

## Implementation of anti-doping policies in 2021 - Spain

### Implementation of anti-doping policies in 2021 - Questionnaire 0.1

#### Objective :

In order to implement the requirements of the Article 9 of the Anti-Doping Convention, the online annual questionnaire is ready for collection of data regarding anti-doping policies in 2021.

#### Instruction :

For detailed instructions please select the links to documentation at the top of the page.

In case you face any problems which would prevent you from filling in the questionnaire, please report it to us by e-mail: sport.t-do@coe.int.

You are kindly requested to fill in, save and post your country's data for 2021 before 1 May 2022.

#### Questions :

##### 1. Number of athletes

Please estimate the number of athletes in the following categories within your country:

##### international-level athletes

Min numeric value allowed : 0

[ 450 ]

Data not available

##### national-level athletes

Min numeric value allowed : 0

[ 17500 ]

Data not available

##### recreational level athletes

Min numeric value allowed : 0

[ 3485000 ] ; comment (optional) .....

Data not available

##### athletes at the last Summer Olympic games

Min numeric value allowed : 0

[ 328 ]

Data not available

##### athletes at the last Winter Olympic games

Min numeric value allowed : 0

[ 14 ]

Data not available

##### athletes at the last Summer Paralympic games

Min numeric value allowed : 0

[ 127 ]

[ ] Data not available

athletes at the last Winter Paralympic games

Min numeric value allowed : 0

[ 2 ]

[ ] Data not available

## 2. Doping definition

What is the definition of "doping in sport" used in your country?

[ ] Council of Europe Anti-Doping Convention

[ ] UNESCO International Convention against doping in sport

[ X ] World Anti-Doping Code

[ ] Other, please specify (e.g. national law) : .....

## 3. Doping list

Which list of banned pharmacological classes of doping agents and doping methods (i.e. Prohibited List) is implemented in your country?

[ X ] Prohibited List, as adopted by the Executive Committee of WADA

[ X ] List of banned pharmacological classes of doping agents and doping methods, as adopted by the Monitoring Group (T-DO)

[ X ] Prohibited List, as adopted by the Conference of Parties of the International Convention against Doping in Sport (UNESCO)

[ ] Other, please specify : .....

## 4. Additional doping lists

For the purposes of restricting availability of doping substances, are there other lists than those defined in the question 3?

( ) Yes, please specify: .....

( X ) No. Comment (optional) .....

## 5. Anti-doping laws


Are there any anti-doping laws in your country? Please upload the respective texts


[ X ] Anti-doping law (other than ratification of the Convention). Your comment (optional) Organic Law 11/2021 of 28 December on the fight against doping in sport.

[ X ] Other public law rules, please specify: Penal Code. Art. 362 quinquies.

[ ] No. Comment (optional) .....

Attachments

 Ley Orgánica 11/2021, de 28 de diciembre, de lucha contra el dopaje en el deporte. : <http://www.boe.es/eli/es/lo/2021/12/28/11>


 Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal. : <http://www.boe.es/eli/es/lo/1995/11/23/10/con>

## 6. National Anti-Doping Organisation (NADO)

What is the legal status of your national anti-doping organisation? Please upload the statutes, if possible

- Public authority
- Non-governmental organisation
- Private company
- National Olympic Committee acting as a NADO
- Other, please specify: .....

Attachments


 Ley Orgánica 11/2021, de 28 de diciembre, de lucha contra el dopaje en el deporte. : <http://www.boe.es/eli/es/lo/2021/12/28/11>

## 7. NADO activities

Which of the activities below are conducted by your national anti-doping organisation? Please upload the organisational chart, if possible

	Yes. Comment(optional)	No, please specify which organisation is in charge
Co-ordination of action by all national stakeholders (NADO, public authorities, sport organisations)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Co-ordination of the fight against trafficking	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Risk assessment and test distribution planning (TDP)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Registered testing pool and/or whereabouts pools management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample collection and transportation of samples to a laboratory	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sample Collection Personnel training, accreditation and re-accreditation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Results management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Therapeutic Use Exemption (TUE) management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intelligence management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Investigations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Education of athletes and athlete support personnel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Research	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attachments

 Organisation Chart - CELAD\_Sept2022.pdf

## 8. Funding of anti-doping programme

What was the annual budget of the NADO for the 2021 calendar year?

Min numeric value allowed : 0

[ 9427450 ] amount€Currency

[ ] Data not available

## 9. Funding sources

How is the NADO funded? Please select all that apply and indicate an estimate in percentages:

[ ] Government 98%

[ ] National Olympic Committee (NOC) 0%

[ ] Other sports organisations 0%

[ ] Fee for service 2%

[ ] Private 0%

[ ] Other 0%

## 10. Distribution of funding

What percentage of NADO's annual budget is put towards the following core programs?

[ 15 ] Testing (including equipment, transportation, sample collection personnel fees)

[ 33 ] Sample analysis (including Technical Document for Sport Specific Analysis, Athlete Passport Management Unit fees, sample retention fees, additional and further analysis)

[ 8 ] Information and intelligence gathering, and investigations

[ 4 ] Results Management/Legal

[ 4 ] Education

[ 1 ] Research

[ 1 ] Therapeutic Use Exemptions (TUEs)

[ 34 ] Other (e.g. remuneration, administration) .....

[ ] Data not available

## 11. Other funding for the anti-doping programme

Are other institutions funding any parts of the national anti-doping programme (e.g. laboratories, research, WADA contribution, Unesco Voluntary Fund)

( ) Yes, please describe .....


( X ) No

## 12. Sport budget

What amount has been allocated to sport from the State budget through the national ministry responsible for sport for the year 2021?


[ 251179970 ] amount€currency / other information

[ ] Data not available

13. Limiting public funding to organisations 


Is public funding withheld from organisations that do not comply with anti-doping regulations and related legal instruments?

- Yes, all funding is withheld
- A limited amount of funding is withheld
- No financial implications
- Information not available / Comment .....

14. Limitation of public funding of persons 


Is sport-related financial assistance provided by public authorities withheld from banned athletes or athlete support personnel during the period of their suspension?

- Yes, all funding is withheld
- A limited amount of funding is withheld
- No
- Not applicable (no sport-related financial assistance is provided by public authorities to athletes or support personnel)
- Information not available / Comment .....

15. Testing programme 

Does your country have a national testing programme?

- Yes
- No, please explain .....

16. Quality certificate 

Is your NADO or part of its procedures certified according to a quality standard (such as ISO or any other quality assurance system)?

- Yes, please specify which standard, its scope and validity ISO 9001:2015 / Doping Control Department / 17 February 2025
- In progress
- No

17. NADO staff, committee members and other anti-doping specialists 

Please outline below how many NADO staff, committees' members and other anti-doping specialists are involved in the coordination and management of your anti-doping programs (except sample collection personnel)

Min numeric value allowed : 0

[ 81 ] staff full time

[ 0 ] staff part time

[ 23 ] committees' members (including, but not limited to, members of the disciplinary panels, NADO Board, TUE,

[ 0 ] other specialists, please describe .....

[ ] Data not available

## 18. Number of DCOs and BCOs

If your NADO acts as a Sample Collection Authority (as per question 7), how many sample collection persons are involved in the sample collection?

Min numeric value allowed : 0

[ 133 ] Doping Control Officers

[ 94 ] Blood Collection Officers

[ 0 ] Chaperones

[ 0 ] Not applicable

[ ] Data not available

## 19. Use of WADA laboratories

Which WADA-accredited or approved laboratories are used for analysis of samples collected by your NADO as a Testing authority within your national testing program in the year 2021? Please list all that applies, including the laboratory in your own country (if you use it) and indicate the percentage of samples analysed in each laboratory. Enter "0", if you don't use this laboratory

	% of NADO samples (estimate)
ANKARA, TURKEY	0
ATHENS, GREECE	0
BANGKOK, THAILAND	0
BARCELONA, SPAIN	0,10
BEIJING, CHINA	0
BLOEMFONTEIN, SOUTH AFRICA	0
BUCHAREST, ROMANIA	0
COLOGNE, GERMANY	0
DOHA, QATAR	0
GHENT, BELGIUM	0
HAVANA, CUBA	0
HELSINKI, FINLAND	0

KREISCHA, GERMANY	0,04
LAUSANNE, SWITZERLAND	0,10
LONDON, UNITED KINGDOM	0
LOS ANGELES, USA	0
MADRID, SPAIN	99,76
MONTREAL, CANADA	0
NEW DELHI, INDIA	0
OSLO, NORWAY	0
PARIS, FRANCE	0
RIO DE JANEIRO, BRAZIL	0
ROMA, ITALY	0
SALT LAKE CITY, USA	0
SEIBERSDORF, AUSTRIA	0
SEOUL, SOUTH KOREA	0
STOCKHOLM, SWEDEN	0
SYDNEY, AUSTRALIA	0
TOKYO, JAPAN	0
WARSAW, POLAND	0
Other	0

[ ] Data not available

## 20. Testing statistics

How many samples were collected under your national testing program in the year 2021?

	Urine	Blood (including ABP)
<b>In-competition samples</b> Min numeric value allowed : 0	1556	0
<b>Out-of-competition samples</b> Min numeric value allowed : 0	1390	420

[ ] Data not available

## 21. Testing abroad

Did you test athletes under your authority who reside or train abroad (directly or by using Delegated Third Parties)?

Yes

Not in 2021, but we have authorisation to do so

No, we do not have authorisation to do so / Comment Several modifications were introduced in our National Law that permits us to test athletes who reside or train abroad since 2022. In previous years, as we did not have the direct capacity to test athletes residing or training outside of Spain, in some cases we performed tests through foreign ADOs as a compensation for services provided to that ADOs by us. Now that the legislation allows us to test athletes abroad, we have found a way and in the next year we will start working with service providers that are able to do it.

## 22. Disciplinary system

Please describe the disciplinary process for the anti-doping rule violations and application of the T-DO Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases [T-DO/Rec(2017)01] <http://rm.coe.int/recommendation-on-ensuring-the-independence-of-hearing-panels-bodies-a/1680735159>

	–	–	–
Has your State established centralised panel/body in charge of all hearing proceedings in anti-doping matters (hearing panel)?	X	-	-
Is the hearing panel independent, and operationally independent from sport movement (i.a. national federations, National Olympic Committee, National Paralympic Committee)?	X	-	-
Is the hearing panel operationally independent from the government?	X	-	-
Is the hearing panel operationally independent from the NADO?	X	-	-
Is the composition of the hearing panel in line with the requirements outlined in the T-DO recommendation?	X	-	-
Are the rights of access to justice ensured in accordance with the T-DO recommendation?	X	-	-
Other comments	-	-	-
Suggestions	The new Spanish anti-doping Organic Law that was published and entered into force in 29 December 2021, established an specific independent panel in charge of the resolution of sanctioning proceedings.	-	-

[ ] Data not available



## 23. Appeals system

Please describe the process for handling anti-roping rule violations appeals


Describe, upload documents or add the link to the relevant content The sanctioning decisions of the Spanish Commission for fighting doping in sports (CELAD) may be appealed to the Antidoping Sanctioning Committee. The period for this appeal is a month since the athlete receives the sanctioning decision.

Afterwards, the decision of the Antidoping Sanctioning Committee can be appealed to the Contentious-administrative Jurisdiction within a period of two months since the notification of the decision.

The appeals system is described in articles 47, 48 and 49 of the Organic Law 11/2021 of 28 December on the fight against doping in sport.

Data not available

## Attachments

 Ley Orgánica 11/2021, de 28 de diciembre, de lucha contra el dopaje en el deporte. : <http://www.boe.es/eli/es/lo/2021/12/28/11>

## 24. Appeals panel

What is the legal basis for the appeal panel to be fully 'institutionally independent' from NADO? Please select all that apply:

- Legislation or other applicable national law
- Anti-doping rules
- Procedural rules
- Other (free text) .....

## 25. Anti-doping rule violations (ADRV)


How many anti-doping rule violations cases were initiated in 2021 and how many of these initiated cases resulted in the imposition of a sanction?


	Initiated cases	Cases that resulted in a sanction	Cases that resulted in no sanction
Presence of a prohibited substance or its metabolites or markers in an athlete's sample Min numeric value allowed : 0	10	10	0
Use or attempted use by an athlete of a prohibited substance or a prohibited method Min numeric value allowed : 0	12	12	0
Evading, refusing or failing to submit to sample collection Min numeric value allowed : 0	0	0	0
Whereabouts failures Min numeric value allowed : 0	0	0	0

Tampering or attempted tampering with any part of doping control Min numeric value allowed : 0	0	0	0
Possession of prohibited substances and prohibited methods Min numeric value allowed : 0	0	0	0
Trafficking or attempted trafficking in any prohibited substance or prohibited method Min numeric value allowed : 0	0	0	0
Administration or attempted administration to any athlete of any prohibited method or prohibited substance Min numeric value allowed : 0	0	0	0
Complicity Min numeric value allowed : 0	0	0	0
Prohibited association Min numeric value allowed : 0	0	0	0
Retaliation Min numeric value allowed : 0	0	0	0

Data not available

#### Attachments

 Reply question 25 ADRV.docx

 13 of the above sanctioning decisions were published in the website : <http://sanciona2.celad.gob.es/>

#### 26. Whereabouts failures

How many recorded whereabouts failures did you have in 2021:

[ 41 ] Recorded missed tests

[ 17 ] Recorded filing failures

[ ] Data not available

#### 27. Co-operation with law enforcement agencies

What measures have been taken to ensure co-operation between NADO and law enforcement agencies?

[ ] Law, please specify .....

[ X ] Agreement, please specify Spanish National Anti-doping Platform: Collaboration agreement between the Spanish Commission for the Fight Against Doping in Sport (CELAD) and the Spanish Agency for Medicines and Medical Devices, the Spanish Agency for Food Safety and Nutrition, Ministry of Regional Policy and Civil Service, Ministry of Justice, National Police, Civil Guard and Customs.

[ ] Ad hoc activities, please specify .....

[ ] Other, please specify .....


[ ] None; your comment (optional) .....

#### 28. Sanctions for doping trafficking

Are there specific penalties or sanctions for illegal circulation of doping substances, in addition to those regulating the

## movement of medicines and narcotics?

- Criminal penalties, please specify Penal Code
- Financial penalties, please specify .....
- Administrative or civil sanctions, please specify .....
- Professional disciplinary actions, please specify .....
- None of above, please explain .....
- Not available; your comment (optional) .....

29. Statistics on doping trafficking 

Do law enforcement agencies share data on the seizure of doping substances with the NADO?


- Yes, please specify how many seizures have been reported in 2021 111
- No. comment (optional) .....
- Other, please specify .....


30. Whistleblowers 

Is your NADO implementing a whistleblower policy/programme?

- Yes; NADO has its own programme. Please explain the legal framework Contra el Dopaje, COLABORA
- Yes; NADO applies WADA Whistleblowing programme/policy and procedure for reporting misconduct
- Yes, NADO applies the rules of the following organisations .....
- No, but NADO is developing own whistleblower policy/programme; please explain the legal framework
- No, NADO hasn't planned it for the time being


## Attachments

 Contra el Dopaje, COLABORA : <http://denunciasweb.aepsad.gob.es>

31. Whistleblower protection 

If your NADO implements a Whistleblower policy/programme, do you ensure that the following Whistleblower rights are ensured:

- Right to provide information
- Right to confidentiality
- Right to secured and reliable reporting channels
- Right to be informed on the status of proceedings and overall guidance
- Right to be notified of information sharing with third parties
- Right to withdraw reporting or any disclosure
- Right to assistance
- Right to protection from retaliation
- Not applicable

32. Organisation of anti-doping education 

## Which organisations are involved in implementing anti-doping education programs?

- National anti-doping organisation
- Ministry responsible for sport
- Ministry responsible for education
- Ministry responsible for health
- Other governmental body .....
- National sport federations
- Regional/municipal sport organisations
- Universities
- Schools
- Sport clubs
- Other bodies .....

## 33. Anti-doping education target groups

## Which anti-doping target groups are educated and by whom?

	NADO	Other organisations alone or in cooperation with NADO	Not targeted in 2021
International-level athletes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National-level athletes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Youth athletes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Children / School sport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recreational athletes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gym/Fitness athletes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Athletes returning from a sanction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coaches, trainers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sports administrators, officials, managers, agents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical / Paramedical professionals	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Team staff/Members of a delegation at a major event	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School and university teachers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

University students	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial sponsors	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Media, journalists	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### 34. Nutritional supplements

What measures have been taken to address the problems related to nutritional supplements in sport?

- Restrict availability
- Control of production
- Provide quality assurance
- Comprehensive labelling
- Limit advertising and promotion
- Educational and informational measures
- Other, please specify: .....

#### 35. Anti-doping research

Has any anti-doping research been undertaken or supported?

- Yes; your comment (optional) .....
- Yes, to a limited extent; your comment (optional) .....
- No; your comment (optional) .....

#### 36. Areas of anti-doping research

What are the areas of anti-doping research?

- Doping prevention
- Detection methods
- Social science, including behavioural and social aspects of doping
- Health consequences of doping
- Physiological and psychological training programmes
- Emerging substances or methods
- Alternative testing methods
- None

Other; your comment (optional) Evaluation of two education programs in collaboration with the UEM (Universidad Europea de Madrid): Doping, what you must know (Dopaje lo que debes saber - DLQDS), and Live without cheating (Vive sin trampas - VST).

#### 37. Publication of anti-doping research

How many articles with the results of this research have been published in peer-reviewed scientific journals? Please upload a summary or share links to resources, if available

[ 5 ] in 2021; your comment (optional) • Study of frequency and type of adverse analytical findings in the different disciplines of aquatics. B Lara, M Aguilar-Navarro, JJ Salinero, J Muñoz-Guerra, M Mar Plata, Bioanalysis. 2021. • Frequency and type of adverse analytical findings in athletics: differences among disciplines. M Aguilar-Navarro, JJ Salinero Martín, J Muñoz-Guerra, Mar Plata, Drug Testing and Analysis, 2021 • Bioanalytical Detection of Steroid Abuse in Sports Based on the Androgenic Activity Measurement. P Martín-Escudero, JA Muñoz-Guerra, SV García-Tenorio, Chemosensors 9 (4), 62, 2021 • Outcomes of adverse analytical findings in individual and team sports. M Aguilar-Navarro, G Baltazar-Martins, JJ Salinero, J Muñoz-Guerra, Bioanalysis 13 (1), 5-11. 2021. • “A comprehensive study on the performance of different retention mechanisms in sport drug testing by liquid chromatography tandem mass spectrometry”. Soledad González-Rubio, Ana María Ballesteros-Gómez, Daniel Carreras, Gloria Muñoz, Soledad Rubio. Journal of Chromatography, B, Analytical technologies in the biomedical life sciences, 2021 Jul; 1178:122821. doi: 10.1016/j.jchromb.2021.122821

[ ] Data not available

#### Attachments

 SUMMARY OF PUBLICATIONS.pdf

 SUMMARY OF PUBLICATIONS.pdf

### 38. International agreements

Has your country signed any agreements with other Anti-Doping Organisations (ADOs) or agreements on anti-doping with any other organisation or State concerning the following:

	Yes or No; if applicable please explain or upload the document (below)
(a) Sharing of information	Yes – World Anti-Doping Code Code signatorie, RILD's Constitution and Regulation signatorie, Signatorie of the Anti-doping Convention of the Council of Europe Council of Europe (CAHAMA, T-DO), signatorie of the UNESCO International Convention against Doping in Sport, agreement with ITA. The CELAD has mechanisms for collaboration, coordination, and cooperation at the international level. The agents with whom we have collaborated and exchanged information in recent years are the following: World Anti-Doping Agency (WADA) Anti-Doping Organisations of other countries (NADOs): e.g. USADA, UKAD. RILD Network of Medicines Authorities in Ibero-America (EAMI Network) International Federations: e.g. IAAF EUROPOL INTERPOL Law Enforcement Agencies of other countries: e.g. French Gendarmerie Medicines Regulatory Agencies of other countries: e.g. MHRA (UK)
(b) Law enforcement co-operation	Yes - AEPSAD had an agreement with the National Police and the Civil Guard, and an agent from each of them works in our Intelligence Division in our offices. In this way we have the possibility of using the agreements that the police forces have with INTERPOL, EUROPOL, etc.
(c) General co-operation	Yes – World Anti-Doping Code Code signatorie, RILD's Constitution and Regulation signatorie, Signatorie of the Anti-doping Convention of the Council of Europe Council of Europe (CAHAMA, T-DO), signatorie of the UNESCO International Convention against Doping in Sport, agreement with ITA.

(d) Other	<p>Yes - Collaboration with International Sport Federations (IFs) and NADOs is usually carried out by the Doping Control Department and its Investigations and Intelligence Division. This collaboration is reflected in different areas of active interaction: Providing service in the sample collection request as a service provider. CELAD collaborates with IFs and NADOs in the sample collection of Spanish or foreign athletes who reside or train occasionally in our country. In this way, costs are reduced for these organisations, and these organisations also provide the same service to CELAD. The exchange of information through the ADAMS system relating to: test planning, locations, TUEs, and analytical results. This exchange of information and the signing of the relevant collaboration agreements has strengthened the Athlete Biological Passport (ABP) programme by accessing more than 800 passports. The exchange of intelligence information that facilitates targeted testing by coordinating CELAD's actions with IFs and NADOs, as well as providing information to support investigations of international non-analytical anti-doping violations.</p>
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[ ] Data not available

#### Attachments



Acta de Constitución de la RILD.pdf



Reglas de funcionamiento de la Plataforma Nacional Antidopaje ESPAÑA.pdf