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**Anti-doping Convention**

Compliance with commitments project

**National report - Tunisia**

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## **I Preamble**

The Tunisian government is well aware of the importance of physical exercise and sports for health and well-being and has deployed all the necessary resources to encourage the practice of "clean and honest" sport by all young people.

Sportsmen have been the focus of special concern for many years, with emphasis on a policy of training in medical and scientific skills and the setting up of an adequate infrastructure throughout the country.

Although doping has featured little in the sports news, the Tunisian authorities have been combating this phenomenon for more than ten years now, to safeguard the country from this scourge and protect sports ethics and sportsmen's health.

In addition to the introduction of anti-doping legislation in 1994 and the launch, as long ago as the beginning of the 1990s and in collaboration with certain partner countries, of a proactive doping policy based on training, awareness-raising and testing among elite sportsmen, Tunisia took up the challenge, during the 2001 Mediterranean games in Tunis, of setting up its own Doping control laboratory accredited by the International Olympic Committee and recognised by the World Anti-Doping Agency.

At international level, Tunisia was quick to engage in collaboration with the countries and institutions capable of forging an effective international anti-doping policy. This led to it becoming a member of the Foundation Board of the World Anti-Doping Agency and one of the few non-European signatory countries, in 2003, of the Council of Europe Anti-doping Convention.

In signing that Convention, Tunisia undertook, within the limits of its constitutional provisions, to take the steps necessary to reduce and then eliminate doping in sport.

This report reflects Tunisia's response to the undertakings made upon signing the Council of Europe Anti-doping Convention and sets out the policy, procedures and infrastructures introduced and also the goals achieved in combating doping at national level.

It was decided to produce an auto-evaluation of anti-doping policy in Tunisia, by taking the convention's most important articles and describing the measures introduced for each of them.

The auto-evaluation has been prepared by staff of the National Anti-Doping Unit and the National Medicine Testing and Doping Control Laboratory.

## **II Introduction**

Since the country's independence, sport has taken pride of place for Tunisia's young population, thanks to compulsory schooling and generalised physical and sports education in school and university establishments.

In this context the Tunisian authorities responsible for sport quickly became convinced of the need to ensure that these young people practise clean, ethical and healthy sport free of the harmful effects of doping.

In addition, and for some years now, sport has become increasingly established in Tunisia as a factor in preventive and curative health measures, through greater involvement in sport for all categories of the population.

Our country began laying down a real, coherent anti-doping policy from the 1990s onwards, adopting legislation and setting up a National Anti-Doping Programme fully in line with the pioneering choices made by Tunisia and covering different aspects:

### **- The legislative aspect**

This includes:

- Law no. 104 of 1994 which clearly defined doping as being harmful and dangerous for sportsmen and therefore prohibited;
- an amended version of this law and the introduction of implementing acts, which are being signed and provide, in addition to the repressive aspects, for the setting up of the National Anti-Doping Unit;
- the issue of a number of circulars by the Ministry of Public Health concerning the regulations on importing and marketing certain banned substances (anabolic steroids).

### **- The prevention aspect: awareness-raising, information, training**

In this field Tunisia has put effort into training a substantial number of doping control doctors and introduced anti-doping as a training course subject for sports doctors and physiotherapists.

The subject has also been made a topic of interest for health-oriented clubs at the level of secondary education establishments, in collaboration with school and university health units.

We are currently looking at introducing this subject in training for sports, health and media professionals.

In addition, in conjunction with the Ministry of Education and Training, the authorities responsible for sport intend to have anti-doping introduced as a topic within the education system through textbooks at upper and lower secondary level.

### **- The testing programme**

At national level, the State totally committed itself to setting up a programme for testing top-level national athletes ten years ago, thanks to cooperation with the Paris Laboratory. In September 2001 our country set up its own testing laboratory, which was the first in any Arab country to be accredited by the International Olympic Committee and the second in the whole of Africa.

Anti-doping testing for top-level sportsmen across the board has been taken over completely by the State, both for competitions and at random.

Where individual sports are concerned, testing is organised through the National Centre for Sports Medicine and Sciences, the main body responsible for coordinating anti-doping in the country.

For team sports, at national level, the federations have been encouraged to set up testing programmes, and this has been done by the basketball and football federations.

We have involved the school and university sports federation in the prevention and control process.

The new strategy pursued by the Ministry of Youth, Sports and Physical Education is geared to giving fresh impetus to anti-doping efforts, not only by stepping up monitoring but also by encouraging "alternatives" to doping by developing sports medicine and sciences; the National Centre for Sports Medicine and Sciences expanded in 2002 through the addition of a scientific monitoring department and then in 2004 with a research unit.

### **- The cooperation aspect**

Through its doping control laboratory and the National Centre for Sports Medicine and Sciences, Tunisia is open to all forms of cooperation with the competent international structures officially recognised in the field of anti-doping; this applies to the areas of education, training, research and controls.

Tunisia was involved very early on in all international cooperation schemes on doping; our country is:

- a signatory to the Arab anti-doping charter;
- the third non-European country after Australia and Canada to accede to the Council of Europe Anti-doping Convention;
- fully committed to the introduction of the International Anti-Doping Convention within the UNESCO framework, as a member of the drafting committee.

### **III The different articles of the Convention**

#### **Article 1: Aim of the Convention**

**The Parties, with a view to the reduction and eventual elimination of doping in sport, undertake, within the limits of their respective constitutional provisions, to take the steps necessary to apply the provisions of this Convention.**

The Tunisian government has provided collaboration and full backing for the international anti-doping movement since the end of the 1990s. Tunisia's signature and ratification of the Council of Europe Convention demonstrates its determination to play an active role in reducing and eliminating doping in sport. Measures have been adopted within national legislation following the law-making process initiated by the Tunisian government, which took tangible form on 29 July 2003 with the ratification in the Chamber of Deputies of Law no. 2003-52 approving the Anti-Doping Convention.

Tunisia has followed up the convention's recommendations *inter alia* by:

- creating the National Anti-Doping Unit already in December 2003 (decree no. 2003-2651 of 23/12/2003);
- proposing a common approach to anti-doping efforts within sports federations;
- carrying out awareness-raising and information campaigns aimed at the target audiences concerned;
- providing state funding for systematic anti-doping testing.

In general terms, implementation of Tunisia's anti-doping policy follows several main thrusts:

- setting up testing in national competitions, managed by the National Anti-Doping Unit. A number of tests are planned for each federation in relation to the key dates;
- organising random tests for top-level national athletes;
- principle of self-regulation by the federations, in line with the directives of the respective international federations and in collaboration with the National Anti-Doping Unit;
- principle of combating doping through awareness-raising, information and education campaigns, particularly in schools and also individual briefings for athletes and their entourage;
- active involvement in the international anti-doping movement;
- funding of measures by public authorities, through the budgets of the Ministry of Youth, Sports and Physical Education.

#### **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.**

## **2.1 Definition**

Tunisia fully backs the definition laid down by the Convention and therefore takes doping in sport to mean the administration to sportsmen or sportswomen, or the use by them, of pharmacological classes of doping agents or doping methods banned by the relevant international sports organisations.

Accordingly, doping, namely the use, whether conscious or not, of processes or substances in breach of existing laws and regulations in order to artificially enhance performance, is prohibited in Tunisia. This prohibition applies to the use by any licensed sportsman or sportswoman of any substance or means that might influence their sporting capabilities and performances or conceal the use of such substances. The use of these substances and methods is strictly prohibited in competition and out of competition, except in cases where they are officially authorised for treatment purposes. The substances concerned appear on the list drawn up by the national coordination body in the field of doping, namely the National Anti-Doping Unit.

## **2.2 Pharmacological classes of doping agents or doping methods**

In Tunisia, the pharmacological classes of doping agents or doping methods are published on a regular basis by the National Anti-Doping Unit and correspond to the list drawn up by the Anti-doping Convention Monitoring Group. The list is open-ended and non-exhaustive and indicates known or new substances belonging to banned pharmacological classes or doping methods or constituting analogous substances owing to their chemical structure or pharmacological action.

These lists are circulated within the governing bodies of doctors and pharmacists. They are also distributed to all Tunisian sports federations, top-level sportsmen and, on request, to the general public for information or guidance. They are also posted and updated on the website of the National Centre for Sports Medicine and Sciences ([www.cnms.nat.tn](http://www.cnms.nat.tn)).

## **Article 3: Domestic coordination**

**1. The Parties shall coordinate 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 Tunisian anti-doping policy**

This policy was launched in the 1990s on the instructions of the Minister for Youth, Children and Sports with the aim of establishing machinery to:

- introduce anti-doping legislation;
- coordinate and plan anti-doping tests aimed essentially at top-level national athletes;
- inform and raise awareness among sportsmen and their entourage of the harmful effects of doping;
- train test doctors and chaperones;
- cooperate with national and international federative bodies;
- train staff qualified to manage doping control laboratories.

All these activities have enjoyed support from and collaboration with the Tunisian National Olympic Committee and the Ministry of Public Health.

The legislative aspects of anti-doping policy took tangible form in 1994, through Law no. 94-104 of 3 August 1994 on the organisation and development of physical education and sports activities, and particularly article 3 of that law. It was amended by Law no. 95-11 of 6 February 1995 on sports structures. The draft law on the protection of health of sportsmen and anti-doping (prevention/screening) reiterates the involvement of the Ministry of Youth, Children and Sports in the anti-doping process. That draft provides for the setting up of the National Anti-Doping Council. Needless to say, it is in line with the provisions of the European Anti-Doping Convention and its additional protocol.

The first training sessions were run at the end of the 1990s. The first tests carried out by Tunisian doctors took place back in 1994, within the framework of international events organised in Tunisia such as the African Nations Cup held in Tunis in 1994 or in the form of random testing among top-level Tunisian athletes in collaboration with a French laboratory.

From 2000 onwards, a number of tests were carried out in Tunisia and the results analysed in Tunisia's doping control laboratory with the aim of obtaining definitive accreditation from the International Olympic Committee in time for the organisation of the Mediterranean games in Tunis in September 2001. Supervision was provided by laboratories in Madrid and Paris.

At the same time, there have been awareness-raising and educational initiatives aimed at sportsmen and their administrative, technical and medical entourage.

### **3.2 National Anti-Doping Unit**

The unit was set up by decree no. 2003-2651 of 23/12/2003 laying down the administrative and financial arrangements and operating methods for the National Centre for Sports Medicine and Sciences, and in particular article 16 on the National Anti-Doping Unit, which is the prime player involved in setting up the national programme. It comes under the Directorate General of the National Centre for Sports Medicine and Sciences.



Its tasks include:

- drawing up and implementing the different sections of the national programme, covering legislation, education, international cooperation and testing;
- forging links with foreign institutions in the area of anti-doping.

The National Anti-Doping Unit is recognised as a body competent for dealing with all matters relating to doping in sport, except for penalties, which are decided on by the national and international sports federations concerned.

The National Anti-Doping Unit sees its primary role in prevention through information and emphasises that everyone involved in the sporting movement must assume their responsibilities in the area of anti-doping, whether sportsmen themselves, managers, parents, teachers, trainers, support staff or sports clubs, institutions and federations.

In particular it has the task of:

- organising and carrying out anti-doping tests;
- drawing up a programme of educational, prevention and information initiatives in this field;
- deciding on and keeping up to date the list of doping substances;
- studying all issues relating to anti-doping;
- collaborating and cooperating with all international federative bodies, all recognised anti-doping bodies and the World Anti-Doping Agency;
- promoting greater understanding of the effects of training at high level.

In collaboration with national federations and international sports organisations, the National Anti-Doping Unit is responsible for carrying out doping tests and, to that end, has established the necessary procedural directives. It decides on the number of tests to carry out and at which competitions they are to be carried out and designates the sports categories to be tested out of competition.

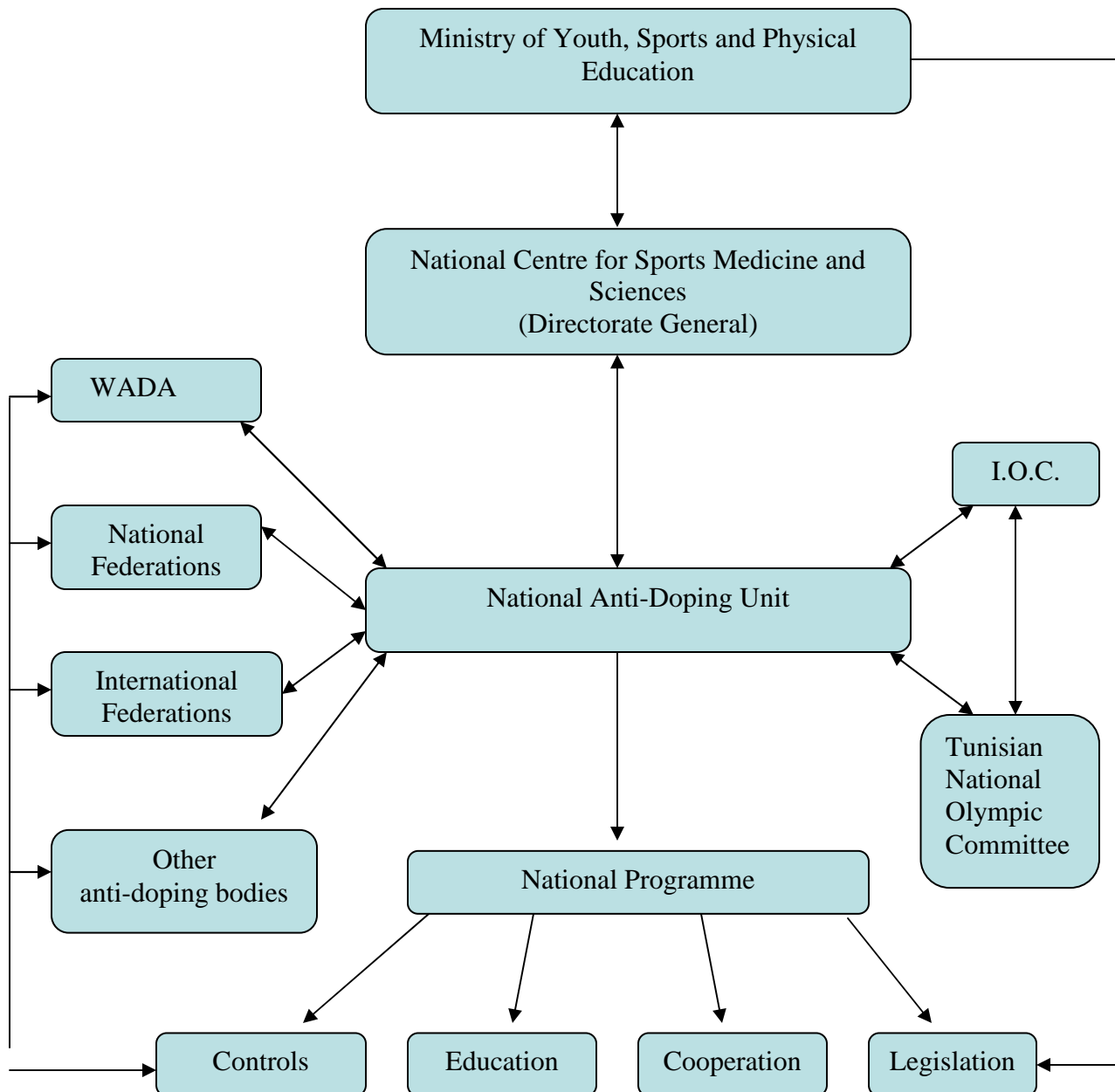
To carry out these tests, the National Anti-Doping Unit has a number of doping control doctors specifically trained to carry out testing during competitions and at random.

If a result is negative, the head of the unit notifies the heads of the federation concerned, who then notify the athlete. Otherwise, in cases where one or more banned substances are detected in an A-sample, the test is deemed positive and the National Anti-Doping Unit informs the heads of the federation in question. The athlete and/or his representatives may make a written request within 21 days for a double-check by analysing the B-sample. The athlete is entitled to be present during that analysis, accompanied by an expert or a trusted individual. If the result is negative, the test is declared negative. If, on the other hand, it confirms the result of the A-sample, the test is declared positive. In this case the costs incurred in analysing the B-sample are to be covered by the athlete or federation concerned.

In the event of a positive result, it is for the athlete's federation to impose penalties. Athletes contesting such penalties may appeal to a review board within the National commission for preventing and combating doping. In the event of a dispute, they may apply to an independent arbitration tribunal, currently the Sports Arbitration Tribunal in Lausanne.

It should be noted that the National Anti-Doping Unit receives funding from the Ministry of Youth, Sports and Physical Education, particularly for its control work and information, awareness-raising and education campaigns.

The diagram below outlines the main players at the level of domestic anti-doping coordination and the cooperation links with the relevant bodies at international level.



**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.**

There is currently no legislation in Tunisia prohibiting the use of doping agents and methods outside the list of prohibitions in the field of sport. However, there is legislation generated by the Ministry of Public Health, via the Pharmacy and Medicines Directorate concerning the local production or importation of medicines and the distribution of pharmaceuticals on the market. Accordingly, the entire list of prohibitions within the anti-doping framework is subject to the laws, decrees and circulars specifically geared to monitoring narcotic and psychotropic substances.

These legislative texts include:

- Law no. 99-73 of 26 July amending Law no. 58-91 of 22 November 1985 regulating the manufacture and registration of drugs intended for human medicinal purposes;
- Circular no. 36/91 of 22 April 1991 on the correlation between local medicinal drug production and medicinal drug importation activities;
- Decree no. 94-1745 of 29 August 1994 laying down the conditions and procedures for determining unfair importation practices (repealed by decree no. 477 of 21 February 2000);
- Law no. 69-54 of 26 July 1969 regulating venomous substances;
- Law no. 92-52 of 18 May 1992 on narcotic drugs;

- Law no. 95-94 of 9 November 1995 amending and supplementing Law no. 92-52 of 18 May 1992 on drugs;
- Circular no. 113/99 of 13 December 1999 on procedures for prescribing, distributing and dispensing medicinal drugs subject to abuse, the list of which is established by an opinion of the Minister of Public Health.

Naturally, this list includes anabolic steroids, the sale of which has been restricted since 1985.

All the substances and methods prohibited in sport appear on the list of medicinal drugs classified by nomenclature in tables A, B and C. As a result, they are issued only on medical prescription for treatment purposes.

There are currently plans for administrative measures, within the framework of the draft law on anti-doping, aimed at controlling the movement, possession, distribution and sale of banned doping agents and methods.

In addition, the Tunisian government, via the Ministry of Youth, Sports and Physical Education, assists national federations through grants to fund testing and analysis carried out under their federation's anti-doping programme. Similarly, they receive discounts on these tests from the national doping control laboratory. The operating budget of the National Anti-Doping Unit is entirely funded by the Ministry of Youth, Sports and Physical Education.

While very few Tunisian athletes have been suspended for breaches of doping regulations, appropriate measures are provided for under the contract concluded between the athlete, the federation and the elite sports directorate within the supervising ministry.

Where collaboration with international sports organisations is concerned, the National Anti-Doping Unit has always concluded agreements making it possible to:

- run controls during competitions and out of competition on Tunisian territory carried out either by approved Tunisian teams following mission orders or by approved foreign teams assisted by Tunisian doping control doctors;
- authorise approved doping control teams to make Tunisian athletes undergo tests during training courses and/or competitions outside Tunisia.

## **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;**
- b. or 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 Tunisian government capitalised on the organisation of the Mediterranean games in 2001 to obtain accreditation for its national doping control laboratory, set up on 30 June 1998 (Decree no. 98-1384).

The laboratory, in Tunis, has been accredited since 22 August 2001 by the International Olympic Committee and since 1 January 2004 by the World Anti-Doping Agency.

The laboratory has to undergo quarterly performance tests, run by the World Anti-Doping Agency.

It has held ISO 17025 certification with an outside Belgian organisation since August 2001.

It is under the supervision of the Ministry of Public Health, and its full title is the "National Laboratory for Medicinal Drug, Cosmetic and Hygiene Product Testing and Doping Testing". It is located at 11 bis, rue Jebel Lakhdar, Bab Saadoun, Tunis.

Its main tasks are laid down by the decree setting it up and, in addition to analysing samples in line with the criteria adopted by international sports organisations and approved by the Monitoring Group (Article 11.1.b), include research work aimed at developing new methods for detecting doping substances.

The Tunis laboratory carries out analyses for different countries and national and international sports bodies. Among its Arab and African customer countries are Algeria, Morocco, Egypt, Libya, Lebanon, Syria, Jordan, Saudi Arabia and Senegal.

Research activities include:

- participation in qualitative and quantitative educational programmes under the aegis of the World Association of Antidoping Scientists;
- cooperation in surveillance programmes organised by the World Anti-Doping Agency;
- the devising of new analysis and confirmation techniques such as GC/C/IRMS.

## **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.**

Talking about doping in Tunisia was still "utopia" before 1991. The discovery of two "positive" cases involving two Tunisian athletes frequently in the headlines because of their international performances was a wake-up call for the Tunisian authorities, the sports world and the general public, which triggered an information and awareness-raising drive and an action plan aimed at training officials in the field of anti-doping. This led to the first attempts to set up a national anti-doping programme. The educational aspect was one of the programme's mainstays and, up to 2000, was the best and indeed only means of combating this scourge. The information drive focused on olympic day, celebrated on 1 July each year, and was aimed primarily at national elite sportsmen and those with supervisory responsibilities among coaches, managers and medical teams. Further information work was carried out in the periods leading up to international events. The emphasis was on sporting ethics, the consequences for athletes and their entourage in the event of a positive test and the ramifications of such a situation. The list of banned substances was sent out to all sports organisations, and athletes were drilled on the procedure for controls and the taking of samples as well as their rights and obligations in the event of their being called for tests.

The training was geared more to medical and paramedic staff with a view to training doping control doctors and chaperones. A number of seminars and congresses have been organised in Tunisia since 1995 in collaboration with the Tunisian National Olympic Committee, the International Football Federation (FIFA), the Confederation of African Football (CAF), the Arab Union of Sports and the International Mediterranean Games Committee prior to the 2001 Mediterranean games in Tunis, and more recently, in 2005, in collaboration with the international federations covering handball (IHF) and basketball (FIBA), when Tunisia organised the world championships for those two disciplines.

In parallel, training courses have been introduced in the specialised masters degree in applied sports medicine.

At present, and since 2000, awareness-raising and information programmes aimed at young people in upper secondary school are run throughout the Republic of Tunisia in collaboration with the directorate of school and university medicine under the Ministry of Public Health. A number of educative sessions have been organised at the level of the health clubs in this connection, with the participation of doctors trained and accredited in the anti-doping field. Plans to use health education manuals as well as leaflets, posters and video cassettes are being drawn up at the level of the directorate of school and university medicine. In addition, coordination with sports institutions with a view to introducing this subject in training courses for sport professionals (coaches, physical trainers) is now under way in Tunis (masters for physical trainers in football) and is to be implemented throughout the country for the university year 2006-07.

Nevertheless, this educative work needs development and more active media involvement not solely limited to occasional events. Plans are being considered in collaboration with several ministries, including those responsible for national education, higher education, information and public health, with the prime aim of prevention, even though this scourge is currently under control among our high-level sportsmen and for that matter among all sports enthusiasts. Tunisian policy is always forward-looking and pioneering where every aspect of health is concerned, as shown by the Tunisian government's organisation of the world "sport and health" conference in Hammamet in March 2005 in connection with International year of sport and physical education.

#### **Article 7: Cooperation with sports organisations on measures to be taken by them**

- 1. The Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport.**
- 2. To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their:**
  - a. anti-doping regulations on the basis of the regulations agreed by the relevant international sports organisations;**
  - b. lists of banned pharmacological classes of doping agents and banned doping methods, on the basis of the lists agreed by the relevant international sports organisations;**
  - c. doping control procedures;**
  - d. disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen; these principles will include:**
    - (i) the reporting and disciplinary bodies to be distinct from one another;**
    - (ii) the right of such persons to a fair hearing and to be assisted or represented;**
    - (iii) clear and enforceable provisions for appealing against any 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 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.**

Since 2002, and more specifically since the signature and ratification of the European Anti-Doping Convention in 2003, the Ministry of Youth, Sports and Physical Education, via the elite sports directorate, has been encouraging national federations to devise an anti-doping strategy. This has been done at the assemblies of the federal councils of each national federation. This programme's guidelines comply with those of the international federations.

It is true to say that some federations, for football, basketball, weightlifting and athletics for example, are ahead of certain others. The National Anti-Doping Unit constantly reminds and encourages all the federations to sign up to this national strategy. Testing has been carried out during and out of competition within all the federations at national and international events and even during national teams' training sessions.

Every year the National Anti-Doping Unit sends out and issues reminders of the list of pharmacological classes of doping agents or doping methods adopted by the international federated bodies. The federation doctors handle updates and follow-up for any recent information concerning the lists.

Anti-doping controls, regardless of the requesting body, are carried out by doping control doctors recognised by the National Anti-Doping Unit. Management of the results is the responsibility of the disciplinary bodies of the respective national federations, acting in accordance with the penalties provided for by the international federations. So far, there have been very few positive cases, which means that federations' disciplinary bodies have seldom been required to take action. However the draft anti-doping law contains all the necessary provisions regarding investigative and disciplinary bodies and procedures for imposing penalties on sportsmen and their entourage.

One of the means currently deployed in Tunisia of raising awareness of and preventing the use of doping substances and methods is to subject the majority of athletes to testing, regardless of the federation and both within and out of competition. Even the federation governing school and university sports is involved in this exercise, which follows the same testing procedure as the one governed by the international federations.

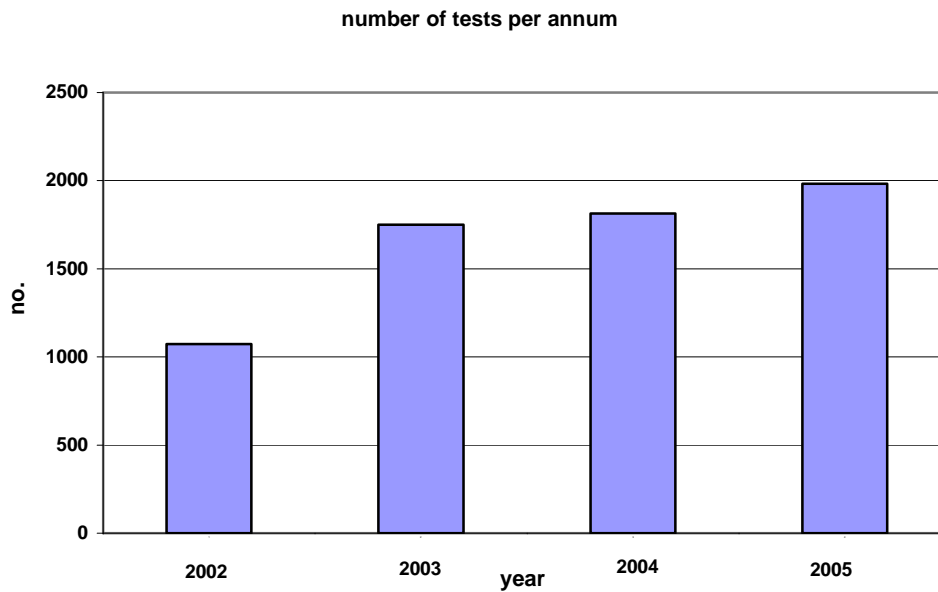
Besides testing, the Ministry of Youth, Sports and Physical Education engages in preventive work by promoting alternatives to doping, focusing on the development of sports medicine and sciences, through the national centre and regional centres. One good example is the second conference on "medical and scientific monitoring of high-level sportsmen", organised on 24 and 25 February 2006 by the National Centre for Sports Medicine and Sciences with the patronage of the Minister for Youth, Sports and Physical Education.



Most of the samples taken in Tunisia are analysed at the national doping control laboratory, while others are carried out by foreign control agencies on the instructions of a foreign anti-doping body under contract with another laboratory. Whichever anti-doping organisation has been involved, the collaboration of the National Anti-Doping Unit has always been appreciated by all the control agencies carrying out their tasks in Tunisia.

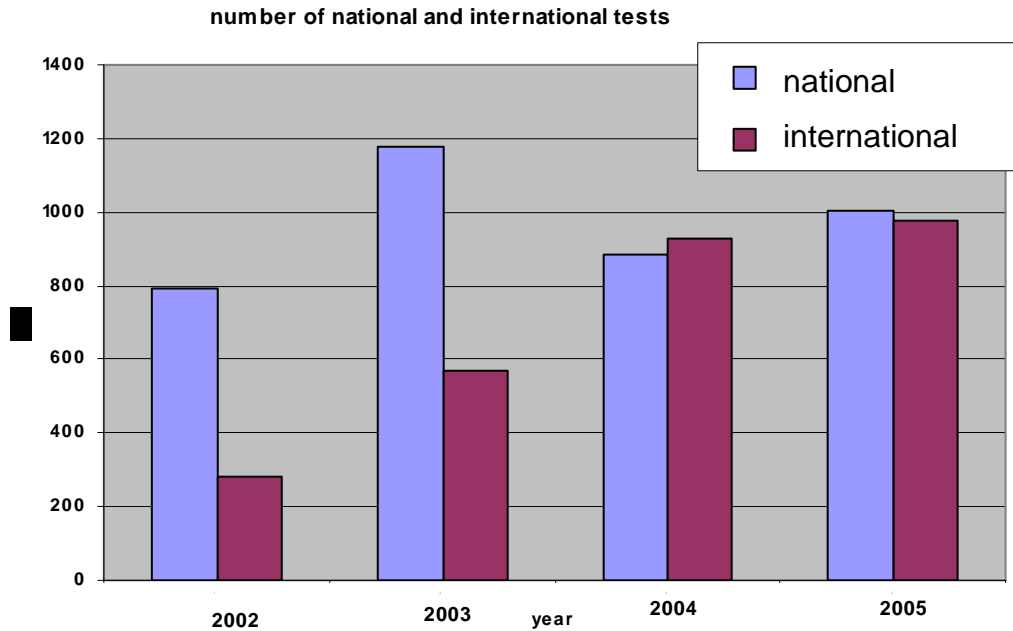
The graphs below provide statistics on the control work carried out since 2002, when the National Anti-Doping Unit began logging data:

1°) number of tests analysed by the national laboratory:



This shows a constant increase from year to year.

2°) number of national and international tests:



The number of tests carried out at national level is identical to the number carried out at international events in the last two years.

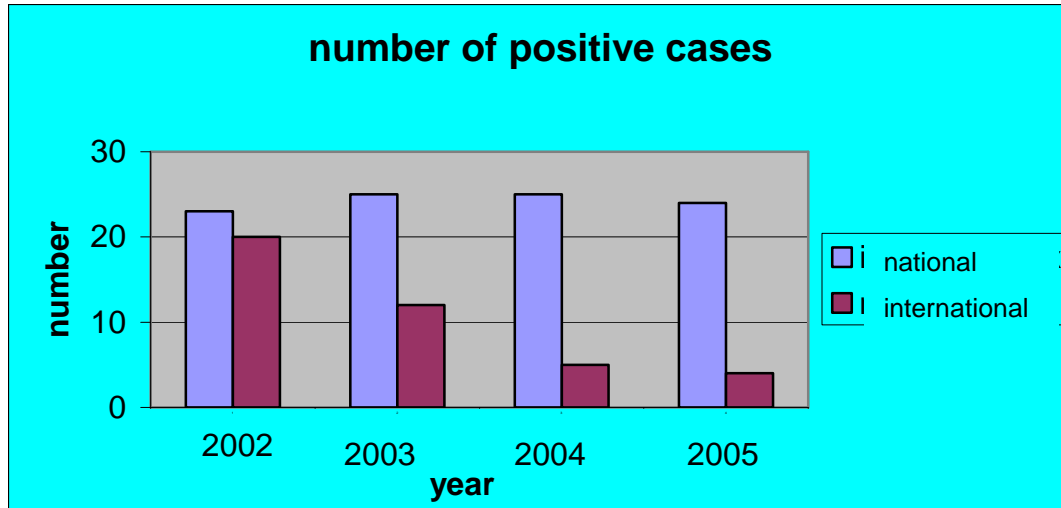
3°) number of random tests:

The number of random tests carried out at the initiative of the National Anti-Doping Unit has not changed much in percentage terms, as shown by the table below:

	Number of national tests	Number of random tests	Percentage of random tests
Year 2002	793	128	<b>16.1%</b>
Year 2003	1179	182	<b>15.4%</b>
Year 2004	885	147	<b>16.6%</b>
Year 2005	1005	166	<b>16.5%</b>

4°) number of positive cases:

The number of positive cases has fallen sharply among our national sportsmen, as the following graph and table show:



	Number of national tests	Number of positive cases	Percentage of positive cases
Year 2002	793	20	<b>2.52%</b>
Year 2003	1179	12	<b>1.02%</b>
Year 2004	885	05	<b>0.56%</b>
Year 2005	1005	04	<b>0.40%</b>

#### **Article 8: International cooperation**

**1. The Parties shall cooperate closely on the matters covered by this Convention and shall encourage similar cooperation 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 cooperation 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.**

Since entering the fight against doping, Tunisia has always been open to international cooperation of all kinds, particularly in the areas covered by the convention. One example was our involvement as an observer country in the Monitoring Group in 2002, followed by our Parliament's ratification of the convention in July 2003.

Where education is concerned, all the educational material published by the relevant bodies, namely the World Anti-Doping Agency, the National Olympic Committee, the Council of Europe and the international federations has been used and distributed by the National Anti-Doping Unit in national sports organisations and schools.

All the international sports events organised in Tunisia have provided a useful opportunity to cooperate with international bodies, these being the Arab Union of Sports, the Arab Football Union, the Confederation of African Football, FIFA, the IHF and the FIBA and other international federations, and also to distribute leaflets, brochures and posters and prepare medical guides for all the participating delegations. These events provide a platform for encouraging our national federations to frame the same policy as their international counterparts and comply with the anti-doping standards adopted at international level.

Tunisia is at the forefront of the Arab and African anti-doping drive. In 1996 we organised an information, awareness-raising and training seminar in conjunction with the Arab Union of Sports, followed by other international congresses in 1999 and 2000 in conjunction with the International Mediterranean Games Committee.

Tunisia was recently designated as a "mentor" country for the North African region by the World Anti-Doping Agency at the symposium on education organised in Cairo in November 2005 in conjunction with the World Anti-Doping Agency.

Our bilateral relations with the member countries of the Anti-Doping Convention Monitoring Group enabled us to play a role in the symposium held in Portugal in June 2005.

On the international scene the Tunisian delegation was actively involved in drafting the final version of the International Anti-Doping Convention under the auspices of UNESCO.

On similar lines, when Tunisia organised the international conference on sport and health in Hammamet in March 2005, the theme of doping in sport was broadly debated by eminent experts including Dr Alain Garnier, Prof Michel Rieu, Mr Stanislas Frossard, Secretary of the Convention's Monitoring Group, and Mr Richard Pound, Chairman of the WADA. The event was organised under the auspices of the UN in connection with International year of sport and physical

education - 2005 by the Ministry of Youth, Sports and Physical Education with the high patronage of the President of the Republic.

In another context, cooperation with France and Spain with a view to gaining accreditation for the national doping control laboratory in 2001 enabled us to train administrators and technicians who now work at the laboratory. Numerous training courses were undertaken with the French and Spanish laboratories and followed up in Tunis, with input from neighbouring countries. Since then, bilateral relations have been consolidated and enriched by cooperation with the Lisbon laboratory dating from 2001.

Similarly, our national laboratory is in constant contact with the North African countries, Egypt, Saudi Arabia, Bahrain and Kuwait to facilitate and assist with the analysis of samples taken in those countries. At the same time, a number of officials from those countries have been invited on information visits focusing on all our laboratory's activities and services. Projects aimed at guiding their staff in gaining the experience and techniques required to set up their own laboratories are foreseeable and highly desirable.

#### **IV Conclusions**

Anti-doping is regarded as an issue concerning health and the preservation of the values of healthy sports ethics and the olympic charter. As soon as it realised the risks run by athletes attempting to cheat and the potential scale of such practices, the Tunisian government joined the international drive to curb this scourge and reduce it as far as possible at the beginning of the 1990s.

Tunisia's commitment is reflected in Law no. 104/94 which mentioned the term "doping" in connection with sport for the first time.

Following this, a unit designated by the Ministry of Youth, Sports and Physical Education set out about sketching out a national anti-doping programme, covering education, information, awareness-raising and training in its initial stages. Early in 2000 the first tests were analysed in Tunisia with a view to gaining accreditation for the national doping control laboratory in Tunis. International cooperation was essential in this respect, in order to train laboratory staff and doping control doctors and chaperones and accredit them for taking samples during the Mediterranean games in Tunis in 2001. This international cooperation has gradually been stepped up and consolidated, particularly since Tunisia's accession to the Council of Europe's Anti-Doping Convention. The Tunisian government's compliance with its undertakings to apply the different articles of the convention has been described in this auto-evaluation report.

At the same time, we are exploring future action to remedy the shortcomings observed when producing this review.

Accordingly, in the legislative sphere, the draft anti-doping law will certainly strengthen Tunisia's commitment to complying with the different articles of the convention. It will be more strongly geared to encouraging all the national federations to follow self-regulation principles in line with the directives of the respective international federations in collaboration with the National Anti-Doping Unit. It will also regulate all the measures aimed at restricting the availability and use of prohibited doping agents and methods, in line with international legislation, in accordance with

article 4.1 of the Council of Europe Convention and article 8.1 of the final draft of the International Anti-Doping Convention.

In the area of education, although a number of initiatives have been taken, the National Anti-Doping Unit believes that setting up an awareness-raising and information action plan in collaboration with the Ministry of Public Health would be the best means of ensuring the national programme's success. Schemes to prepare brochures, leaflets and posters must be followed through. This will be done in collaboration with Tunisia's National Olympic Committee.

More frequent involvement of the media is strongly desired. Plans for a stamp depicting the subject of doping and a doping hot-line are being considered. All the action plan phases will culminate in a national anti-doping day.

The anti-doping controls carried out by the National Anti-Doping Unit would focus more on out-of-competition testing. The strategy to involve all the national federations within the framework of their respective programmes is being implemented on a step-by-step basis. Collaboration with all international bodies will be consolidated.

International cooperation must be stepped up, particularly in the field of scientific research for laboratories and educational and social research programmes, as well as for all aspects concerning the development of sports medicine and sciences so that athletes can improve their performances without resorting to doping.

Despite the shortcomings observed in applying different articles of the convention, we believe that Tunisia's anti-doping policy has now moved beyond the stage of implementing the different action plans. The different aspects of the programme must now be made permanent fixtures and consolidated.

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