

## Implementation of anti-doping policies in 2023 - Austria

### Implementation of anti-doping policies in 2023 - Questionnaire 0.1

#### Objective :

In order to comply with the requirements of Article 9 of the Anti-Doping Convention, States Parties are invited to submit information to the Council of Europe through an annual online anti-doping policy questionnaire for the year 2023.

#### Instruction :

For general instructions, please select the documentation links at the top of the page.

For specific instructions, please note that each question has additional support tools - previous answers and specific information related to that question.

If you encounter any problems that prevent you from completing the questionnaire, please email us at [sport.t-do@coe.int](mailto:sport.t-do@coe.int). Please complete, save and submit your country's 2023 data by 1 June 2024.

#### 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

[ 113 ]

[ ] Data not available

##### national-level athletes

Min numeric value allowed : 0

[ 371 ]

[ ] Data not available

##### recreational level athletes

Min numeric value allowed : 0

[ 2100000 ]

[ ] Data not available

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

Min numeric value allowed : 0

[ 75 ]

[ ] Data not available

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

Min numeric value allowed : 0

[ 105 ]

[ ] Data not available

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

Min numeric value allowed : 0

[ 24 ]

[ ] Data not available

athletes at the last Winter Paralympic games

Min numeric value allowed : 0

[ 16 ]

[ ] Data not available

athletes in your NADO's Registered Testing Pool (RTP)

[ 113 ]

[ ] Data not available

## 2. Doping definition



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

[ X ] Council of Europe Anti-Doping Convention

[ X ] UNESCO International Convention against doping in sport

[ X ] World Anti-Doping Code

[ X ] Other, please specify (e.g. national law):The national law covers the aforementioned definition.

## 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?

( X ) Yes, please specify:There is no separate list, but some substances are covered through criminal laws or other administrative laws.

( ) No .....

## 5. Anti-doping laws



Does your country have an anti-doping legislation?

[ X ] Anti-doping law (other than ratification of the Convention). .....

[ ] Other types of national or regional norms including article(s) in a "Sports law" or Decree, please specify:

.....

[ ] No .....

Attachments

 Federal Anti-Doping Act 2021 :

[https://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA\\_2020\\_I\\_152/BGBLA\\_2020\\_I\\_152.pdf](https://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2020_I_152/BGBLA_2020_I_152.pdf)


## 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: A public non-profit limited liability company named “Nationale Anti-Doping Agentur Austria GmbH”, abbreviated as “NADA Austria”, has been established to carry out the tasks of an independent Anti-Doping Organisation. The federal government holds more than half of its share capital. Unless specified otherwise in this Federal Act, the provisions of the Federal Act on Limited Liability Companies (Gesetz über Gesellschaften mit beschränkter Haftung - GmbHG), Imperial Law Gazette no. 58/1906, shall apply to this company. The federal shares in the company shall be managed by the Federal Minister for Arts, Culture, Civil Service and Sport.

### Attachments

 National Anti-Doping Agency Austria : <https://www.nada.at/de>

## 7. Funding of anti-doping programme

What was the annual budget of the NADO for the 2023 calendar year (or other 12-month period, if applicable)?

Min numeric value allowed : 0

[ 3600000 ] amount in Euro (estimate)

[ ] Data not available

## 8. Funding sources

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

- ☒ Government 93%
- ☐ National Olympic Committee (NOC) ..... %
- ☐ Other sports organisations ..... %
- ☐ Fee for service ..... %
- ☐ Private ..... %
- ☒ Other 7%

## 9. Distribution of funding

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

- [ 31 ] Testing (including equipment, transportation, sample collection personnel fees)
- [ 14 ] Sample analysis (including Technical Document for Sport Specific Analysis, Athlete Passport Management Unit fees, sample retention fees, additional and further analysis)
- [ 4 ] Information and intelligence gathering, and investigations

[ 6 ] Results Management/Legal

[ 17 ] Education

[ 0 ] Research

[ 2 ] Therapeutic Use Exemptions (TUEs)

[ 26 ] Other (e.g. remuneration, administration) operating costs, rental expenses, legal and consulting expenses, travelling expenses, insurance

[ ] Data not available

## 10. Sport budget



What amount has been allocated to sport from the national budget through the national ministry responsible for sport for the year 2023 (or other 12-month period if applicable)?

[ 218582119 ] amount in Euro (estimate). ..... Comment, if applicable

[ ] Data not available

## 11. 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

( X ) A limited amount of funding is withheld

( ) No financial implications

( ) Information not available / Comment .....

## 12. 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?

( X ) 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 .....

## 13. NADO activities



Do you outsource any part of your anti-doping program to a delegated third party (e.g. Service Providers, another NADO)?

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

( X ) No

## 14. 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)?

( X ) Yes, please specify which standard, its scope and validity ISO 9001:2015; valid until 27th of May 2026

( ) In progress

( ) No

#### 15. 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 programmes (except sample collection personnel)

Min numeric value allowed : 0

[ 14 ] staff full time

[ 3 ] staff part time

[ 54 ] committees' members (including, but not limited to, members of the disciplinary panels, NADO Board, TUE, education, scientific, athletes, appeals commissions, ethics and/or other)

[ 14 ] other specialists, please describe educators

[ ] Data not available

#### 16. Number of DCOs and BCOs

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

Min numeric value allowed : 0

[ 18 ] Doping Control Officers

[ 20 ] Blood Collection Officers

[ 59 ] Chaperones

[ ] Data not available

#### 17. 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 programme in the year 2023? Please list all that applies, including the laboratory in your own country

	City or country
List all applicable laboratories	Cologne, Dresden, Lausanne, London, Los Angeles, Madrid, Montreal, Seibersdorf

[ ] Data not available

#### 18. Testing statistics

How many samples were collected under your national testing programme in the year 2023?

	Urine	Blood (including ABP and DBS)
In-competition samples Min numeric value allowed : 0	418	128
Out-of-competition samples Min numeric value allowed : 0	1283	452

## 19. Testing abroad

Have you tested (directly or by using Delegated Third Parties) athletes under your authority who live or train abroad?

☒ ( X ) Yes

☐ ( ) Not in 2023, but we have authorisation to do so

☐ ( ) No, we do not have authorisation to do so / Comment .....

## 20. Disciplinary system

To what extent your country implemented the recommendation on general principles of fair procedure applicable to anti-doping proceedings in sport (please check the Information Tab above)

☒ ( X ) Fully implemented

☐ ( ) Partially implemented .....

☐ ( ) Not implemented .....

## 21. Hearing process

Please provide additional information about the hearing process:

Is the Hearing panel independent and impartial?

☒ ( X ) Yes

☐ ( ) No .....

Is right to an effective defense ensured, i.e. presumption of innocence, to be advised, to have adequate time to prepare the defense, to be assisted by an interpreter, to request witnesses or experts

☒ ( X ) Yes

☐ ( ) No .....

Which party bears the costs of the proceedings? E.g. the sanctioned athlete or other person, the NADO, as decided by the Panel, a third party

☒ ( X ) Please describeThe material costs of the ÖADR are borne by NADA Austria. NADA Austria shall determine an appropriate function fee for the chairperson and the two members participating in the proceedings for the preparation of the proceedings, participation in the hearing, chairmanship and drafting of the decision. In addition, any travel expenses incurred shall be charged. In the case of the Independent Arbitration Commission, the Federal Minister shall determine the appropriate function fees. NADA Austria shall be entitled to request reimbursement of the following costs: costs of testing, the laboratory analysis and the proceedings before the ÖADR from the competent national federation in case of a violation of anti-doping rules committed by an athlete or other person, the costs of the B sample analysis from the athlete if it was requested by him or her and is adverse and the costs of the laboratory documentation produced upon the athlete's request from the athlete. If the sports federation so requests, NADA Austria may demand the costs directly from the athlete in the event of an anti-doping rule violation. NADA Austria shall refund the costs that were reimbursed if

the Independent Arbitration Commission or the CAS or a civil court has asserted that no anti-doping rules have been violated.

Is free legal aid mechanism available (possibly under certain conditions)?

☐ Yes .....

☒ No

## 22. Public hearing

How is a principle of public hearing implemented in your country ?

☐ Public hearing is granted by default without limitation

☒ Public hearing is granted by default , but can be turned to in camera by decision of the panel

☐ Hearings are held in camera, but athletes/accused persons can request a public hearing

☐ Hearings are held in camera only


## 23. Appeals system

Please describe the process for handling anti-doping rule violations. If there were no changes since 2022, you can copy the text from the previous year (see the button on the top right corner of the window)

Describe, upload documents or add the link to the relevant content. The primarily appeal body is the Independent Arbitration Commission. Right of appeal/process and parties are defined in para 23 of the Austrian Federal Anti-Doping Act 2021.

☐ Data not available

### Attachments

 Independent Arbitration Commission : <https://www.schiedskommission.at/de>

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

How many anti-doping rule violations cases were initiated in 2023 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 Min numeric value allowed : 0	5	2	3
Use or attempted use Min numeric value allowed : 0	0	0	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 Min numeric value allowed : 0	0	0	0

<b>Possession</b> Min numeric value allowed : 0	1	0	1
<b>Trafficking</b> Min numeric value allowed : 0	0	0	0
<b>Administration</b> Min numeric value allowed : 0	0	0	0
<b>Complicity</b> Min numeric value allowed : 0	0	0	0
<b>Prohibited association</b> Min numeric value allowed : 0	0	0	0
<b>Retaliation</b> Min numeric value allowed : 0	0	0	0

☐ Data not available

## 25. Co-operation with law enforcement agencies

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

☒ Law, please specify § 30. (1) The Independent Anti-Doping Organisation shall forward facts it has been notified of, where an anti-doping rule violation was asserted as well as the minutes of the oral hearing and, upon request, the other documents of the proceedings to the competent authorities pursuant to § 36 para 2 no. 7 DSG if there is reasonable suspicion that a criminal offense subject to prosecution has been committed. (2) After completing the investigation, the public prosecutor's office shall be obliged to forward to the Independent Anti-Doping Organisation the name, sex, date and place of birth, nationality and residential address as well as the evidence obtained in the course of the investigation for the purpose of testing those persons who give rise to reasonable suspicion that they have committed an anti-doping rule violation. Forwarding this data, however, may be postponed for as long as it might endanger the purpose of doping control or related proceedings. If there is no such danger, the competent authorities pursuant to § 36 para 2 no. 7 DSG shall be authorized to provide such information upon the Independent Anti-Doping Organisation's request within the meaning of para 3 even before the investigation has been completed. The decision on providing information shall be made by the competent authorities pursuant to § 36 para 2 no. 7 DSG. (3) As soon as the provision of information to the person concerned pursuant to Articles 12 to 14 GDPR no longer is or may be contrary to the purposes specified in para 2, the person concerned shall be demonstrably informed by the Independent Anti-Doping Organisation about the forwarding of data. The person concerned shall be entitled to submit a comment, which has to be documented, to the Independent Anti-Doping Organisation. From the date of receipt of a request to the date of providing information to the person concerned, Articles 12 to 22 GDPR shall be restricted insofar as these rights are likely to render impossible or seriously impair the achievement of the purposes pursuant to para 2 and the restriction is necessary and proportionate for fulfilling the purposes of the request. (4) The Independent Anti-Doping Organisation shall in any case have a justified legal interest in inspecting files pursuant to § 77 para 1 StPO 1975, Federal Law Gazette no. 631 in criminal proceedings on grounds of a criminal offense pursuant to § 28 or § 147 para 1a of the Criminal Code (Strafgesetzbuch - StGB), Federal Law Gazette no. 60/1974, as well as in criminal proceedings directly related to anti-doping rule violations.

☐ Agreement, please specify .....

☐ Ad hoc activities, please specify .....

☐ Other, please specify .....

☐ None .....

## 26. 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 For specific substances Austrian Federal Anti-Doping Act 2021



- ☐ Financial penalties, please specify .....
- ☐ Administrative or civil sanctions, please specify .....
- ☐ Professional disciplinary actions, please specify .....
- ☐ Other .....
- ☐ Information not available

## 27. 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 2023 501433 Doping preparations in the form of ampoules and tablets

☐ No. comment (optional) .....

☐ Other, please specify .....

## 28. Anti-doping education target groups

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

	NADO	Other organisations; please list	Not targeted in 2023
International-level athletes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> NOC, International Federations	<input type="checkbox"/>
National-level athletes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> National Federations	<input type="checkbox"/>
Youth athletes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> NOC, International Federations	<input type="checkbox"/>
Children / School sport	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> teachers of the respective School	<input type="checkbox"/>
Recreational athletes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> National Federations	<input type="checkbox"/>
Athletes returning from a sanction	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coaches, trainers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Federal Sports Academy	<input type="checkbox"/>
Sports administrators, officials, managers, agents	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> NOC, National Federations	<input type="checkbox"/>
Medical / Paramedical professionals	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> NOC	<input type="checkbox"/>
Team staff/Members of a delegation at a major event	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> NOC	<input type="checkbox"/>
Parents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School and university teachers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Universities and institutions of higher education	<input type="checkbox"/>
University students	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Universities and institutions of higher education	<input type="checkbox"/>

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

## 29. Mandatory anti-doping education

Is completion of a national anti-doping education programme (confirmation of in-person training, e-learning certificate or similar) mandatory for any part of your sport structure?

☐ No, all anti-doping education is voluntary

☒ Yes, it is mandatory for certain groups of athletes and support personnel (e.g. Olympic and Paralympic team); please specify  
The Federal Anti-Doping Act 2021 (ADBG 2021) requires mandatory, binding measures to be taken. Depending on the Doping risk of the respective sport/discipline, the sports organisations must implement mandatory sets of measures in accordance with the Federal Anti-Doping Act 2021 (ADBG 2021). NADA Austria coordinates these programs and, together with the sports organisations, develops an individual, tailor-made implementation education plans that includes the following key points: • Annual e-learning courses for athletes in the test pool / top squad / national team / top league teams, talented athletes and their Athlete Support Personnel (ASP) • Regular face to face sessions for athletes in the test pool / top squad / national team / top league teams and their ASP (high Doping risk: every 2 years, medium Doping risk: every 3 years, low Doping risk: every 4 years). • Regular face to face sessions for the athletes of the highest youth squads or teams (high Doping risk: annually, medium and low Doping risk: every 2 years). • Education of the entire delegation before major sporting events. According to the Federal Anti-Doping Act 2021 (ADBG 2021), all education activities may only be carried out by educators who are specially trained and approved by NADA Austria. Sports organisations must appoint an Anti-Doping officer who is trained annually by NADA Austria and who coordinates the implementation of the respective education plan in coordination with NADA Austria. NADA Austria conducts annual meetings with Anti-Doping officers and other key representatives of the sport organisations to provide feedback on the implementation of the respective education plan and discuss further activities. NADA Austria is required to report in the status of the implementation of the education plans of the Austrian sport organisations in its annual report which is sent to the Federal Austrian Ministry for Arts, Culture, Civil Service and Sport as well as to the Austrian Parliament and which is also published on NADA Austria's website. If the sport organisation fails to implement the sets of measures or implements only part of them, subsidies shall be paid back and further subsidies shall be stopped. As soon as the measures are implemented again, the sanctions can be lifted.

☐ Other .....

## 30. 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: .....

## 31. Areas of anti-doping research

What are the areas of anti-doping research?

☐ Doping prevention

- ☒ [ X ] Detection methods
- ☐ [ ] Social science, including the behavioural and social aspects of doping
- ☐ [ ] Health consequences of doping
- ☐ [ ] Physiological and psychological training programmes
- ☒ [ X ] Emerging substances or methods
- ☒ [ X ] Alternative testing methods
- ☐ [ ] None
- ☐ [ ] Other .....

### 32. Anti-doping research

Has any anti-doping research been undertaken or supported?


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

### 33. 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

- ☐ [ ] in 2023
- ☐ [ ] Data not available

#### Attachments

-  Data from a microdosed recombinant human erythropoietin administration study applying the new biotinylated clone AE7A5 antibody and a further optimized sarcosyl polyacrylamide gel electrophoresis protocol :  
<https://pubmed.ncbi.nlm.nih.gov/33450134/>

### 34. International agreements

Has your country signed any new agreements in 2023 with other Anti-Doping Organisations (ADOs) or agreements on anti-doping with any other organisation or state?

- ☒ ( X ) Yes, please explain or upload the document or provide a link ERASMUS+ projects GLDF4CLEAN Sport and TALE
- ☐ ( ) No