. Two weeks before the evaluation visit, WADA decided that the accreditation of the Moscow Laboratory was suspended for six months, but that suspension shall not come into effect unless certain issues could be solved within given time limits. The issues that were not satisfactory were about the quality management system of the lab. The Evaluation Team, in the limited time of 1.5 hour visit, couldn't get to the details of the quality assurance system of the Moscow lab. It was assured from the Ministry of Sport that if the laboratory wouldn't keep its accreditation, the analysis of doping samples would be performed at an accredited laboratory outside Russia.

The Moscow laboratory possesses the ISO 17025 accreditation. The Evaluation Team visited the premises of the laboratory. The laboratory possesses hi-end technology for the doping control analysis as mass spectrometry (LCMSMS, LCHRMS, GCMSMS), and other methods as SAR PAGE for EPO and isoform method for hGH. There is digital control access for authorized persons in different places of the building. The laboratory has developed its own Laboratory Information Management System (LIMS).

The laboratory performs the analysis of about 20.000 athletes' samples per year. This performance that renders the Moscow lab among the first of WADA accredited laboratories as for the volume of analysis being conducted. Despite the high number of samples, the usual reporting time of the results is only 4 working days; well below the 10 working days threshold set by WADA.

The administrative and operational activities of the laboratory are independent from the Russian Anti-doping Agency (RUSADA).

A replica of the Moscow laboratory is built in Sochi for the Winter Games of 2014. For equipping the temporary laboratory, the Ministry of Sport of the Russian Federation spent about six (6) million Euros.

**5.2.a** The scientific and technical staff of the laboratory is about 35 people. The scientific team for the hormones detection (EPO, hGH etc.) is employing more and more people trying to meet the current challenges of the anti-doping system. The scientific personnel comprise of young people full of energy and will for scientific development. The laboratory has developed cooperation with other WADA accredited laboratories in Cologne, Lausanne, Beijing and Los Angeles. Scientists from the Moscow laboratory have been trained at the above laboratories for the newest methods of doping analysis.

**5.2.b** The research performed at the Moscow laboratory is mainly funded by the Ministry of Sport of the Russian Federation. For research about the implementation of Orbitrap mass spectrometry for the doping control of a wide range of prohibited substances the laboratory was also funded in the previous years by WADA. The scientific team seems very strong in detecting new long term metabolites of anabolic steroids. The laboratory undertakes programs of research in cooperation with the laboratories in Cologne and Lausanne.

**5.2.c** The Moscow laboratory has published a number of manuscripts for the research being done in the detection of prohibited substances. A manuscript, published more than two years ago by the Moscow

laboratory about new long term metabolites of the anabolic steroid Oral Turinabol led to the reporting of hundreds of positive cases for this steroid by the anti-doping laboratories worldwide. The Moscow laboratory presents the results (oral presentations and posters) of its research at the Anti-Doping Workshop that is held every year in Cologne, Germany.

**The Evaluation Team assessed the work of the laboratory in general terms of the Convention and found that the application was satisfactory.**

**The team understood that in case the WADA accreditation would be suspended there is an arrangement to contract another accredited laboratory for doping analysis of the samples collected by RUSADA or by major event organisers, e.g. Winter Olympic/Paralympic Games.**

**Thus the Evaluation Team found that the criteria of Article 5 are fulfilled.**

**The Evaluation Team suggests that participation in research projects as a leading organisation, and not only as a collaborator should be promoted, in particular by submitting proposals to the international calls from institutions like WADA.**

## 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.*

The Ministry of Sport considers education and prevention as a very important activity with the aim to change of attitude towards doping in the society. Currently the work is directed into two fields - propaganda for society and sports-related education.

**6.1** The Education program in Russian Federation is carried out by a number of organisations, such as RUSADA, Moscow Physical Education and Sports Department, Russian State University of Physical Education, Sport, Youth and Tourism (SCOLIPE) and the Federal Medical and Biological Agency (FMBA).

RUSADA is responsible for coordination and implementations of anti-doping education and information for all level athletes, athletes' personnel (coaches, managers), sport doctors, athletes' parents and journalists. National sport federations are obliged by the law to cooperate with RUSADA in implementation of education programs. There is a number of ways to disseminate information: annual conference on doping in sport, documentary films about doping (similar as are used in narcotics prevention), seminars, website, social networks, printed material, info-terminals and telephone service. The education and information program covers all topics which must be delivered to athletes: doping control procedure, anti-doping rule violations and sanctions, athlete rights and responsibility, the obligations and responsibilities of athlete's personnel, the prohibited list, therapeutic use exemptions (TUE), and harm of doping and dietary supplements.

Physical Education and Sports Department in Moscow (Moscow city) presented their regional anti-doping prevention and education program. The program is regulated by a number of legal acts adopted in Moscow city. Moscow city runs "Fair Play" program with the goal to prevent the use of performance-enhancing drugs among Moscow athletes. The target audience is over 150 000 children and adults involved in sport. Over 130 employees are involved in the anti-doping work. The Moscow city "Fair play" program consists of a number educational and prevention programs such as "Multi-test" terminals, seminars in sports schools, education programs for medical personal, published material, video material, telephone service, including the use of famous athletes as "Fair play" ambassadors. Further, the Moscow city monitors the attitudes among youth related to doping on a yearly basis, which shows that there is a positive impact of this campaign. Moscow city also carry out social research in the anti-doping field. The Moscow city "fair play" model has been presented as a model for other regions and comparable programs are in progress in a number of other regions.

The anti-doping subject is included in curricula of the Russian State University of Physical Education, Sport, Youth and Tourism (SKOLIPE). It is mandatory for all professions at any study level: bachelor (108 h.), master degree (72 h.) and PhD studies (under the development). The university also develops the lectures for coaches training courses and conducts surveys related to doping. It is worth to mention that any medical doctor (irrespective of his/her specialisation) receives anti-doping education as it is part of sport medicine discipline.

The Federal Medical and Biological Agency (FMBA) runs among other activities anti-doping education program for sports physicians, massage therapists and psychologists. To get a license for work in these professions basic knowledge is required, such as the anti-doping organization in the world and the country, regulatory documents, prohibited list and TUEs, so that they do not prescribe prohibited substances or methods, are able to assist the athlete to complete a TUE request and can use their own influence on athletes in order to create an atmosphere of intolerance to doping.

**The Evaluation Team finds that the educational actions are remarkable and very comprehensive and well covers the obligations in Article 6.1. The team, though, has some suggestions.**

- **The model of the Moscow city fair play program could be used as best practise in all regions of the Russian Federation.**
- **Russian sport could gain even more with a more coordinated approach for developing, running and evaluating the outcome of the different actions taken.**
- **The outcome could be shared with other countries as well as with the Council of Europe, WADA and the Institute of National Anti-Doping Agencies (iNADO).**

**6.2** In addition to funding sample collection and analysis, the Ministry of Sport provides funds for education and scientific research activities (985.500€ for research and 12.195 for Conferences in 2013). The Ministry of Sport participates in the organization of scientific conferences and seminars and in the dissemination of scientific results related to anti-doping studies.

Among the staff of the Moscow laboratory there are some researchers that perform scientific studies to develop new methods of detecting prohibited substances. They collaborate with international scientific groups and have published significant results.

On the other hand, the Federal Medical and Biological Agency (FMBA) of Russia provide medical and biomedical support of national teams of the All-Russia Sports Federations, including an in-depth medical examination of athletes. The service offered by FMBA of analysis of nutritional supplements to detect doping substances is very interesting and useful. FMBA works in collaboration with the Ministry of Sports, RUSADA, universities, all-Russian Sports Federations, Sochi 2014 Organizing Committee and other organisations.

FMBA also conducts research in the field of anti-doping, assists in the therapeutic use exemptions (TUE) and implements educational programs. The activity of the FMBA on research, education, education of sports medicine specialists and preventing doping is outstanding.

Finally, the University of Physical Culture, Sport, Youth and Tourism (SCOLIPE), includes lectures on anti-doping issues as well as performs scientific research programs.

**The Evaluation Team finds that the criteria in this article are very well fulfilled. Recommendations**

- **To use the Moscow City Fair Play program as a model for other regions in the Russian Federation;**
- **To share the best practice in anti-doping education and information with anti-doping organisations in other countries and international sports organisations;**
- **To evaluate on a regular basis the outcomes of different actions in education and information and use it when for deciding on future actions.**

## 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. *list 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:*
    - *the reporting and disciplinary bodies to be distinct from one another;*
    - *the right of such persons to a fair hearing and to be assisted or represented;*
    - *clear and enforceable provisions for appealing against any judgement 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 away 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 by 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.*

**7.1 and 2 a. – c.** The Ministry of Sport has agreements with sports federations and regional sport organisations on the responsibilities of the organisation. It is mandatory for the national federations and other sport organisations to comply with the anti-doping regulations, approved by an order of the Minister of Sports, implementing the World Anti-Doping Code and the UNESCO Convention. The reference list of banned substances in sport is the WADA Prohibited List.

It is mandatory for all national federations to appoint a contact person for anti-doping matters. The collaboration between RUSADA and the federation goes through this contact. This also guaranties that the national federations have to take on the responsibility for their own athletes and support personnel.

**The Evaluation Team finds that the criteria of the Convention in these respects are fulfilled. The All-Russian Sports Federations could involve more in the anti-doping work of their international federations by showing good examples of cooperation**

**7.2.d. – f.** According to the Federal Law and the Anti-Doping Rules the results management is handled by RUSADA, if RUSADA has initiated the testing or when there is a possible Whereabouts Failure and the athlete is in RUSADA's Registered testing pool (and is not the responsibility of the IF). RUSADA shall also investigate other possible violations of the Anti-Doping Rules. The procedure described in the Anti-Doping Rules follows the WADC and the International Standard on Testing.

A possible violation of the Rules shall be assigned to the Disciplinary Anti-Doping Committee for adjudication and determination of consequences. The rights of the athlete or other person in the hearing process are thoroughly described in the Rules. These include the possibility of a hearing in due time and the possibility to be represented at the hearing at the party's own expense.

The decision of the Disciplinary Anti-Doping Committee is referred to RUSADA, who, without the possibility to change the decision, shall refer the decision, now named RUSADA decision, to the relevant sports federation or international sports federation for application.

According to the report the Disciplinary Anti-Doping Committee consists of 13 members. The Chairperson forms a Commission from three members. The Commission can be enlarged at the request of one of the parties. The RUSADA decision can be appealed to a Sport Arbitration Court in Russia, and by an international level athlete to the Court of Arbitration in Lausanne, CAS.

If RUSADA during the investigation of anti-doping rules violation reveals a possible violation by an athlete support personnel then RUSADA shall inform the FDCS for consideration of administrative offenses according to the Code of the Russian Federation on Administrative Offenses. The Anti-Doping Rules establish sports ineligibility and the Administrative Code establishes administrative responsibility that can differ from sports sanctions. Apart from the sanctions in the Anti-Doping Rules an athlete can lose a contract of employment if being caught by an anti-doping rule violation.

Mutual recognition is regulated in Article 13.1 and 13.2 saying that final adjudications of sports federations of the Russian Federation (or a Signatory which are consistent with the Code and are within that Signatory's or Sports Federation's authority) shall be recognised and respected by RUSADA and all Sports Federation of the Russian Federation. The same applies to adjudications of other bodies, which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

**Experience of the Evaluation Team gave the impression that the criteria in the Convention in this respect are fulfilled. In order to clarify the distinction between the reporting body, RUSADA, and the disciplinary body, the Evaluation team suggests that the decision would be given on behalf of the Disciplinary Anti-Doping Committee and not the RUSADA.**

**7.3 a** RUSADA gave a very good information about its activities, planning and organization of collecting doping-control samples, education, TUEs and investigation of possible anti-doping rules violations as well as its views on international cooperation.

From this information the following is noted:

- the total number of doping controls is decided by the Ministry of Sport, but RUSADA decides on the Test Distribution Plan. Risk assessment is the basis for this plan.
- Out of the about 20 000 tests, including approximately 1 000 – 1 500 are target tests, about 60% are Out of Competition Tests and 40% In Competition tests.
- Steroid profile is used for target testing.
- Testing is also done outside the testing pool and on behalf of IFs or WADA and at major events. For carrying out the doping controls, there are 21 Doping Control Officers (DCOs) in Moscow – a combination of full time and part time employment - and 42 in the regions.

**This part of the Convention is fulfilled by the activities of RUSADA. However, the Evaluation Team has the following suggestion:**

- **There is one intelligence officer to investigate possible anti-doping rule violations. With a more complex situation when it comes to possible violations, which not always are due to clear analytical adverse findings an intelligence unit ought to include experts on sport physiology and on the effective practices of doping (when, how and which doping practices will be used by each different athletes) as well as personnel analysing the development of athletes' performance to**

**detect unexpected changes. The number of persons working on this unit should be as small as possible and carefully chosen. They should have good relationship with the law enforcement authorities, e.g. FDCS, FCS.**

**7.3.b. and c.** When RUSADA signed the World Anti-Doping Code this part of the Convention can be considered as successfully implemented.

**7.3.d.** The Evaluation Team was informed that RUSADA and Moscow city use famous athletes to promote clean sport. It is also noted that former ice-hockey player Mr Vyacheslav Fetisov is Chair of WADA Athletes' Committee.

**The Evaluation Team recommends that athletes are promoted to participate more actively in anti-doping work in national and international sports organizations.**

**7.3.e** See what is written above under Article 5.

**7.3.f** The aspect of studies of scientific training methods is mainly performed by the staff of the Centre of Sports Medicine at the FMBA working with the national teams. It comprises 301 physicians in sport medicine, 250 massage therapists, 44 psychologists.

SCOLIPE Educational programs include undergraduate, graduate and postgraduate programs dealing with the health of athletes, performance and anti-doping. These programs include scientific research on methodological training for national teams in 25 sports.

The FMBA is highly competitive and is a good model for other countries. The services that they offer to athletes are of good quality and cover all needs. It is very well perceived the service of analysis of nutrition supplements to determine the presence of doping substances.

**The Evaluation Team suggests that the preventive health measures should be extended to also non-professional athletes in public facilities for recreational sport and clubs particularly for school and university students (for example cardiac reanimation devices and first care measures), as well as scientific studies to prevent injuries and sudden death in young and sporadic athletes.**

#### **Recommendations**

- **The decision of an anti-doping rule violation should be given on behalf of the Disciplinary Anti-Doping Committee;**
- **Additional experts in other fields (e.g. sports physiology) should be included in the investigation unit;**
- **Russian athletes could be encouraged to participate more actively in anti-doping work of their international sports organizations;**
- **Preventive health measures for non-professional athletes in recreational sports and clubs should be provided.**



### Article 8 – International co-operation

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

*The Parties undertake:*

- 1. 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;*
- 2. to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5; and*
- 3. 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.*
- 4. 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 national report presented by the Ministry of Sport (T-DO(2013) 30) describes in detail how the Russian Federation takes part in the worldwide anti-doping activities, with its representatives being elected or appointed on different boards and committees.

Regarding part 1 of the Article 8 the Evaluation Team can confirm that the Russian Federation actively participates in different activities under auspices of international organisations - Council of Europe, UNESCO, World Anti-Doping Agency, and International Olympic Committee, as well as with broad range of international sports federations which held their championships in the territory of Russian Federation. However, the Evaluation team didn't get information about the principle to ratify claims for world or regional records only if they are accompanied by an authenticated negative doping control report.

Assessing parts 2 and 4 of the Article 8 it is evident from the national report and on-site findings in the laboratory that the laboratory staff actively cooperates and exchange experiences with their colleagues from other accredited laboratories.

With regards to the part 3 of the Article 8 it has to be reminded that the Anti-Doping Convention is ratified by the Russian Federation already since 1991 and the delegation of the Russian Federation regularly takes part in the meetings of the Monitoring Group of the Anti-Doping Convention, participates in the work of the Advisory Groups on Legal issues, and completes the annual questionnaires on anti-doping policies.

It should also be noted that the Russian Federation hosted a consultative visit in the framework of the Compliance with Commitments project in 2001 and provided a follow-up report in 2002.

The Russian Federation ratified the International Convention against Doping in Sport (Unesco Convention) in 29 December 2006 and takes part in the biannual Conferences of Parties, as well as substantially contributes to its Fund for the Elimination of Doping in Sport and takes part in the Approval Committee of the Fund.

World Anti-Doping Agency (WADA) declared Russian Federation anti-doping rules and program compliant with the World Anti-Doping Code in November 2011. The Russian Federation substantially supports the work of the WADA, namely in WADA's Foundation Board, Finance Committee, Athletes' Committee and giving additional voluntary contribution more than 300 000 USD.

The Russian Federation has more than 50 bilateral agreements with other countries on sport in general (including anti-doping) and agreements with international sports federations. Article 3.2 of this evaluation report already describes the collaboration project between RUSADA and Anti-Doping Norway, which has developed into a comprehensive quality Anti-Doping program.

Only a few weeks before the visit of the Evaluation Team, RUSADA joined the Institute of the National Anti-Doping Organisations (INADO), thus contributing even more to sharing and improving knowledge and experiences in the fight against doping worldwide.

**The evaluation team finds that the obligations in this Article are successfully fulfilled and recommends sharing its experience with other countries.**

### General conclusions and recommendations of the Evaluation Team

The Russian anti-doping work fulfils in general the commitments under the Council of Europe's Anti-Doping Convention in a very good way. The Evaluation Team though thinks that the recommendations given by the team could further improve the Russian anti-doping work. No prioritising could be made between the recommendations. Regarding the unclear situation about the accreditation of the Moscow laboratory, the Evaluation Team is satisfied that the Ministry will pay for the costs for analysing doping samples wherever it is performed in an accredited laboratory.

Nr	Article	Recommendations	Actor concerned
1	2	To clearly harmonize the definition of sportsman/ sportswoman in the Anti-Doping Rules of the Russian Federation (13.04.2011) with the definition of the Convention.	Ministry
2	3.1	To consider a possibility to establish a permanent co-ordination group on the basis of the Task Force for Sochi Olympics in order to: <ul style="list-style-type: none"> <li>- co-ordinate actions to combat doping</li> <li>- act as a discussion forum for specific target projects.</li> <li>- identify possible distribution channels for doping substances and the user groups with specific focus on organised sport and top sports</li> </ul>	Ministry
3	3.2	To strengthen RUSADA's independence by considering more specific distribution of roles and responsibilities between the Ministry and RUSADA, with the focus of the Ministry's role in policy development and RUSADA's executive role in the anti-doping field.	Ministry, RUSADA
4	4.1	In order to ensure up-to-date fight against trafficking of doping substances, to construct a legal possibility for the Federal Service for Drug Control to rapidly include prohibited hormones as HGH and EPO and new banned doping substances for criminal liability;	Ministry, FSDC
5	4.2	To encourage the strategy that a private funding (e.g. sponsorship) is provided only to the sport activity or organisation, which effectively implements anti-doping policy;	Ministry
6	4.3.a	To consider alternative funding models in order to avoid potential incentives for RUSADA to deliver high quantity of tests to low costs and rising the funding to RUSADA for more anti-doping activities, especially for intelligent target testing in rural areas and abroad.	Ministry, RUSADA
7	4.3.a	To consider defining additional criteria to the funding principles of the anti-doping program by the Ministry of Sports, e.g. number of seminars, number of participants in education activities, number of publications.	Ministry, RUSADA
8	5	To promote participation in research projects as a leading organisation, and not only as a collaborator, in particular by submitting proposals to the international calls from institutions like WADA.	Laboratory
9	6.1	To use the Moscow City Fair Play program as a model for other regions in the Russian Federation;	Ministry, RUSADA

10	6.1	To share the best practice in anti-doping education and information with anti-doping organisations in other countries and international sports organisations;	Ministry, RUSADA
11	6.1	To evaluate on a regular basis the outcomes of different actions in education and information and use it when for deciding on future actions.	Ministry, RUSADA
12	7.1 and 2 a. – c	To invite All-Russian Sports Federations to engage more actively in the anti-doping work of their international federations by showing good examples of cooperation	Ministry, sports federations
13	7.2.d-f	To clarify the distinction between the reporting body (RUSADA) and the disciplinary body, by defining that the decision of an anti-doping rule violation is given on behalf of the Disciplinary Anti-Doping Committee and not the RUSADA.	RUSADA
14	7.3.a	To consider enlarging the intelligence activities and including in this work experts on sport physiology, on the effective use of doping and on monitoring athletes' performances, as well as cooperating with law enforcement agencies.	RUSADA
15	7.3.d	To invite the athletes to participate more actively in anti-doping work in national and international sports organizations.	Sports federations
16	7.3.f	To extend the preventive health measures to also non-professional athletes in public facilities for recreational sport and clubs particularly for school and university students;	Ministry, government
17	8	To share successful models of cooperation and experience with other countries on bilateral basis or through international organisations	Ministry

### Acknowledgments

The preparations for the meeting in Russian Federation were very good. The team would like to thank the organisers of the visit and all the participants in the meetings, who gave good information and interesting discussions.

All the oral presentations and discussions were translated to English and the material was in English, making it easier to read and learn after the meeting had ended.

### Composition of the Evaluation Team

Ieva Lukosiute-Stanikuniene	Chair of the Advisory Group on Education and Director of Lithuanian Anti-Doping Agency (Head of delegation)
Victoria Ley	Director of Education and Research Department, Spanish Agency for the protection of Health in Sport
Anders Solheim	Chief Executive of the Anti-Doping Norway
Manolis Lyris	Director of the Doping Control Laboratory of Athens (Greece)
Kristina Olinder	Chair of the Swedish Anti-Doping Commission (rapporteur)
<b>Council of Europe</b>	
Sergey Khrychikov	Head of Sport Conventions Division, the Council of Europe
Liene Kozlovskā	Co-Secretary of the Anti-Doping Convention, Sport Conventions Division, the Council of Europe

**Programme of the evaluation visit**

<b>2 December</b>
Arrival of the experts
Working dinner at the hotel Ermitage
<b>3 December</b>
1. Ministry of Sport of the Russian Federation (Kazakova str. 18/2 Moscow)
2. Opening the conference, greeting:
3. Nagornyh Yuri, Deputy Minister of Sport of the Russian Federation
4. Summary report - Rapporteur Zhelanova Natalia, Head of Anti-Doping and interagency cooperation of the Department of Education and Science of the Ministry of Sport of the Russian Federation
5. Presentation (speaker) - Shirokozukhov Alexander, Deputy Chief of UPN Operational Investigative Department of the Federal Service for Drug Control of the Russian Federation
6. Kirilishin Valery, Deputy Chief of the "M" Operational investigative department of the Federal Service for Drug Control of the Russian Federation
7. Vedeshin Igor, Deputy Head of 7 <sup>th</sup> Department of Anti-Drug Crime Operative Investigative Department of the Federal Service for Drug Control of the Russian Federation
8. Sergey Ivanov, Deputy Chief of the Central Customs Directorate of the Federal Customs Service
<i>Lunch (restaurant Korchma)</i>
9. Zelichenok Vadim, Vice President and Chairman of the Anti-Doping Commission of All-Russia Athletics Federation
10. Presentation of the "Prevention of doping in sport and the fight against it in Moscow" – speaker Vikhodets Igor, deputy director of the GKU "Center of sport innovative technologies and training of selection teams" of the Physical Culture and Sport Committee of Moscow
11. Gulyaev N.A. (First Deputy Head of the Committee of Physical Culture and Sports of Moscow)
12. Akhmerova K.S. (Director of the GKU "CSTISK" of the Physical Culture and Sports Committee of Moscow)
13. Bleer Alexander, rector of VPO "Russian State University of Physical Culture, Sport, Youth and Tourism" (ГЦОЛИФК - SCOLIPE)
14. Federal Medical-Biological Agency of Russia
Transfer to the hotel
Dinner
<b>4 December</b>
1. Doping Control Laboratory – FGUP "Anti-Doping Centre" (Elizavetinsky pereulok, 10, Moscow)
2. National Anti-Doping Agency – NP "RUSADA" (Begovaya str 6A, Moscow)
3. Visit to the Doping Control Laboratory – FGUP "Anti-Doping Centre" (Presentations)
4. Transfer from the laboratory to RUSADA
Lunch at the National Anti-Doping Agency – NP "RUSADA"
5. Visit to the National Anti-Doping Agency – NP "RUSADA" (Presentations)
Transfer to the hotel
Dinner at the Modus Kafe (1-Truzhennikov pereulok 4 Moscow)
<b>5 December</b>
1. Conclusions
2. Discussions with the authors of the national report on issues not discussed during the visits and presentations in the Ministry of Sport

### C. Comments by the Russian Federation

The Ministry of Sport of the Russian Federation kindly appreciates the work performed by the Evaluation Team of the Monitoring Group of the Anti-Doping Convention. The valuable observations expressed during the evaluation visit in Moscow on 3-5 December 2013 and conclusions of this evaluation report provides an excellent tool for further improvement of the anti-doping policies and their implementation in the Russian Federation. While several recommendations suggested by the Evaluation team would need more time and consideration for further actions, we already have some preliminary replies to a number of the recommendations and would like to share them with the Evaluation Team and the Monitoring Group.

Recommendation Nr 1 for Article 2 *“To clearly harmonize the definition of sportsman/ sportswoman in the Anti-Doping Rules of the Russian Federation (13.04.2011) with the definition of the Convention.”*

Athletes of all levels are members of different sports organizations: all-Russian federations, regional federations or sports high schools. Thus they are covered by the federal law and are obliged to comply with anti-doping rules. Moreover all events can be organized only by registered organization that are obliged to comply with anti-doping rules

Definition in All-Russian Anti-Doping Rules repeats provisions of the Code that couldn't be changed according to art 23 of the Code.

Recommendation Nr 3 for Article 3.2 *“To strengthen RUSADA's independence by considering more specific distribution of roles and responsibilities between the Ministry and RUSADA, with the focus of the Ministry's role in policy development and RUSADA's executive role in the anti-doping field.”*

In Federal law on Sport there is a clear distinction between roles and responsibilities of the Ministry and RUSADA. Art 6 (par. 1 and 10) and 26: Ministry is responsible for designing (including legislation) and realization of anti-doping police and RUSADA is responsible for execution of this policy: drafting of anti-doping rules, testing, results management, hearings, education, RTP, etc.

Recommendation Nr 5 for Article 4.2 *“To encourage the strategy that a private funding (e.g. sponsorship) is provided only to the sport activity or organisation, which effectively implements anti-doping policy”*

- The Ministry is entitled to revoke accreditation from the federation that does not comply with anti-doping policy. Moreover according to the Labor Code labor contract is suspended in case athlete is found guilty of anti-doping violation that means that athlete cannot receive financial support.

Recommendation Nr 6 for Article 4.3.a *“To consider alternative funding models in order to avoid potential incentives for RUSADA to deliver high quantity of tests to low costs and rising the funding to RUSADA for more anti-doping activities, especially for intelligent target testing in rural areas and abroad”*

The average cost of one sample is higher than necessary taking into consideration that mostly competitions take place in central region of Russia. So RUSADA can save money for more expensive target testing.

Recommendation Nr 7 for Article 4.3.a *“To consider defining additional criteria to the funding principles of the anti-doping program by the Ministry of Sports, e.g. number of seminars, number of participants in education activities, number of publications.”*

The Ministry drafts the annual plan of sports events that will take place on the Russian territory. According to this plan RUSADA plans annual test distribution plan (TDP) and money is subsidized based on this TDP and RUSADA request.

Recommendation Nr 9 for Article 6.1 *“To use the Moscow City Fair Play program as a model for other regions in the Russian Federation”*

It is used in many regions. Moscow program was presented as an example.

Recommendation Nr 11 for Article 6.1 *“To evaluate on a regular basis the outcomes of different actions in education and information and use it when for deciding on future actions.”*

RUSADA and Sports Federation are reporting statistics to the Ministry with analysis of outcomes and progress including education programs.

Recommendation Nr 13 for Article 7.2.d-f *“To clarify the distinction between the reporting body (RUSADA) and the disciplinary body, by defining that the decision of an anti-doping rule violation is given on behalf of the Disciplinary Anti-Doping Committee and not the RUSADA.”*

According to the Russian legislation it is an obligation of RUSADA to apply sanction that is why the model Disciplinary Anti-Doping Committee (DAC) decision=RUSADA decision was chosen. But DAC is completely independent; it consists of independent members (NOC, Ministry representatives, lawyers, doctors, etc). This scheme is common for international federations.

Recommendation Nr 14 for Article 7.3.a *“To consider enlarging the intelligence activities and including in this work experts on sport physiology, on the effective use of doping and on monitoring athletes’ performances, as well as cooperating with law enforcement agencies.”*

RUSADA has well established contacts with law enforcement bodies such as Federal Customs Service (FCS), Federal Drug Control Service (FDCS).

Recommendation Nr 15 for Article 7.3.d *“To invite the athletes to participate more actively in anti-doping work in national and international sports organizations.”*

Athletes are often involved in educational work, especially in youth sport.

Recommendation Nr 16 for Article 7.3.f *“To extend the preventive health measures to also non-professional athletes in public facilities for recreational sport and clubs particularly for school and university students”*

According to the Russian legislation it is responsibility of the Health Ministry to organize such measures as presence of doctors during all events including sports competitions.

The Ministry of Sports will continue assessing the recommendations and conclusions identified by the Evaluation team and will provide a follow-up report as required by the Procedural Guidelines of the Compliance with Commitments project.