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Anti-Doping Convention (T-DO)

Project on Compliance with Commitments

Follow up report on the implementation of the Anti-Doping Convention by Ukraine Kyiv, 16-17 October 2002

Introduction

The issue of doping has been, and indeed still is, central to modern sports. Since the advent of the first anti-doping schemes in the mid-1960s up until the present day, the problems linked to doping in sport have increased.

Ukraine signed the Anti-Doping Convention on 2 July 1998 and ratified it on 29 November 2001 (entry into force on 1 January 2002). The Ukrainian Government gives the question of the fight against doping the utmost importance.

According to the Constitution of Ukraine, the Anti-Doping Convention has the status of a national law. For the implementation of the Convention, new steps have been taken by adopting new legislation and making financial resources available. The ratification of the Convention and the undertakings followed show clearly the political willingness of the Ukrainian authorities to tackle the scourge of doping in sport.

Article 1: Aim of the Convention

By creation of favorable conditions for the activity of the different anti-doping fields' participants, government developed the infrastructure, the activity of which is directed on the achievement of the objective of this Convention and concentrated mainly on the following:

- self-regulation of sports federations;
- activity against illegal trade and falsification of doping substances;
- international cooperation and international agreements, which concern the fight against doping in sport;

Article 3: Domestic co-ordination

There is close cooperation between different sports organizations and structures, in particular Ministry of Health, Ministry of Internal Affairs, Customs Committee, Sports Medicine Centre and different NGO, which deal with various doping issues.

The National Anti-Doping Centre is the National Anti-Doping Organization in Ukraine. This Centre was established in accordance with the Decree of the Cabinet of the Ministers of Ukraine № 1063 from July 25, 2002 and started working on January 2003. The National Anti-Doping Centre is under the jurisdiction of the State Committee of Ukraine on Physical Culture and Sport and financed by the state budget. There was established Supervisory Board of the National Anti-Doping Centre, which consists of the representatives of the State Committee of Ukraine on Physical Culture and Sport, sport federations, NOC, Ministry of Health, pharmaceutical and medical experts and athletes.

Anti-doping activities of the State Committee on Physical Culture and Sports is carried out according to the World Anti-doping Code and the Law of Ukraine “On Anti-doping Control in Sport” № 2353 of April 5, 2001. Sports federations are governed in their activities by the World Anti-doping Code, the Law of Ukraine “On Anti-doping Control in Sport” and the documents, which regulate anti-doping activity of International Sports Federations.

The project of the Law of Ukraine on bringing amendments into the Law of Ukraine on Anti-Doping Control in Sports (in regard to the adaptation to the international legal standards) is registered at the Supreme Soviet of Ukraine under the number 6409 on December 14, 2004. Cabinet of Ministers of Ukraine appears as the subject of legislative initiative.

“The measures on implementation of the World Anti-Doping Code in Ukraine for 2004-2006”, approved by the Vice-prime Minister of Ukraine, the Head of the Supervisory Board of the National Anti-Doping Centre on June 1, 2004 is the basic program document on anti-doping in sport.

Article 4: Measures to restrict the availability and use of banned doping agents and methods

The Ukrainian Government took appropriate measures, including the development of the regulations on the control of transportation, holding, importation, trafficking and sale, bringing amendments to the legislation, which are implemented at present, for restriction of availability and use of doping substances in sport, in particular anabolic steroids.

New legislation has been created to restrict availability of banned substances. An article on the Law on Physical Culture and Sports forbids anyone engaged in sport to use a substance prohibited in the legislation. There is also a Law on Anti-Doping Control in Sport (05.04.2001). There are certain provisions in the Penal Code for the prohibition of drugs in general.

Besides, active anti-doping policy serves as the criteria for allocation state grants for sports organizations. Sports organizations are provided also with financing for carrying out doping control and researches.

Annually the budget of the State Committee is provided with assignments for organizing of the collection of bio-samples. Every year the number of bio-samples, collected from the members of the National teams of Ukraine and the reserve, is increasing. The total sum of

budget, which was spent on the anti-doping activities last year, is 124 000 Euro approximately.

Annually the State Committee gives translated renewed Prohibited List to the doctors of the Nationals teams of Ukraine.

Article 5: Laboratories

The anti-doping laboratory was established at Kiev in 2000. Though at present the laboratory is still not accredited by ISO, WADA, according to the ISO 17025 and the International standard for anti-doping laboratory, first documents, necessary for the accreditation, were drawn up and accreditation process started at WADA. The samples are analyzed by screening.

Anti-doping laboratory is financed by the state. The staff of the laboratory consists of 9 experts. All of them work in doping analyzes but also in another analytical procedures related to the activities of the laboratory (ecological, pharmaceutical, analysis of food supplements). According to the demands of the World Anti-doping Code, in particular the documents of the second level, last year the Committee on the therapeutic use, which is responsible for the receipt and providing the athletes, doctors and coaches of national teams of Ukraine with information on anti-doping, was established.

The laboratory of the National Anti-Doping Centre started working in January 2004 without any delay. Within the framework of preparation for the XXVIII summer Olympic Games it was performed the analysis of 617 samples. Altogether the laboratory of the National Anti-Doping Centre has analyzed 741 samples in 2004. According to the demands of WADA to accredited laboratories, it is planed for 2005 to perform 1700 samples analyzes.

In 2004 it was purchased chemical-analytical equipment and apparatus of firms "Thermo Finnigan" and "Shimadzu".

The laboratory of the National Anti-Doping Centre received a special form and a questionnaire of WADA on November 29, 2004 for completion and subsequent submission.

Through the lack of necessary money in 2004 for the receipt of the service on the development of the documentation on accreditation process is postponed till the fist quarter of 2005. According to the demands of ISO 17025 laboratory will submit the documents on accreditation for consideration of the National Accreditation Agency.

Article 6: Education

Different institutes take part in the anti-doping education process including medical, legal and pedagogical aspects. Some material has been produced on banned substances and health of athletes. Seminars for athletes, coaches, sports medical doctors have been organised. In the education of sports medical doctors a study session on anti-doping is included. The experts of sports medicine are available for athletes' and coaches' questions.

In cooperation with the Ukrainian Sports Medicine Center it is started the realization of the program on the standing scientific practical seminars for the doctors and coaches of the National teams of Ukraine on the anti-doping activities. Activity on prevention of use of the prohibited substances and methods by athletes is coordinated. The demonstrative poster with

interpretation of the procedure on the delivery of bio-samples by the athlete is published in 2004.

Ukraine pursues the following main targets in its education activity:

With regard to knowledge:

- to increase the understanding of doping among the athletes;
- to inform the athletes about the doping control procedure and their rights and duties in this respect;
- to inform the athletes where they can obtain the information in question.

With regard to attitude:

- to establish an attitude of disapproval towards doping among athletes.

With regard to behavior:

- the athletes do not use doping and they are aware of their role as models for young people and non-elite athletes.

The following educational materials and activities will be developed further and used in this educational program (mainly targeting elite athletes):

- new editions of the fan booklets;
- development of an information package with information about the doping control procedure, the different categories of substances and methods, a list of permitted substances, information about other ways to enhance performance, information about supplements;
- posters showing the doping control procedure;
- articles on doping issues that can be used in the official magazines of sports federations.

Other activities will also be developed. Examples here are the continued development of a website, the organization of symposia and special activities for sports federations.

On the basis of the results of the study, conducted in Ukraine, the following recommendations were made:

When designing preventive programs one should take into consideration the specific characteristics of the target group, the behavior of which has strong social and cultural roots; Information about effective training and good nutrition should be important elements of prevention, probably even more important than information about health risks;

Considering the health risks, low – threshold access to medical advice should be provided when users have drugs-related and/or health – related problems.

Article 7: Co-operation with sports organisations on measures to be taken by them

Ukraine is a country with a great tradition in terms of sport. Government and sports federations have close co-operation in Ukraine.

The Anti-Doping Centre decides on the national doping controls; there are then carried out by doping control officers in the Medical Centre.

With regard to the training of doping control officers, at present there is no any program on training and improving qualification as well as the system of official registration of such officers.

Every year a plan is drawn up concerning which doping controls are going to be carried out. Controls are paid by the state, some sports federations pay for extra controls. The Football Association carries out its own controls, according to UEFA or FIFA requirements. Other federations do not have money for extra controls.

When there is a positive screening, the sample is sent to an accredited laboratory for confirmation. Positive cases are handled according to the international federation rules. If there is an appeal body set up according to the IF regulations, that appeal body is used.

On finding of the use of doping by the athlete the State Committee coordinates the work on carrying out of investigation of the incident, taking into account the decision of the International and National Federations, as the result of which the administrative measures are to be taken. The State Committee can withdraw financing of contracted athlete.

The National Anti-Doping Centre together with the Ukrainian Sports Medicine Centre actively co-operates with the National Sports Federations on realization of educational programs.

Article 8: International co-operation

Ukraine has close relations with Council of Europe, IOC and WADA.

In the field of sport Ukraine has a lot of international agreements, concluded with different world states, first of all European countries, such as France, Russia, Bulgaria, Poland, Baltic states. Annually, according to these agreements, protocols or programs on cooperation, which include points on experience exchange in the field of fight against doping, anti-doping centers activities, development and realization educational programs on the fight against doping are being signed.

The anti-doping laboratory cooperates with laboratories of another states. It is necessary to take note that the laboratory constantly needs the assistance of accredited anti-doping laboratories.

ANTI-DOPING CONTROL SYSTEM IN UKRAINE

