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**Anti-Doping Convention (ETS 135)**

**EVALUATION VISIT OF THE MONITORING GROUP (T-DO)**

Athens, Greece

29 October-1 November 2017

**Project on the Compliance with the Commitments**

# **EVALUATION REPORT**

**ADOPTED**

**At the 48<sup>th</sup> Monitoring Group meeting**

## EVALUATION REPORT

### Background

- (a) In October 2017, consistent with the Compliance with Commitments project, the Secretariat of the Sport Conventions of the Council of Europe ('the Secretariat') and the Chair of the Advisory Group on Compliance of the Monitoring Group of the Anti-Doping Convention appointed a Monitoring Team for the Monitoring Visit to Greece (the 'Visit'). This appointment was made pursuant to an invitation extended by the Greek authorities to the Council of Europe to pay a Monitoring Visit to Greece.
- (b) The Secretariat convened the Monitoring Team, which for the first time included a representative of the World Anti-Doping Agency, to enhance and complement the compliance assessment activities undertaken with the Greek authorities. The full composition of the Monitoring Team is described at Annex 1 to this Report.
- (c) Prior to the Visit, the Greek authorities provided the Secretariat with a National Report, a copy of which is attached as Annex 2 to this Report ('the National Report'). The Visit took place in Athens, at Olympic Stadium of Athens "Spyros Louis", Maroussi, Athens, Greece on October 30 and 31, 2017. It included meetings with the persons [*listed at Annex 1*].
- (d) The Monitoring Team has prepared this Report with the aim of providing the Monitoring Group with a summary of its findings and analysis, together with a number of recommendations. A draft version of the Report was provided to the Greek authorities for review, and their comments are attached as Annex 3 to this Report.

### Scope

The Monitoring Team focussed its evaluation examination on Articles 1-9 of the Convention<sup>1</sup>. In addition, given that the Greek authorities have ratified the International Convention against Doping in Sport of UNESCO ('the UNESCO Convention'); and (b) compliance with both the Convention and the UNESCO Convention in practice require Governments to take steps to give effect to the provisions of the World Anti-Doping Code, the Monitoring Team agreed that an examination of how the World Anti-Doping Code has been implemented in Greek sport fell within the scope of the Visit.

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<sup>1</sup> Greece has not adopted the Additional Protocol to 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.**

1. Article One requires State Parties to take measures to reduce and eliminate doping in sport, including legislation, and commit themselves towards this responsibility. The National Report recites details of the steps that the Greek authorities have taken that are relevant to Article One, which are summarised below.
  - 1.1. The Greek authorities have in substance ratified both the Convention and the UNESCO Convention by way of Law No 3516/2006. Further, the Greek authorities have adopted into law the relevant provisions of the World Anti-Doping Code by way of Law No 4326/2016<sup>2</sup>. The Hellenic National Council for Combating Doping ('ESKAN') was established pursuant to Law 2725/1999, as amended by Law 3057/2002. By way of Law No 4373/2016, ESKAN has been mandated to fulfil the role of National Anti-Doping Organization for Greece.
  - 1.2. Solely for the purposes of this Report and ease of reference, Law 2725/1999 is referred to herein as 'the Sport Law' and Law 4373/2016 is referred to as 'the Anti-Doping Law'.
  - 1.3. ESKAN is empowered by the Anti-Doping Law to undertake the functions assigned to National Anti-Doping Organisations by the World Anti-Doping Code.
  - 1.4. The Sport Law contains criminal law provisions, which establishes criminal offences in respect of conduct that would also constitute an anti-doping rule violation. In particular, the use or supply to another of a Prohibited Substance can constitute a criminal offence, as can 'interference' (or other fraudulent conduct) with doping control activities, attracting penalties including fines and/or custodial sentences. The manufacture and/or distribution of such substances is also a criminal offence.
  - 1.5. The Greek authorities are currently engaged in work to update and amend the Anti-Doping Law, with a view to establishing a new organization to fulfill the role of National Anti-Doping Organization in Greece. This new organization will be known as 'EOKAN'.
  - 1.6. The necessary measures to establish EOKAN are subject to a number of administrative matters, which were intended to have been completed by 31 December 2017. In turn, the establishment of EOKAN is intended to be confirmed (by way of Presidential Decree) by 1 March 2018.
  - 1.7. It is intended that EOKAN will maintain the activities undertaken by ESKAN, with a view to also
    - Ensuring its operational independence;
    - Expanding the number of samples collected, to a target of 3,000 samples collected in 2020;
    - Being provided with adequate funding and autonomous financial capacity;
    - Ensuring that anti-doping is embedded into sports training curricula;

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<sup>2</sup> The Monitoring Team did not review these pieces of legislation to verify the assertions made by the Greek authorities as to the effect of the legislation; for the purposes of the Visit and this Report the assertions are presumed to be accurate.

- Cooperating with state authority partners
- Taking measures to restrict doping in recreational and grassroots sport.

## Conclusion and Recommendations

1.8. The Monitoring Team accepts that the Greek authorities have partially complied with the political commitments described in Article 1.

### EOKAN

1.9. The Report draws attention to a number of matters concerning ESKAN's operations. The issues identified in this regard might be resolved, or at least improved, by the establishment and operational undertakings of EOKAN.

1.10. The Anti-Doping Law, and its facilitation of the establishing of EOKAN, is an important step, but EOKAN – as an operationally independent and financially autonomous organization – is yet to be created.

1.11. The existence of ESKAN as, in effect, a division of the Greek Ministry of Education and Culture, blurs the distinction between Government and the National Anti-Doping Organization, and risks creating a perception that the National Anti-Doping Organization is not fully independent as far as its operational decision-making is concerned. The Monitoring Team recommends:

- In the short term, ESKAN document its operational decisions in a manner that demonstrates that those decisions are made independently; and
- That EOKAN be established as soon as is practically possible in a manner that ensures it has effective operational independence, adequate funding and autonomous financial capacity.

## **Article 2 - Definition and scope of the Convention**

### **2.1 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. Article 2 requires that the terms referred to at Article 2.1(a), (b) and (c) are implemented in a manner consistent with the Convention.

2.1. In this regard, the Anti-Doping Law adopts the definition of ‘doping’ used in the World Anti-Doping Code, that is, conduct that is equivalent to any of the ten Anti-Doping Rule Violations currently listed in the World Anti-Doping Code.

2.2. In accordance with the Anti-Doping Law, ESKAN has established a set of Anti-Doping Rules that incorporate the definition of ‘doping’ used in the World Anti-Doping Code. Likewise, the Anti-Doping Rules incorporate definitions of ‘Athlete’ and ‘Athlete Support Person’. The Monitoring Team understands that these Anti-Doping Rules are considered to be satisfactory by the World Anti-Doping Agency.

2.3. The list of doping methods and agents is specified by way of the International Standard for the Prohibited List (‘the Prohibited List’), published each year by the World Anti-Doping Agency. The Monitoring Group adopts the Prohibited List each year as an Annex to the Convention, which in turn provides that giving effect to the Prohibited List is required by the Convention.

2.4. The Prohibited List enters into force automatically by way of the Anti-Doping Rules.

2.5. The Monitoring Team was advised that, pursuant to the Anti-Doping Law National Federations are required to adopt and incorporate the Anti-Doping Rules as part of their own governance rules, and that compliance with them is a precondition for receiving public funding (and/or any publicly funded benefits).

## **Conclusion and Recommendations**

2.6. The Monitoring Team accepts that the Greek authorities have complied with the commitments described in Article 2. There are no specific recommendations.

### Article 3 - Domestic co-ordination

**3.1 The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.**

**3.2 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. Both the Monitoring Group and the World Anti-Doping Agency believe that the fight against doping in sport, if it is to work well, must involve a number of governmental departments or agencies (including those responsible for areas as diverse as public health, medical care, customs, police, sport and education). Further, to ensure the practical implementation of the Convention, it is essential to establish a National Anti-Doping Organization, which is able to give effect to a Government's commitments under the Convention, and comply with its own commitments as a Signatory to the World Anti-Doping Code.

#### ESKAN and Structure

- 3.1. The principle public authority responsible for coordinating Government anti-doping policy in Greece is the General Secretariat of Sports. It is the primary body supporting ESKAN.
- 3.2. ESKAN is established pursuant to the Anti-Doping Law, which also reflects the World Anti-Doping Code. (If the World Anti-Doping Code is changed, the Anti-Doping Law will also need to change.)
- 3.3. ESKAN is administered by a controlling Board, comprised of nine members with complementary areas of expertise in law, science and sport. The Board has the power to delegate the operational conduct of certain tasks to its executive, and as such has established standing committees in respect of medical, scientific, therapeutic use exemption and disciplinary matters.
- 3.4. The Board is appointed by the Deputy Minister for Culture and Education. It operates in most meaningful respects as an executive body, meeting regularly (it met 54 times in 2016, for example) and discussing ESKAN operations including test distribution planning.
- 3.5. ESKAN has a small full-time staff, including staff members being individually responsible for specific operational matters including test distribution planning, therapeutic use exemptions, Doping Control Personnel, domestic coordination with sport governing bodies, and administration.
- 3.6. The Monitoring Team was advised that ESKAN is planning to sign an agreement with:
  - 3.6.1. the Hellenic National Police Headquarters, to facilitate exchange of information relevant to anti-doping activities, trainings and related activities, and aimed at adopting effective legislation relating to the fight against doping in sport; and
  - 3.6.2. the Customs Service, aimed at ensuring effective and efficient fulfilment of measures taken to reduce illegal international trade in performance-enhancing substances.
- 3.7. The Monitoring Team discussed ESKAN's governance structures in detail. The Monitoring Team noted that the severe financial restrictions that the Greek authorities are operating within have meant that

whilst it is acknowledged by the Board of ESKAN that the fulfilling of operational roles by the Board is not desirable, the inability to hire extra staff to fulfil these roles leaves it with little choice.

## Conclusions and Recommendations

3.8. The Monitoring Team accepts that the Greek authorities have partially complied with the commitments described in Article 3. There are a number of recommendations.

3.8.1. The Supervisory Board of a NADO has a number of key functions, including setting strategy, providing advice and direction, and overseeing the executive in its execution of the NADO's roles and responsibilities to both Government and the World Anti-Doping Agency. A Board cannot do this properly if it itself functions as an executive. The Supervisory Board of ESKAN should adopt a plan to withdraw from all operational matters, and the to-be-established Supervisory Board of EOKAN should not have any operational role. Reference to this issue is made further in this Report.

3.8.2. A degree of flexibility in the Anti-Doping Law should be considered, to avoid the need for abrupt legislative changes to be required as and when the World Anti-Doping Code and/or the International Standards are amended.

3.8.3. ESKAN (and, in time, EOKAN) must have complete operational independence as regards test distribution planning. In this regard implementation of the [*Recommendation on NADO Independence*] would be a key progress marker.

3.8.4. The arrangements in place as between ESKAN and various state bodies as regards the sharing of information relating to doping activities should be formalised as soon as possible.

#### **Article 4 - Measures to restrict the availability and use of banned doping agents and methods**

**4.1** 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.

**4.2** 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.

**4.3** 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;
- (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.

**4.4** 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.

4. Article 4 of the Convention establishes a number of commitments:

Article 4.1: States Parties are required to adopt measures to restrict the availability, including trafficking, of banned substances and methods and, in particular, anabolic steroids.

Article 4.2: it should be a criterion for the grant of public subsidies to sports organisations that they effectively apply anti-doping regulations.

Article 4.3(a): governments may underwrite the entire cost of doping controls and analysis or offer partial grants to the sport organisations, as a form of encouragement to undertake testing on a worthwhile scale.

Article 4.3(b): financial support from public funds, whether directly from the state or indirectly through sport organisations, provided to sportsmen and sportswomen who have been suspended for doping, should be suspended at least for the period of their suspension.

Article 4.3(c): in addition to direct measures, states may offer different forms of encouragement to reduce the use of doping, such as financial encouragement and/or penalisation (Articles 4.2, 4.3.a and 4.3.b). Article 4.3.c of the Convention requires from states more practical forms of encouragement such as in facilitating doping control testing, both in-, and out-of-competition.

Article 4.3(d): athletes should continue to be subject to testing even when they are out of their countries, for training or competition.

Article 4.4: states may adopt legislation by virtue of which, inter alia, public authorities may themselves organise doping controls.



4.1. The Monitoring Team was not able to assess each of these components in depth. It noted the following.

*Article 4.1*

4.2. The Monitoring Team was advised that Greece has a number of legislative instruments aimed at restricting the use and availability of prohibited substances and methods, including legislation concerning dealings in pharmaceutical products and substances, and dealings in illicit drugs.

4.3. Representatives of the Greek police advised the Monitoring Team that from 2015, there had been 15 criminal investigations concerning illicit substances, resulting in 42 arrests and the confiscation of cash and steroids. The Greek police confirmed that they readily cooperate with ESKAN as well as with INTERPOL, EUROPOL and other relevant stakeholders internationally.

4.4. The Monitoring Team was advised that the Greek Food and Drug Administration regulates the sale of food supplements, but that a large number of unlicensed supplements are made available (unlawfully) within Greece.

*Article 4.2:*

4.5. The Anti-Doping Law provides that sports governing bodies, and participants, are required to comply with ESKAN's standards. ESKAN has the power to ask public authorities to withhold some or all funding or other non-financial support to sports governing bodies that are not in compliance with the ESKAN Anti-Doping Rules.

*Article 4.3:*

4.6. The Anti-Doping Law provides that:

4.6.1. sports governing bodies must reimburse ESKAN for all costs related to a violation of the Anti-Doping Rules committed by an Athlete or other Person affiliated with that sports governing body.

4.6.2. ESKAN can ask the National Olympic Committee of Greece to take additional disciplinary action against sports governing bodies with respect to the recognition and eligibility of its officials and Athletes to participate in International Events, in certain circumstances.

4.6.3. Public funding can be withheld from an Athlete or other Person if they commit a violation of the Anti-Doping Rules.

## **Conclusions and Recommendations**

4.7. The Monitoring Team accepts that the Greek authorities have partially complied with the commitments described in Article 4. There are in turn a number of recommendations.

4.7.1. **The existing levels of cooperation as between ESKAN (and in the future, EOKAN) with law enforcement partners should be formalised by way of structured Memoranda of Understanding,**

and information sharing protocols. The Greek authorities are encouraged to have regard to the Recommendation of the Monitoring Group on Information Sharing between Public Agencies and Anti-Doping Organisations. These could, for example, make reference to education and skills raising initiatives as between EOKAN, police and customs regarding investigation competencies.

4.7.2. The funding preconditions placed on sports governing bodies in respect of anti-doping responsibilities should be very clear and transparent.

4.7.3. The financing of Doping Controls should be the exclusive responsibility of ESKAN/EOKAN, to assure independence in the planning and conducting of testing, and results management.

4.7.4. The proposed e-platform for whistleblowers to share information securely and confidentially with the anti-doping authorities is a positive step, which should be developed to completion.

## Article 5 – Laboratories

### 5.1 Each Party undertakes:

- a) either to establish or facilitate the establishment on its territory of one or more doping control laboratories suitable for consideration for accreditation under the criteria adopted by the relevant international sports organisations and approved by the monitoring group under the terms of Article 11.1.b; or
- b) to assist its sports organisations to gain access to such a laboratory on the territory of another Party.

### 5.2 These laboratories shall be encouraged to:

- a) take appropriate action to employ and retain, train and retrain qualified staff;
- b) undertake appropriate programmes of research and development into doping agents and methods used, or thought to be used, for the purposes of doping in sport and into analytical biochemistry and pharmacology with a view to obtaining a better understanding of the effects of various substances upon the human body and their consequences for athletic performance;
- c) publish and circulate promptly new data from their research.

5. Article 5 of the Convention establishes a number of commitments concerning laboratories. The important role of doping control laboratories in the fight against doping is reflected in the Convention, as well as the World Anti-Doping Code and the UNESCO Convention. Since 2004, anti-doping laboratories have been accredited by WADA who also monitors and assess their performance continuously. According to the International Standard for Laboratories (ISL), WADA is responsible for accrediting and re-accrediting anti-doping laboratories, thereby ensuring that they maintain the highest quality standards. Whenever a laboratory does not meet ISL requirements, WADA may suspend the laboratory's accreditation.

5.1. The Doping Control Laboratory of Athens (DCLA) was founded in 1986 and is located in the Olympic Athletic Center of Athens (OAKA) complex. The DCLA is a part of the National Center of Athletic Research, supervised by the General Secretary of Sports in the Greek Ministry of Sport. DCLA has been a WADA accredited laboratory since 2003, and is accredited by the Association of Official Racing Chemists (AORC) in the field of anti-doping testing in horses.

5.2. DCLA has considerable experience of sample analysis in respect of a number of international events, most notably the 2004 Summer Olympic and Paralympic Games.

5.3. DCLA has completed the validation of the analytical procedure for the detection of the hematological parameters for the ABP and will be in a position to analyze blood samples as soon as the procedure is accredited.

5.4. DCLA has undertaken a number of research programmes in the anti-doping research field, either partially funded by WADA or exclusively funded by OAKA. All projects have been conducted with the collaboration of external bodies, including governmental, university and WADA laboratories, in order to ensure optimum scientific performance and results. The results of these projects have been published in peer-reviewed journals and presented in international anti-doping Workshops.

- 5.5. DCLA provides the analysis services for the ESKAN testing program. This accounts for 20-40% year on year of its total analytical activity.
- 5.6. DCLA has the ability to provide long-term storage for certain Anti-Doping Organisations, but not for ESKAN.
- 5.7. DCLA's finances are closely tied to that of its host, OAKA. This can result in financial obstacles arising, as a number of DCLA budgetary issues require input and approval from OAKA. These issues have been highlighted by the World Anti-Doping Agency in a report compiled in 2015.

### **Conclusions and Recommendations**

- 5.8. The Monitoring Team accepts that the Greek authorities have partially complied with the commitments described in Article 5. There are in turn a number of recommendations.
- 5.9. The Monitoring Team urges ESKAN to develop a long-term storage capability for the storage of biological samples.
- 5.10. **DCLA capacity to analyze blood samples in support to the ABP programme should be established as soon as possible.**
- 5.11. The Laboratory's finances should be managed separately to those of OAKA and the recommendations made by WADA in its [report] adopted.

## Convention Article 6 – Education

- 6.1 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.**
- 6.2 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.**

6. Article 6 of the Convention establishes commitments relating to both education and research.

Article 6.1: The provision of education and information for the prevention of doping in sport is an essential feature of any anti-doping program. Educational and informational programmes should be comprehensive and be directed mainly to athletes and their support personnel<sup>3</sup>.

Article 6.2: Research in the field of anti-doping as well as the physiological and psychological training and the legitimate search of improved performance is of great importance.

The importance of both education and research is underscored in both the World Anti-Doping Code and the UNESCO Convention.

### Education

- 6.1. The Monitoring Team was informed by ESKAN as to its educational programmes in the field of doping in sport. These are targeted at three groups: high-performance athletes, their coaches and medical staff; young athletes whose carrier paths are not yet fully planned, their coaches and parents; and lower and upper secondary school students who are particularly exposed to the risk of using prohibited substances and improper use of dietary supplements.
- 6.2. These programmes are intended to inform as to the matters including the rights and obligations of athletes; prohibited substances and methods; the effects of using prohibited substances and methods; the risks related to the use of dietary supplements; the doping control procedures; ethics in sport, and general information on the anti-doping system. The Monitoring Team was provided with a description and demonstration of examples of these programmes.

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<sup>3</sup> The Monitoring Group developed the Model Guidelines for Core Information/Education Programmes to prevent Doping in Sport, as a methodological tool, for the development, implementation, delivery, and evaluation of information and education programmes. These Model Guidelines are annexed to the Recommendation Rec (2011) 1 of the Monitoring Group on the use of the model guidelines for core information/education programmes to prevent doping in sport. The Monitoring Group developed also the Guidelines for anti-doping education for Tertiary Education Institutions, aiming to support the development, implementation, delivery and evaluation of effective anti-doping education at the university level. These Model Guidelines are annexed to the Recommendation Rec (2016) 2 of the Monitoring Group on the Guidelines for anti-doping education for Tertiary.

- 6.3. The Monitoring Team expressed the view that education and information initiatives are best conducted in response to identified risks, rather than general initiatives.

#### Research

The Monitoring Team was provided with an extensive list of research projects, in respect of which DCLA has either collaborated or played a leading role in.

### **Conclusions and Recommendations**

- 6.4. The Monitoring Team accepts that the Greek authorities have partially complied with the commitments described in Article 6. There are in turn a number of recommendations.
- 6.5. The Monitoring Team noted the value of anti-doping being a mandatory element of training provided to athlete support persons. This should be adopted by all sports governing bodies.
- 6.6. **The Monitoring Team recommends that an integrated and coordinated education plan be developed with sports governing bodies, to ensure that the maximum 'reach' is achieved through the activities planned and conducted across Greece. The Greek authorities might consider requiring sports governing bodies to apply part of their public funding to support these plans. In turn, sports governing bodies should have funding removed or restricted if they do not cooperate in relation to these plans.**
- 6.7. ESKAN/EOKAN should provide as much information as possible to its athletes via its website (for example, the Prohibited List was not included on the ESKAN website), either directly or through links to useful and valuable resources hosted elsewhere (notably on the WADA website).
- 6.8. The Board should make education planning part of its strategic discussions and planning each year. Information and education initiatives should be planned on the basis of evidence and an assessment of risk.

## **Article 7 – Co-operation with sports organisations**

**7.1** 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.

**7.2** 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 judgment 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.

**7.3** 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.

7. Article 7 establishes a number of commitments on the part of States Parties aimed at ensuring that sports organisations take all appropriate steps to implement effective anti-doping programmes.

Article 7.2(a)-(c): compliance with these commitments is achieved by ensuring that sports organisations adopt and implement the standards mandated by the World Anti-Doping Code.

Article 7.2(d): this requires States Parties to put in place regulations about their disciplinary and appeal procedures that respect the concept of natural justice and due process. In this regard, the Monitoring

Group of the Anti-Doping Convention has adopted a key recommendation concerning hearing panels and dispute resolution<sup>4</sup> [*full title and reference*].

Article 7.2(e)-(f): these articles are intended to ensure that there is no ‘forum-shopping’ or potential to find doping ‘safe havens’. In this regard, mutual recognition of sanctions is one of the principles of the World Anti-Doping Code.

Article 7.3: this requires State Parties to ensure their sports organisation organise doping control testing, and sets certain elements of the testing programmes: on an effective scale, in-, and out-of-competition, and without advance notice. Testing must be ‘equitable for all sportsmen and sportswomen’. For this to be achieved, it is important for the organisation responsible for testing and those persons involved, to be independent, impartial and free from any conflicts of interest.

Article 7.3(b): this requires State Parties to ensure their sports organisations establish agreements (as necessary) with other organisations for testing their athletes when training in other countries.

Article 7.3(c): this requires State Parties to ensure their sports organisations pay close attention to the fact that out-of-competition testing, and in particular testing in the lead up of major sport events, is one of the most important elements of a comprehensive testing programme. If athletes are aware of the possibility to be tested when they are preparing for competitions, out-of-competition testing has a strong deterrent effect. At the international level, major event organisations (like, for example, the International Olympic Committee) and international federations encourage national anti-doping organisations to test their athletes prior to their participation in international events. Similarly, at the national level, the national anti-doping organisation should test the athletes under its jurisdiction prior to their participation in national events, based on a risk assessment analysis and with the support of the interested national sport organisation.

Article 7.3(d): this requires State Parties to ensure their sports organisations involve clean athletes in their anti-doping programmes, encouraging integrity and fairness for sport and athletes.

Article 7.3(e): this requires State Parties to ensure their sports organisations make full and efficient use of the analytical capacities of the laboratories. The analysis of samples for the purpose of anti-doping testing by the WADA-accredited laboratories is constantly evolving with strengthening of the existing analytical methods, as well as the development and implementation of new and more sophisticated methodologies.

Article 7.3(f): this requires State Parties to ensure their sports organisations furnish athletes with scientifically prepared guidelines to support their training and protect them from unnecessary harm, and also to prevent them from doping.

#### Doping Controls

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<sup>4</sup> Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases. T-DO/Rec(2017)01



- 7.1. The Monitoring Team was advised that in respect of testing undertaken by ESKAN, in-competition testing is funded by sports governing bodies, and out-of-competition testing is funded by ESKAN. In practice this means the testing program is very weighted towards in-competition testing.
- 7.2. The Monitoring Team noted an unusual, but problematic feature of Greek public financial regulation, which has the effect of prohibiting ESKAN from being able to charge sports organisations and sports event organisers for providing Doping Control services<sup>5</sup>.
- 7.3. The Monitoring Team was also advised that, given current financial regulations in Greece, ESKAN is not in a position to pay the costs of testing directly from its own budget and resources. However, if ESKAN is requested to undertake testing on a commercial/'paid-for' basis, the requesting party cannot pay ESKAN for this testing. Rather, the costs must be remitted directly to the Doping Control Personnel and Laboratory.
- 7.4. In this regard, part of the funding provided by the Greek authorities to sports governing bodies is intended to be spent on testing. Although ESKAN takes steps to ensure that in-competition testing is conducted on a no-advance notice basis, the practical effect is that sports governing bodies do have insight into the amount and incidence of testing<sup>6</sup>. It would make obvious sense for this funding to be allocated directly to ESKAN.
- 7.5. The Monitoring Team was concerned that this directly threatens the integrity of the anti-doping programme. In particular, the practical effect of this is that if a sports governing body does not request testing, testing may not take place in that sport and that direct influence over the Doping Control Personnel can be exerted by national federations.
- 7.6. In addition, the Monitoring Team was advised that the testing programme undertaken by ESKAN reflected, to an extent, the policy considerations of the Greek authorities and the relevant sports<sup>7</sup>. The Monitoring Team noted that the testing programme should be coordinated and decided by ESKAN solely.
- 7.7. The Monitoring Team met a small number of sports governing bodies: each of them indicated that they would prefer ESKAN to have full financial control of the testing program.
- 7.8. The Monitoring Team was concerned at the light level of out-of-competition testing, although noted the impact of the financial restrictions affecting ESKAN in this regard.

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<sup>5</sup> For example, if a sports governing body wished ESKAN to undertake testing at an event, at the sports governing body's cost, the sports governing body would be precluded from paying ESKAN for this service, and would be required to pay the costs of the relevant Doping Control Personnel and the Laboratory direct to those parties.

<sup>6</sup> Because sports governing bodies have to pay the costs of testing, they will know that the cost of a test is approximately EUROx. If sports governing bodies are advised that they must expend EUROy on testing, then they can calculate that the number of tests in their sport is likely to be y/x.

<sup>7</sup> The Monitoring Team was advised that in relation to basketball and football, professional league rules require that two tests should be performed during each weekend of competition.

- 7.9. The Monitoring Team was also concerned at the use of Registered Testing Pools and whereabouts, given the light level of out-of-competition testing. A number of queries remained outstanding as to the extent to which whereabouts requirements were being properly managed.
- 7.10. The Monitoring Team noted that blood testing does not take place to a significant extent in Greece<sup>8</sup>, primarily as the Laboratory is not yet certified to the appropriate level as regards the relevant analysis. Legal restrictions in Greece require blood testing to be undertaken by medically-qualified persons.
- 7.11. The Monitoring Team noted that there is no long-term sample storage plan in place within ESKAN.
- 7.12. It was not clear to the Monitoring Team whether ESKAN is in a position to undertake 'paid-for' testing on behalf of partner NADOs, International Federations and/or WADA. This is inherently undesirable<sup>9</sup>.
- 7.13. The Monitoring Team was concerned that the amount of training made available to Doping Control Personnel appeared to fall short of what is required. There also appeared to be a lack of female Doping Control Officers.
- 7.14. The Monitoring Team was concerned that the investigatory skills and investigation capacity of ESKAN in relation to non-analytical violations appeared limited.

#### Disciplinary Matters

- 7.15. The Anti-Doping Law requires sports governing organisations in Greece to adopt and incorporate the ESKAN Anti-Doping Rules (which comply with the World Anti-Doping Code) 'into their statutes and regulations'. Further, they are required by the Anti-Doping Law to 'accept and apply the decisions [of] the primary Hearing Panel of ESKAN and ASEAD'.
- 7.16. The Anti-Doping Law establishes a disciplinary proceeding mechanism whereby an appointed Disciplinary Committee resolves anti-doping matters. Sports governing organizations are obliged by the Anti-Doping Law to accept the jurisdiction of the Disciplinary Committee.
- 7.17. The Disciplinary Committee operates pursuant to the Anti-Doping Law and its own procedural rules. The system is inquisitorial rather than adversarial, the Disciplinary Committee being assisted (at its discretion) by a rapporteur. The ESKAN Board has an initial role in the imposition of sanctions in cases involving Adverse Analytical Findings.
- 7.18. The Anti-Doping Law also establishes an appeal body ('ASEAD'), which has jurisdiction to hear appeals from the Disciplinary Committee.

#### Governance

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<sup>8</sup> Blood testing only takes place as undertaken by International Federations.

<sup>9</sup> Because, for example, overseas doping athletes might perceive Greece to be a 'safe haven'.

7.19. The Monitoring Team noted that a number of operational matters appeared to involve decision making on the part of the Board:

7.19.1. test distribution planning involves the ESKAN Board to a significant extent, with ESKAN staff producing test distribution plans that are discussed with the President of the Board. This risks giving rise to issues regarding impartiality and independence (given that these activities should be conducted by the ESKAN executive).

7.19.2. decisions relating to the grant of therapeutic use exemptions are ratified by the Board, rather than a suitably comprised therapeutic use exemption committee<sup>10</sup>.

7.20. The Monitoring Team noted that whilst the Greek authorities had plans in place for the transition of ESKAN to EOKAN (see §XX above), the legal and fiscal issues surrounding the recruitment of staff to EOKAN would have an effect on the timing of this transition.

## Conclusions and Recommendations

7.21. The Monitoring Team accepts that the Greek authorities have partially complied in part with the commitments described in Article 7. There are in turn a number of recommendations.

7.22. In relation to the testing programme:

7.22.1. Testing should be based on a risk assessment and a test distribution plan established by ESKAN without the involvement of the Greek authorities or sport governing bodies.

7.22.2. Doping Control Personnel must be accredited and trained and paid directly by ESKAN.

7.22.3. Blood testing should be implemented as soon as possible and a biological passport programme should be established.

7.22.4. An Athlete Passport Management Unit should be established in collaboration with another Anti-Doping Organisation.

7.22.5. A clear sample collection protocol and process guide should be prepared for Doping Control Personnel.

7.22.6. More female Doping Control Personnel should be recruited, trained and accredited.

7.22.7. Out-of-competition testing should be increased on the basis of a risk assessment and testing distribution plan in accordance with all relevant standards that are approved or mandated by the World Anti-Doping Agency.

7.22.8. A sample retention strategy should be put in place.

7.23. In relation to disciplinary matters:

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<sup>10</sup> The ESKAN Scientific Committee is comprised of three medical professionals, supervised by the President of the Board. The Scientific Committee acts as the Therapeutic Use Committee.

- 7.23.1. The ESKAN Board should have no role in the imposition of sanctions in cases involving Adverse Analytical Findings, or any other matters. Sanctions should be determined and imposed by the Disciplinary Committee.
- 7.23.2. Skills and competencies concerning the identification and investigation of non-analytical matters should be developed.
- 7.23.3. Ongoing training for members of the Disciplinary Committee, potentially in conjunction with regional partners, would be desirable.
- 7.23.4. The Greek authorities should assess the manner in which the Disciplinary Committee operates in light of the Hearing Panel Recommendation<sup>11</sup>.
- 7.24. In relation to governance:
  - 7.24.1. The Monitoring Team recognises that the structural and governance issues identified in respect of ESKAN are not in place as a matter of policy, but necessity. Nevertheless, the Greek authorities are urged to adopt the recommendations made in relation to governance matters as a priority.
  - 7.24.2. Testing should be based on a risk assessment and a test distribution plan established by ESKAN pursuant to a strategic plan developed by the Board<sup>12</sup>.
  - 7.24.3. The reinvestment of Laboratory revenues into EOKAN would (if permissible under Greek fiscal regulations) be welcome.

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<sup>11</sup> Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases. T-DO/Rec(2017)01

<sup>12</sup> For example, in the year preceding an Olympic and Paralympic Games, a strategic plan would be to undertake testing in sports that Greece will be participating in, and which sports are a priority: the operational decision will be how much testing is undertaken in those sports, and the balance between in and out-of-competition testing.

## **Article 8 - International co-operation**

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

**8.2** The Parties undertake:

- a) to encourage their sports organisations to operate in a manner that promotes application of the provisions of this Convention within all the appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;
- b) to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5; and
- 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.

**8.3** 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.

8. Article 8 emphasises the importance of coordination and cooperation among States Parties to the Convention at the international level. A main channel for such cooperation is the Monitoring Group set up by virtue of Convention Article 10 as well as the Advisory Groups and the ad hoc groups of experts established by virtue of Convention Article 11.2 to support the work of the Monitoring Group. Another important channel of cooperation under the Council of Europe is the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA), which is responsible for the coordination of the positions of all Parties to the European Cultural Convention, with regard to questions relating to WADA. Outside the structures of the Council of Europe, cooperation in the field of anti-doping can be achieved in many fora, like WADA, UNESCO and the Conference of Parties to the International Convention against Doping in Sport, and the Institute of National Anti-Doping Organisations (iNADO).

8.1. Both the General Secretariat of Sports and ESKAN take part, on an ad hoc basis, in the works of the Council of Europe, including meetings of the Monitoring Group (T-DO) and the European Ad hoc Committee for WADA (CAHAMA), as well as in the works of UNESCO and WADA. ESKAN is not a member of the Institute of National Anti-Doping Organizations (iNADO). The Department of Anti-Doping Research of the Institute of Sport takes part in the works of the World Association of Anti-Doping Scientists (WAADS).

## **Conclusions and Recommendations**

- 8.2. The Monitoring Team accepts that the Greek authorities have partially complied with the commitments described in Article 8. There are in turn a number of recommendations.
- 8.3. **The Monitoring Team notes the collaboration being undertaken as between ESKAN and the Cypriot anti-doping authorities, and recommends that this be developed and expanded.**
- 8.4. The Monitoring Team urges the Greek authorities and ESKAN to participate regularly in international anti-doping forums (including CAHAMA, the Monitoring Group and the WADA Annual Symposium).

#### **Article 9 - Provision of information**

**Each Party shall forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention.**

9. The Convention requires States Parties to exchange information and experiences between Parties and observers about issues related to the implementation of the Convention. The meetings of the Monitoring Group of the Convention serve as a suitable occasion for providing and exchanging such information.

#### **Conclusions and Recommendations**

- 9.1. The Monitoring Team accepts that the Greek authorities have partially complied in part with the commitments described in Article 9. There are in turn a number of recommendations.
- 9.2. The Greek authorities and ESKAN should fulfil all their responsibilities in terms of compliance reporting to the Monitoring Group and WADA.

## ANNEX ONE

HELLENIC REPUBLIC - MINISTRY OF CULTURE AND SPORTS COUNCIL OF EUROPE - EVALUATION VISIT		
ATHENS, 30th October-1st November 2017		
LIST OF PARTICIPANTS		
ANTI-DOPING CONVENTION DELEGATION		
A/A	SURNAME - NAME	POSITION
1	PIRJO RUUTU	SENIOR COUNSELLOR, FINCIS (FINNISH CENTER FOR INTEGRITY IN SPORTS)
2	GRAHAM ARTHUR	INDEPENDENT EXPERT IN SPORT LAW
3	JESUS GARRIDO ESCOBAR	HEAD OF EDUCATION DPT, AEPSAD (SPANISH AGENCY FOR HEALTH PROTECTION IN SPORT)
4	ROGEIRO JOIA	PRESIDENT OF ADoP (PORTUGUESE ANTI-DOPING AUTHORITY)
5	FLORENCE LEFEBVRE RANGEON	WADA, MANAGER, GOVERNMENT AND NADO RELATIONS
6	LIENE KOZLOVSKA	CoE, SENIOR MANAGER, ANTI-DOPING CONVENTION, SPORT CONVENTIONS DIVISION
7	KARAVASILI OLYMPIA	CoE, LEGAL OFFICER, SPORT CONVENTIONS DIVISION

MINISTRY OF CULTURE AND SPORT		
A/A	SURNAME - NAME	POSITION
1	VASSILIADIS GIORGOS	DEPUTY MINISTER OF CULTURE AND SPORT
2	SYNADINOS JULIOS	GENERAL SECRETARY OF SPORT
3	SERAPEIM IOANNA	DIRECTOR OF THE DEPUTY MINISTER'S OF CULTURE AND SPORT OFFICE
4	ADAMIDIS ALEXANDROS	LEGAL ADVISOR TO THE GENERAL SECRETARY OF SPORT, ESKAN MEMBER
5	KALOUDIS GEORGE	LEGAL ADVISOR TO THE GENERAL SECRETARY OF SPORT, ESKAN MEMBER
6	KARAKASIS DIONYSIOS	HEAD OF THE DPT. OF INTERNATIONAL RELATIONS, EU POLICIES, OLYMPIC MATTERS, SPORT AND CULTURAL PROMOTION
7	ALEXANDROPOULOU THEODORA	DPT. OF INTERNATIONAL RELATIONS, EU POLICIES, OLYMPIC MATTERS, SPORT AND CULTURAL PROMOTION
8	TYROGIANNIS ATHANASIOS	DPT. OF INTERNATIONAL RELATIONS, EU POLICIES, OLYMPIC MATTERS, SPORT AND CULTURAL PROMOTION
9	NOCHOS MICHALIS	DPT. OF INTERNATIONAL RELATIONS, EU POLICIES, OLYMPIC MATTERS, SPORT AND CULTURAL PROMOTION
10	ANAGNOSTOU KONSTANTINOS	DPT. OF INTERNATIONAL RELATIONS, EU POLICIES, OLYMPIC MATTERS, SPORT AND CULTURAL PROMOTION
11	GEORGIOU GEORGIA	DPT. OF INTERNATIONAL RELATIONS, EU POLICIES, OLYMPIC MATTERS, SPORT AND CULTURAL PROM.



HELLENIC NATIONAL COUNCIL FOR COMBATING DOPING (ESKAN)		
A/A	SURNAME - NAME	POSITION
1	GEORGAKOPOULOS PANAGIOTIS	PRESIDENT (PULMONOLOGIST)
2	KALAMARI MARIA	VICE PRESIDENT (MICROBIOLOGIST - BIOPATHOLOGIST)
3	ADAMIDIS ALEXANDROS	MEMBER OF THE BOARD (ATTORNEY AT LAW)
4	KALOUDIS GEORGIOS	MEMBER OF THE BOARD (ATTORNEY AT LAW)
5	KARYOFILLI IOANNA	MEMBER OF THE BOARD (REPRESENTATIVE OF THE HELLENIC PARALYMPICS COMMITTEE)
6	CHARIS LIAPI	MEMBER OF THE BOARD (ENDOCRINOLOGIST, DEPUTY PROFESSOR OF CLINICAL PHARMACOLOGY, MEDICAL SCHOOL, NATIONAL AND KAPODISTRIAN UNIVERSITY OF ATHENS, GREECE)
7	SKOUNTZOU MAGDALINI	MEMBER OF THE BOARD (ATTORNEY AT LAW)
8	TOUMPEKIS ARGIRIS	MEMBER OF THE BOARD (ASSISTANT PROFESSOR, NATIONAL AND KAPODISTRIAN UNIVERSITY OF ATHENS, DPT OF PHYSICAL EDUCATION AND SPORT SCIENCE)
9	PIRANTAKOU SEVASTI	ESKAN DISCIPLINARY COMMITTEE PRESIDENT (ATTORNEY AT LAW)

ATHENS OLYMPIC SPORTS COMPLEX (OAKA)		
A/A	SURNAME - NAME	POSITION
1	KOURIS ARISTIDIS	PRESIDENT
2	Dr. KAPODISTRIAS ALEXANDROS	DIRECTOR OF THE HELLENIC SPORTS RESEARCH INSTITUTE
3	Dr. TSIVOU MARIA	DIRECTOR OF THE DOPING CONTROL LABORATORY OF ATHENS

HELLENIC HANDBALL FEDERATION		
A/A	SURNAME - NAME	POSITION
1	STAMATIADIS KONSTANTINOS	GENERAL SECRETARY
2	ARVANITIS IOANNIS	YOUTH NATIONAL TEAM'S COACH
3	TSILIMBARIS KONSTANTINOS	INTERNATIONAL ATHLETE
4	KARAMBOURNIOTIS PANAGIOTIS	YOUTH CATEGORY ATHLETE

HELLENIC TRACK AND FIELD FEDERATION		
A/A	SURNAME - NAME	POSITION
1	DIMAKOS PANAGIOTIS	A' VICE PRESIDENT
2	VASSILIKOS DIMITRIOS	COACH
3	KYRIAKOPOULOU NICOLE	INTERNATIONAL ATHLETE
4	TENTOGLOU CHRISTOS	YOUTH CATEGORY ATHLETE

HELLENIC SWIMMING FEDERATION		
A/A	SURNAME - NAME	POSITION
1	KIRIAKOS NANOUSIS	MEMBER OF THE BOARD (DOCTOR, PRESIDENT OF L.E.N. (EUROPEAN SWIMMING FEDERATION) MEDICAL COMMITTEE
2	NIKOLAOS GEMELOS	COACH
3	THEODORA DRAKOU	INTERNATIONAL ATHLETE
4	AFRODITI KATSIARA	YOUTH CATEGORY ATHLETE

HELLENIC POLICE		
A/A	SURNAME - NAME	POSITION
1	LAMPRINIDIS KONSTANTINOS	POLICE OFFICER B'
2	PANETAS KONSTANTINOS	POLICE OFFICER B'

CUSTOMS		
A/A	SURNAME - NAME	POSITION
1		
2		

ANNEX TWO

HELLENIC MINISTRY OF CULTURE AND SPORTS  
**GENERAL SECRETARIAT OF SPORTS**

HELLENIC  
**Auto-evaluation report**  
on compliance with the commitments  
under the Anti-Doping Convention (CETS No. 135)

*-The report provides background information and an overview on the application and implementation of the provisions of the Anti-Doping Convention in Hellas.*

October 2017  
Athens, HELLAS

## 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.*

Hellas is a party to the Anti-Doping Convention of the Council of Europe, which it signed on 2006. Hellas is also a party to the International Convention Against Doping in Sport. By virtue of the first (1st) article of Law No 3516/2006 the International Convention against doping in sports, which was adopted by the General Conference of UNESCO in Paris on October 19<sup>th</sup> 2005, has been ratified and acquired the power set forth in article 28 par. 1 of the Constitution and a signatory of the World Anti-Doping Code. The Code acceptance form was signed on 1 April 2016 by Hellenic Parliament as Law No 4326/2016.

### **A. SPORT STRUCTURE**

The **Hellenic National Council for Combating Doping (ESKAN)** was established pursuant to the provisions of article 128 ST Law 2725/1999 (A'121), as this has been added by article 57 Law 3057/2002 (A' 239). Finally, by Law No 4373/2016, the Hellenic Parliament implemented the late WADA's International Code, with the objective of acting as the independent *National Anti-Doping Organization* for Hellas. As such, ESKAN has the necessary authority and responsibility for:

- Planning, coordinating, implementing, monitoring and advocating improvements in *Doping Control*;
- Cooperating with other relevant national organizations, agencies and other *Anti-Doping Organizations*;
- Encouraging reciprocal *Testing* between *National Anti-Doping Organizations*;
- Planning, implementing and monitoring anti-doping information, education and prevention programs;
- Promoting anti-doping research;
- Vigorously pursuing all potential anti-doping rule violations within its jurisdiction, including investigating whether *Athlete Support Personnel* or other *Persons* may have been involved in each case of doping, and ensuring proper enforcement of *Consequences*;
- Conducting an automatic investigation of *Athlete Support Personnel* within its jurisdiction in the case of any anti-doping rule violation by a *Minor* and of any *Athlete Support Personnel* who has provided support to more than one *Athlete* found to have committed an anti-doping rule violation;
- Cooperating fully with *WADA* in connection with investigations conducted by *WADA* pursuant to Article 20.7.10 of the *Code*; and
- Where funding is provided, withholding some or all funding to an *Athlete* or *Athlete Support Personnel* while he or she is serving a period of *Ineligibility* for violation of anti-doping rules.

### **Board Structure**

ESKAN is established by the Deputy Minister of Culture, Education and Religious Affairs and is comprised of **nine (9) members**, of which:

- a. Three (3) members** are **lawyers** with knowledge and experience in sports or doping issues.
- b. Three (3) members** are **scientists from the fields of pharmacology, toxicology and medicine** with knowledge of doping issues.
- c. Three (3) members** are persons of high standing in the fields of sports. Of these, one is a member of academic staff Exercise Physiology and selected from a list submitted by the Chairmen of Exercise Physiology of Universities, one nominated by the National Olympic Committee (HOC) and one of the National Paralympic Committee.

The Council was established in 1988 as "the Anti-Doping Council". In 1991 -1993 it operated under the name "ESKAN".

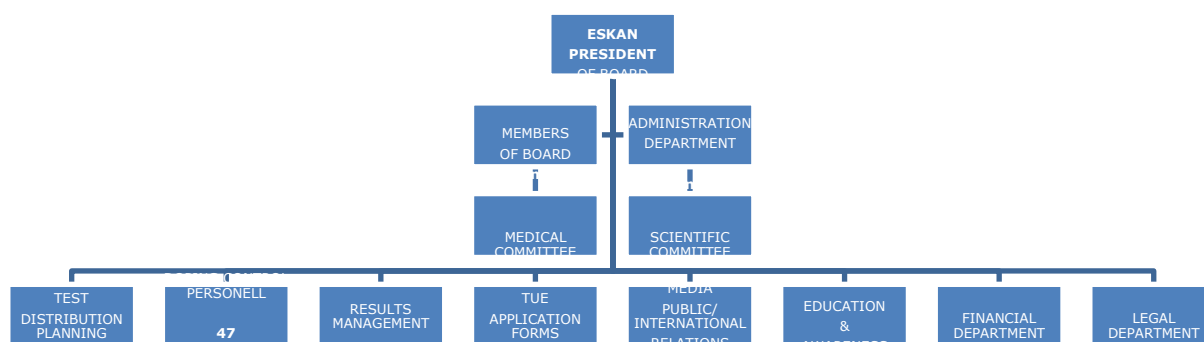
The Board is a collective body composed of a president, Vice-president and members appointed individually by the Minor-Minister of Sports.

The tasks of the Council, according to Article 2 of the Law 4373/2016, include:

- 1) maintaining a list of prohibited substances and methods;
- 2) conducting doping control during competitions and outside of them;
- 3) conducting research which supports the fight against doping in sport;
- 4) supporting, preparing and implementing education or training programmes concerning the fight against doping in sport.

To carry out its tasks, the Council may, by way of a resolution, establish its executive units. There exist two standing executive units: Medical/TUE Committee and the Scientific Committee, and the Therapeutic Use Exemption Committee. The disciplinary panel which takes decisions in doping-related proceedings conducted by certain sports associations also works as an executive unit of the Council.

#### Structure of the Council



Currently, the Council has 55 trained doping control officers (DCOs), most of them are doctors or nurses by profession. Most DCOs are administrative employees or scientists representing Physical Education Universities. The DCOs work in regional teams located in Athens, Thessaloniki and smaller provincial cities. The DCOs are not employed full time but are paid for specific actions i.e. services provided to ESKAN.

#### B. LEGAL FRAMEWORK

The main legislative Law relating to sport in Hellas is the Law No 2725/1999. The World Anti-Doping Code was adopted on 1 April 2016 by Hellenic Parliament as Law No 4373/2016. (articles 1-22) in accordance with the provisions of Article 128 F(ΣΤ) of Law. 2725/1999 (Gov. Gazette A 121), as added by Article 57 of Law. 3057/2002 (A 239) and initially replaced by article 18 of Law 3708/2008 (210/2008) and subsequently by article 11 of Law. 4049/2012 (A 35/2012) for the purposes of planning, monitoring, controlling coordinating and implementing Lawions and programs to combat doping at national level.

The UNESCO International Convention against doping in sport ratified by Law 3516/2006, the International Standards of the World Anti-Doping Agency and the binding guidelines of the World Anti-doping Agency, the necessary measures procedures, mechanisms and systems against doping are adopted and any matter necessary for their implementation is regulated. In particular in application of the International Convention against Doping in Sport and the binding guidelines of the World Anti-doping Agency ,the substantive provisions shall be harmonized concerning the:

- 1) meanings and definitions that are the subject of anti-doping policy

- 2) rules and the fundamental principles of anti-doping policy
- 3) Anti-doping Rule Violation
- 4) the rules of evidence and the burden of proof in anti-doping violation,
- 5) provisions on prohibited substances and prohibited methods causing doping,
- 6) testing and anti-doping rules, sample analysis process and results management of doping controls,
- 7) disciplinary rules, disciplinary proceedings and disciplinary penalties for doping violations
- 8) Cooperation structure of ESKAN/EOKAN with the World Anti-Doping Agency and any other necessary arrangement.

The Law No 4373/2016 contains a definition of doping in sport, provides a framework for action for ESKAN and establishes the principles of financing tasks carried out by the General Secretariat of Sports.

**SAMPLE- TAKERS:** Compilation and voting of a Ministerial Decision for the rewards of the sample-takers. Indeed on the 23<sup>rd</sup> of June the No: 2/51793/ΔΕΠ/23-6-2016 Common Ministerial Decision was signed, about the reward of the sample-takers (Sheet of the Gazette 340/ΥΟΔΔ/1-7-2016).

**Disciplinary Committee of ESKAN:** Setting and enactment of the new independent First Degree Disciplinary Committee of ESKAN, responsible for the examination of doping violations in ALL without exception the sports. The Disciplinary Committee was formed with the 20-4-2016 decision of the board of ESCAN (passage of minute No. 21), its rule of procedure has already been compiled and published and it is already ready to discuss doping cases which will potentially be submitted to it.

#### **CRIMINAL PROVISIONS**

The general Hellenic law on sports (No 2725/1999) also contains criminal law provisions, including Article 128 Θ which provides that:

1. Any person who grants to a athlete a physical or chemical substance or biological or biotechnological material or applies to him a method prohibited by the joint decision of Article 128c of the Hellenic law on sports (No 2725/1999) in order to improve his / her competitive mood, fitness and performance during sporting events or in view of his participation in them, shall be punished by imprisonment of at least three (3) years and by a fine of twenty-five thousand (25,000) to fifty thousand (50,000) euros if the act is not penalized heavier under another provision. The imposition of only the financial penalty on the assumption of attenuating circumstances is precluded. The person who has been convicted must also be banned from practicing a sports profession. It is imprisonment for up to ten (10) years if the perpetrator commits the above acts either professionally or with a view to obtaining for himself or another property benefit if the act is not penalized heavier under another provision.
2. An athlete using a physical or chemical substance or biological or biotechnological material or permitting the application to him of a method prohibited by the joint decision of Article 128C Hellenic law on sports (No 2725/1999) in order to improve his / her competitive mood, fitness and performance during sports races or in view of his participation in them, shall be punished by imprisonment of at least two (2) years if the act is not penalized heavier under another provision. The possession by a athlete of a substance or material of the preceding paragraph which is not legally registered in his health certificate shall be punished by a fine of at least five thousand (5,000) euro if the act is not penalized heavier under another provision.
3. In the case of paragraph 1, when the athlete is a minor, imprisonment of at least ten (10) years and lifelong withdrawal of the sports license shall be imposed irrespective of the size of the penalty imposed.
4. Anyone who manufactures, extracts, manufactures, stores, markets, markets, supplies or provides financial means in any way for the procurement of the substances and methods referred to in paragraph 1 in order to improve athletic mood, fitness and performance during athletic matches or in view of their participation in them, shall be punished by the penalties referred to in

paragraph 1 of this Article if the act is not penalized heavier under any other provision. If the offender carries out such operations in sports facilities or for the purpose of administering the substances or applying methods to underage athletes, the penalty referred to in paragraph 3 hereof shall be imposed.

5. Anyone who impedes doping control bodies in the performance of their duties shall be punished by imprisonment of at least two (2) years if the act is not penalized heavier under any other provision. The same penalty is also punishable by anyone who, before or during a legal doping control, destroys, alters or renders impractical the use of the samples or falsifies, distorts or alters the recording of the test result in any way. In the event that the acts referred to in the preceding paragraph commit a doping sampler within the meaning of this Act, a member of the staff of the ESKAN, a member of the staff of the National doping laboratory or any other laboratory in Greece which may be established and recognized by the World Health Organization as a doping control laboratory, he is punished by imprisonment for up to ten (10) years.
6. The provisions of this Article shall also apply where the offenses referred to therein have been committed abroad by a national, even if they are not punishable under the laws of the country in which they were committed.

It should also be mentioned that by the Law No 4373/2016, the adoption of a separate LAW on the fight against doping in sport is **PRESENT**. The financing is currently being drafted by the General Secretariat of Sports. The subject matter of the Law covers inter alia:

- 1) meanings and definitions that are the subject of anti-doping policy
- 2) rules and the fundamental principles of anti-doping policy
- 3) Anti-doping Rule Violation
- 4) the rules of evidence and the burden of proof in anti-doping violation,
- 5) provisions on prohibited substances and prohibited methods causing doping,
- 6) testing and anti-doping rules, sample analysis process and results management of doping controls,
- 7) disciplinary rules, disciplinary proceedings and disciplinary penalties for doping violations
- 8) Cooperation structure of EOKAN with the World Anti-Doping Agency and any other necessary arrangement.

In the works on the bill, recommendations following the monitoring visit of the Council of Europe and WADA will also be taken into account.

## ANTI-DOPING PROGRAM

The currently binding strategic document in the field of sport is the Sport Development Programme. The key measures under the said direction of intervention include:

- Foundation of the defined by the Law 4373/2016 of the new Legal Entity of Private Law (EOKAN). A financial study, the organigram and the statutes are already being compiled, within a specific time-frame, which is expected to be completed until the 31<sup>st</sup> of December 2017 and the relevant Presidential Decree to be issued within the 1<sup>st</sup> March of 2018.
- maintaining WADA accreditation by the Hellenic Laboratory.
- the continuation of the national programme against doping in sport, coordinated by ESKAN, with the intention to optimize the scale of doping controls (to the level of 3.000 samples in 2020) and take into account the qualitative approach to work;
- developing cooperation with General Secretariat of Sports and the national federations in order to ensure that the Anti-doping lessons will be incorporated to the national training courses.
- developing cooperation with relevant services (Ministry of Justice, Police, Customs Service) with the aim to limit the availability, use, and sale of prohibited substances and methods, and developing inter-ministerial cooperation to ensure better effects of measures taken in the field of anti-doping education (the Ministry of Health, the Ministry of National Education);



- taking measures to fight against doping in recreational sport and grassroots sport, including through educational campaigns;
- the continuation of prevention measures using available forms of communication.

#### HELLENIC LABORATORY (more comments on art. 5)

In Hellas, there is also an anti-doping laboratory accredited by WADA. It is a part of the General Secretariat of Sports and operates as its organizational unit (named the Hellenic Organisation of Sports Development). This organisation is a research institute, incorporated to the Olympic Athletic Center of Athens. (OAKA). ESKAN and the Hellenic Laboratory are being financed separately from each other by the General Secretariat of Sports but they cooperate with each other based on an annually renewed agreement between two entities, the General Secretariat of Sports, and the Hellenic Equestrian Federation (as every year about 30 analysis are conducted on samples coming from horses).

### 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 Lawivities.

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.

#### DEFINITION OF DOPING IN SPORTS

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 3.1 to 3.10 of these Anti-Doping Rules. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated. *Athletes* or other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*. The following constitute anti-doping rule violations.

- 1) Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete’s Sample*
- 2) *Use* or *Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*
- 3) Evading, Refusing or Failing to Submit to *Sample Collection*
- 4) Whereabouts Failures
- 5) *Tampering* or *Attempted Tampering* with any part of *Doping Control*
- 6) *Possession* of a *Prohibited Substance* or a *Prohibited Method Trafficking* or *Attempted Trafficking* of any *Prohibited Substance* or *Prohibited Method*
- 7) Administration or Attempted [Administration](#) to any Athlete In-Competition of any Prohibited Substance or Prohibited Method
- 8) Complicity: Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation
- 9) Prohibited Association

This definition follows the International Convention Against Doping in Sport and is adjusted to the wording used in the Hellenic legislative system.

The above definition is based on the one adopted in the Code and applicable from 1 April 2016.

#### List of prohibited substances and methods



The definitions of a prohibited substance and a prohibited method, included in Article 5 of the Law on Sport relate directly to the list of prohibited substances and methods, attached as Appendix 1 to the International Convention against Doping in Sport. The Law does not define, however, the role of the Monitoring Group of the Anti-Doping Convention in approving the list.

- Incorporation of the *Prohibited List*. This *prohibited List* which is published and revised by WADA forms an integral part thereof

- *Prohibited Substances and Prohibited Methods Identified on the Prohibited List*

- *Prohibited Substances and Prohibited Methods*: Unless otherwise provided in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication by WADA without further action being required by ESKAN. All *Athletes* and third parties is presumed that they are aware of the *Prohibited List*, and any revisions thereto, from the date they will go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

- Specified Substances: For purposes of the application of Article 11, all *Prohibited Substances* shall be *Specified Substances* except for substances in the classes of anabolic agents and hormones, stimulants and hormone antagonists and modulators identified on the *Prohibited List*. The category of *Specified Substances* shall not include *Prohibited Methods*.

- WADA's determination as to the *Prohibited Substances and Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, and the classification of a substance as prohibited at any time or *In-Competition* only, is final and shall not be contested by an *Athlete* or other *Person* based on the argument that the substance or method was not a masking agent or did not have the potential to enhance performance, constitute a health risk or violate the spirit of sport

- Therapeutic Use Exemptions ("TUEs"): The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use or Attempted Use, Possession or Administration or Attempted Administration* of a *Prohibited Substance or Prohibited Method* shall not be considered an anti-doping rule violation if it is consistent with the provisions of a TUE granted in accordance with the International Standard for Therapeutic Use Exemption

- Unless otherwise specified by ESKAN in a notice posted on its website, any *National-Level Athlete* who needs to *Use* a *Prohibited Substance or Prohibited Method* for therapeutic purposes should apply to ESKAN for a TUE as soon as the need arises and in any event at least (30) days before the *Athlete's* next *Competition*, (save in emergency or exceptional situations or where Article 5.3 of the International Standard for Therapeutic Use Exemptions applies) using the form posted on ESKAN's website at [www.eskan.gr](http://www.eskan.gr). ESKAN shall appoint a panel to consider applications for the grant or recognition of TUEs (the "TUE Committee"). The TUE Committee shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the International Standard for Therapeutic Use Exemptions and the specific ESKAN protocols posted on its website. Its decision shall be the final decision of ESKAN and shall be reported to WADA and other relevant *Anti-Doping Organizations* through ADAMS, and also to the *Athlete's National Federation*, in accordance with the International Standard for Therapeutic Use Exemptions.

- If ESKAN chooses to test an *Athlete* who is not an *International-Level* or a *National-Level Athlete*, ESKAN shall permit that *Athlete* to apply for a retroactive TUE for any *Prohibited Substance*

## **DEFINITION OF «SPORTSMEN» AND «SPORTSWOMEN»**

These provisions apply to:

1. the Hellenic National Council for Combating Doping (ESKAN) and the Hellenic Organization for combating Doping (EOKAN.)
2. Application to the National Federations: The harmonization with the rules of this Law and the compliance with the decisions, program and ESKAN's indications are a precondition for receiving and maintaining any special recognition, financial grant or other assistance from the Ministry of Culture and Sports, the Greek Olympic Committee to sports federations, which are required to incorporate them in the statutes and regulations.

3. By adopting and incorporating these Anti-Doping Rules, into their statutes and regulations the National *Federations* recognize the authority and responsibility of ESKAN for implementing and enforcing the National Anti-Doping Program to all the natural and legal persons under its jurisdiction. Simultaneously they accept and apply the decisions adopted pursuant to these rules by the primary Hearing Panel of ESKAN and ASEAD

4. Application to *Persons*: These Anti-Doping Rules shall apply to the following *Persons* (including *Minors*), in each case, whether or not such *Person* is a national, alien person of permanent and temporary residence in Greece in Greece:

- all *Athletes* and *Athlete Support Personnel* who are members or license-holders of any *National Federation* in Greece, or of any member or affiliate organization of any *National Federation* in Greece (including any clubs, teams, associations or leagues);

- all *Athletes* and *Athlete Support Personnel* who participate in such capacity in *Events*, *Competitions* and other Lawivities organized, convened, authorized or recognized by any *National Federation* in Greece, including any clubs, teams, associations or leagues

- Any other *Athlete* or *Athlete Support Person* or other *Person* who, by virtue of an accreditation, a license or other contrLawual arrangement, or otherwise, is subject to the jurisdiction of any *National Federation* in Greece, or of any member or affiliate organization of any *National Federation* in Greece (including any clubs, Incorporated sports companies, departments of paid athletes associations or leagues), for anti-doping purposes

- all *Athletes* and *Athlete Support Personnel* who participate in any capacity in any Lawivity organized, convened or authorized by the organizer of a *National Event* or of a national league that is not affiliated with a *National Federation*

- all *Athletes* who do not fall within one of the foregoing provisions of this Article 2.3.1 but wish to be eligible to participate in *International Events* or *National Events* (and such *Athletes* must be available for *Testing* under these Anti-Doping Rules for at least six(6) to twelve (12) months prior to their selection.

- These Anti-Doping Rules shall also apply to all other *Persons* over whom the *Code* gives ESKAN jurisdiction, including all *Athletes* who are nationals of or resident in Greece, and all *Athletes*, *coaches* and *support personnel* who are in Greece, whether to compete or to train or otherwise.

- *Persons* falling within the scope of Article 2.3.1 or 2.3.2 are deemed to have accepted and to have agreed to be bound by these Anti-Doping Rules, and to have submitted to the authority of ESKAN to enforce these Anti-Doping Rules and to the jurisdiction of the hearing panels specified in Article 9 and Article 14 to hear and determine cases and appeals brought under these Anti-Doping Rules

5. Application to *National-Level Athletes*: Of all of the *Athletes* falling within the scope of Article 1.3, the following *Athletes* shall be deemed *National-Level Athletes* for purposes of these Anti-Doping Rules.

- all athletes who compete at the highest levels of national *Competition*, and in national championships or other *Events* that determine or count towards determining who are the in the category/discipline in question,

- Athletes selected to represent the country in international-level *Events* or *Competitions*

- Greek athletes who generally or often compete at international level and/or in *International Events* or *Competitions* (rather than at national level) but who are not classified as *International-Level Athletes* by their International Federation

- All athletes included in ESKAN's annual *Registered Testing Pool* (RTP); but if any such *Athletes* are classified by their respective International Federations as *International-Level Athletes* then they shall be considered *International-Level Athletes* (and not *National-Level Athletes*) for purposes of these Anti-Doping Rules as well.

- These Anti-Doping Rules apply to all *Persons* falling within the scope of Article 2.3. However, in accordance with Article 5.3 the main focus of ESKAN's test distribution plan will be *National-Level Athletes*.

The Law uses the term "athlete" but includes no definition of the term. The context of the provisions of the Law suggests, however, that the term relates both to able-bodied athletes and athletes with disabilities, as well as women and men, and that the term is not limited only to athletes who take part in sports competitions organized by Hellenic sports associations.

Notwithstanding the above, in the context of its anti-doping provisions (the definition of doping included in the pre=amble of the Law 4373/2016:

*“Athlete: Any Person who competes in sport at international level (as defined by each International Federation), or at national level as defined by ESKAN.(Hellenic National Council for combating Doping) ESKAN has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of “Athlete.” In relation to Athletes who are neither International-Level nor National-Level Athletes, ESKAN may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; or not require advance TUEs. However, if anti-doping rule violation is committed under article 3.1, 3.3, 3.5 by any Athlete over whom an Anti-Doping Organization has authority who competes below the international or national level, then the Consequences set forth in the Code (except Article 14.3.2) shall apply. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and education, any Person who participates in sport under the authority of any Signatory, government, or other sports organization accepting the Code is an Athlete.”*

Also, the Hellenic Anti-Doping Rules contain a “Code-based” definition of an athlete. An athlete is any person who competes in sport at international level (as defined by each International Federation) or national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an athlete who is neither an International-level athlete nor a national-level athlete, and thus to bring them within the definition of “athlete.” In relation to athletes who are neither international-level nor national-level athletes, an Anti-Doping Organization may elect to: conduct limited testing or no testing at all; analyse samples for less than the full menu of prohibited substances; require limited or no whereabouts information; or not require advance TUEs.

### **Article 3 – Domestic co-ordination**

- 1. The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.*
- 2. They shall ensure that there is practical application of this Convention, and in particular that the requirements under Article 7 are met, by entrusting, where appropriate, the implementation of some of the provisions of this Convention to a designated governmental or non-governmental sports authority or to a sports organisation.*

#### **Article 7.1**

*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*

### **PUBLIC AUTHORITIES**

The public authorities responsible for coordinating state policy in the field of the fight against doping in sport is the General Secretariat of Sports. Supervision over the Police Service is the responsibility of the Minister of Civil protection and supervision over the Customs Service is the role of the Minister of Finance. The Minister of Health also plays a role in the fight against doping in sport.

The role of Hellenic National Anti-Doping Organization (ESKAN) has been assigned by the law 4373/2016; support to the Council is provided by the General Secretariat of Sports. ESKAN is a body responsible for the fight against doping in sport. It comprises a president and 8 members, who are appointed and dismissed by the deputy-minister of Sports, competent for physical culture from among professionals who work in the fields of medicine, sport, ethics, biology or law, and who guarantee the proper fulfilment of the Council’s tasks. The term of the Council’s president and members is 4 years.

The Council is supported by Administrative Department (AD), which operates as a state budget entity and manages the budget for implementing the tasks of the Council. However, the current legal form of the AD causes certain problems. A state budget entity covers its expenditures directly from the state budget, but its income (revenue) has to be paid to the state budget too. This means that a state budget entity makes use of the state budget funds to cover its expenditures, but if it generates any income, it should be paid in full to the

state budget as its revenue. During numerous international sporting events held in Hellas the event organizers request the Council to carry out, at their sole expense, doping controls during the competitions. Yet, in the current legal situation ESKAN cannot carry out the controls. This is due to the Law that any amounts paid for the controls by the event organizers, would have to be paid to the collectors or to the Laboratory. In such situations, the Council as an intermediary in the conclusion of agreements directly between the controllers (who run their own sole proprietor companies) and the sporting event organizers. This solution potentially undermines the credibility of the Hellenic anti-doping system.

#### **The Council's cooperation with the Police and the Customs Service**

ESKAN is planning to sign an agreement with the **Hellenic National Police Headquarters** on cooperation in the fight against doping in sport. The cooperation will cover: exchange of relevant information; mutual notification about issued reports and publications and organized trainings, and mutual support of initiatives aimed at adopting effective legislation relating to the fight against doping in sport.

A similar agreement is planned to be signed by ESKAN with the **Customs Service**, aimed at ensuring effective and efficient fulfilment of measures taken to reduce illegal international trade in substances that may illegally contribute to the improvement of sports results. The cooperation under the agreement will cover: exchange of information on cases of trading in prohibited substances; mutual notification about issued reports and publications and organized trainings, and taking efforts to ensure coherent interpretation of legislation on trade in prohibited substances.

### **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.*

#### **Article 7.2**

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;*

#### **Legislation restricting the use and availability of prohibited substances and methods**

Apart from the provisions of the Law on Sport, referred to above, Hellas has the following other legislative Laws aimed at restricting the use and availability of prohibited substances and methods:

1) *Pharmaceutical Law*: The Law applies to prohibited substances contained in medicinal products. The Law provides that “*whoever markets, or stores in order to market, a medicinal product without having obtained a permit to market it on the territory of the Republic of Hellas, shall be punishable by a fine, limitation of liberty or imprisonment for up to 2 years*”.

2) *the Law on prevention of drug addiction*: The provisions of the Law apply to prohibited substances that have narcotic properties.

3) *the Penal Code*: The provisions of the Penal Code are applicable to Laws which involve administration of a prohibited substance to another person, if such Laws pose a risk to human life or health. The Code provides that “*whoever exposes a human being to an immediate danger of loss of life, a serious bodily injury or a serious impairment of health, shall be subject to the penalty of deprivation of liberty for up to 3 years*”.

In addition, the Ministry of Health has the power to apply administrative measures in relation to placing on the market of, and trading in, pharmaceutical products. Similar powers are held by certain services subordinate to the Minister of Health, for example by the State Sanitary Inspectorate in relation to food supplements, pursuant to the provisions of the Law.

#### **Measures to reduce the use and availability of prohibited substances and methods**

The Police services do not keep separate statistics for measuring the effectiveness of actions limiting the availability and use of prohibited substances. The data in the table below relate to offences which involved the violation of provisions of the Law on medical devices, the Law on food and nutrition safety, or the Pharmaceutical Law (as discussed above). Yet, they do not provide any information on the number of proceedings relating specifically to prohibited substances.

In connection with the results of conducted doping controls, the Council, pursuant to the provisions of the Law on Sport and the agreement concluded between the Council and the Police. The notifications related to offences provided for under the Laws on Sport (No 2725/1999 and 4373/2016) (administering a prohibited substance or using a prohibited method without the knowledge of the athlete or in respect of a minor). In none of the cases, however, were investigation proceedings initiated.

#### **Criteria for subsidizing Hellenic sports associations and athletes:**

##### **-SPORTS FEDERATIONS:**

**A.** Due to art. 2.2 of the Law 4373/2016 : “*Application to the National Federations 2.2.1 The harmonization with the rules of this Law and the compliance with the decisions, program and ESKAN’s indications are a precondition for receiving and maintaining any special recognition, financial grant or other assistance from the Ministry of Culture and Sports, the Greek Olympic Committee to sports federations, which are required to incorporate them in the statutes and regulations.*”

**B. 13.1** ESKAN has the authority to request the relevant public authorities to withhold some or all funding or other non-financial support to *National Federations* that are not in compliance with these Anti-Doping Rules.

13.2 *National Federations* shall be obligated to reimburse ESKAN for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *National Federation*.

13.3 ESKAN may elect to request the *National Olympic Committee* of Greece to take additional disciplinary action against *National Federations* with respect to recognition, the eligibility of its officials and *Athletes* to participate in *International Events* and fines based on the following:

13.3.1 Four or more violations of these Anti-Doping Rules (other than violations involving Article 3.4) are committed by *Athletes* or other *Persons* affiliated with a *National Federation* within a 12-month period or

More than one *Athlete* or other *Person* from a *National Federation* commits an *Anti-Doping Rule* violation during an *International Event* or

A *National Federation* has failed to make diligent efforts to keep ESKAN informed about an *Athlete’s* whereabouts after receiving a request for that information from ESKAN.

**-ATHLETES:**As regards subsidies for athletes, according to the Law on Sport, the General Secretariat of Sports may cancel a sports grant awarded to an athlete—being a member of the national team if the athlete, despite his/her earlier declaration, fails to follow a preparatory programme for the Olympic Games, the Paralympic Games, the Deaflympics or a preparatory programme for the World Championships or the European Championships, developed by the relevant Hellenic sports association (Article 24 of the Law 4373/2016). Paragraph 5 stipulates that the award, withholding and cancellation of a sports grant should take the form of a decision. Detailed procedures for the award, withholding and cancellation of sports grants for national team members are determined by the minister responsible for physical culture by way of the Minister's regulation. Therefore, any final disciplinary decision confirming a violation of anti-doping regulations and resulting in the athlete's non-participation in sports competitions, following a disciplinary action of the competent Hellenic sports association, entails the athlete's inability to follow his/her preparatory programme. Thus, it should be considered a reason for initiating administrative proceedings to cancel the athlete's sports grant.

#### **FUNDING OF ANTI-DOPING ACTIVITIES (artm 4.2 – 4.3)**

The obligation to establish the statute of the Council, have a legal solution: Foundation of the defined by the Law 4373/2016 of the new Legal Entity of Private Law (EOKAN). A financial study, the organigram and the statutes are already being compiled, within a specific time-frame, which is expected to be completed until the 31<sup>st</sup> of December 2016 and the relevant Presidential Decree to be issued within the 1<sup>st</sup> semester of 2017.

The supervision of the General Secretariat of Sports covers the Office of the Council Against Doping in Sport. This means that the budgetary appropriations for the Council Office (for the implementation of the tasks of the Council) are allocated directly in the state budget. The annual allocations to the implementation of the Council's tasks in the years 2012 to 2017 are indicated in the table below.

Year		2013	2014	2015	2016	2017
Amount		233.000	50.000	50.000	20.000	200.000

**DOPING SAMPLES STATISTICS:** ESKAN has been the body responsible for implementing the Anti-Doping Testing Programme. Till 2014, the Council has collected:

YEAR	TOTAL NUMBER OF SAMPLES	TOTAL NUMBER OF VIOLATIONS OF ANTIDOPING RULES
2014	954	9
2015	853	10
2016	1077	5
2017	643	8

Detailed annual data are shown in the up table. At present, the testing programme is implemented in accordance with the International Standard for Testing and Investigations and World Anti-Doping Agency guidelines. The chart below indicates the number of samples collected by ESKAN in relation to the given anti-doping rule violations (2014-2017).

#### **Article 5 – Laboratories**

1. Each Party undertakes:
- a. either to establish or facilitate the establishment on its territory of one or more doping control laboratories suitable for consideration for accreditation under the criteria adopted by the relevant international sports organisations and approved by the monitoring group under the terms of Article 11.1.b; or

- b. to assist its sports organisations to gain access to such a laboratory on the territory of another Party.*
- 2. These laboratories shall be encouraged to:**
- a. take appropriate action to employ and retain, train and retrain qualified staff;*
  - b. undertake appropriate programmes of research and development into doping agents and methods used, or thought to be used, for the purposes of doping in sport and into analytical biochemistry and pharmacology with a view to obtaining a better understanding of the effects of various substances upon the human body and their consequences for athletic performance;*
  - c. publish and circulate promptly new data from their research.*

### **DOPING CONTROL LABORATORY OF ATHENS**

The Doping Control Laboratory of Athens (DCLA) was founded in 1986 and is located in the Olympic Athletic Center of Athens (OAKA) complex in a dedicated three floor building, built for the doping control testing of the 2004 Olympic Games. In the organogram of OAKA, DCLA is a part of the National Center of Athletic Research. OAKA is supervised by the General Secretary of Sports in the Greek Ministry of Sport. DCLA was accredited by the International Olympic Committee (IOC) in 1995 and later on (2000) by ESYD, the Greek accreditation body, according to the requirements of the International Standard ISO/IEC 17025:2005. DCLA is a WADA accredited laboratory since 2003, according to the International Standard of Laboratories. Furthermore, DCLA is accredited by the Association of Official Racing Chemists (AORC) in the field of anti-doping testing in horses.

In 1997, the DCLA performed the doping control of the World Championships in Athletics. After that, DCLA performed the doping control analyses of the athletes' samples during the 28<sup>th</sup> Summer Olympic Games in Athens. Also, DCLA has undertaken the analysis of doping control sample during the Mediterranean Games of Mersin (Turkey) in 2013. DCLA has analyzed athlete's samples for a number of different NADOS and IFs such as the Greek Anti-doping Council (ESKAN), Cyprus Anti-Doping Authority (Cyprus NADO) (CYADA), Tunisian Anti Doping Agency (Tunisian NADO), Israel NADO, Turkish Anti-doping Committee, UEFA, FIBA, National Anti-Doping Commission of Albania (Albanian NADO), Federation Internationale de Volleyball (FIVB), Union Cycliste Internationale (UCI), Portugal NADO (ADoP), Anti-doping Centre of Bulgaria (Bulgarian NADO), National Anti-doping Organisation of Malta (NADO Malta).

In the field of equine samples analyses, DCLA regularly analyses samples from the Jockey Club of Greece and the Hellenic Equestrian Federation.

The table below provides information on the numbers of samples analysed by DCLA in the period 2013-2016.

Year	ATHLETES SAMPLES				HORSES SAMPLES	
	Number of samples urine	ATF*	AAF**	Number of samples blood	Number of samples urine	AAF
2010	2845	8	17		N/A	
2011	3384	27	70		N/A	
2012	3858	32	49	26	850	6
2013	4663	N/A	131		923	15
2014	4411	6	82	1	686	6
2015	3922	7	72		432	2
2016	3433	1	37		396	1

\*\*AAF: Adverse Analytical Findings

\*ATF: Atypical Findings

N/A: not available information

DCLA has completed the validation of the analytical procedure for the detection of the hematological parameters for the ABP and will be entitled to analyze blood samples as soon as the procedure is accredited by ESYD. Over the years, the members of the scientific staff have attended international meetings and symposiums such as the Manfred Donike Workshops and the USADA Symposium. Also, scientific staff have participated as international experts in the 20<sup>th</sup> Winter Olympic Games in Torino (Italy) in 2006, the 30<sup>th</sup>

Summer Olympic Games in London (Great Britain) in 2012, the 22<sup>nd</sup> Winter Olympic Games in Sochi (Russia) and the 31<sup>st</sup> Summer Olympic Games, in Rio de Janeiro (Brazil).

DCLA has undertaken a number of research programmes in the anti-doping research field, either partially funded by WADA or exclusively funded by OAKA. All projects have been conducted with the collaboration of external bodies, like governmental, university and WADA laboratories, in order to ensure optimum scientific performance and results. The results of these projects have been published in peer-reviewed journals and presented in international anti-doping Workshops.

The lists below provide information on the recent research programmes conducted by DCLA as well as on the scientific publications in the field of anti-doping research.

## RESEARCH PROJECTS

### A. Funded by World Anti-Doping Agency (WADA)

2017-2018: Chemical derivatization of intact phase II metabolites of Anabolic Androgenic Steroids (AAS) for confirmatory purposes

2012-2017: Detection of sulfo-conjugated anabolic steroids metabolites in Antidoping initial and confirmatory analysis

2010-2015: Optimisation of the synthesis of the chemical stabilization mixture of urine samples with simultaneous minimization of analytical matrix interferences

2006-2010: Stabilization of urine in the doping control sealed containers after the addition by the kit manufacturers of stabilization agents

2005-2009: Application of Time-Of-Flight Mass Spectrometry for the Unification and Expansion of the Window of the Screening Methods of the WADA Laboratories

### B. Funded by Olympic Athletic Centre of Athens

2010-2011: Unification of sample preparation of small molecules of the WADA doping analysis using LLE with ethyl acetate".

2016: Monitoring of ethylglucuronide in the GC-MS detection method of anabolic androgenic steroids in collaboration with the Department of Chemistry, National University of Athens, Greece

2016: Steroid profile as a diagnostic tool in detection of usage of exogenous androgenic anabolic steroids in urine sample: stanozolol as a case study in collaboration with the Department of Biochemistry and Biotechnology, University of Thessaly, Greece

2016: Quantification of 19-norandrosterone and 19-noretiocholanolone using GC-HRMS in collaboration with the Department of Pharmaceutical Chemistry, School of Pharmacy, National University of Athens, Greece

2015: Development and validation of screening method for GHRFs using LCQTOFMS in collaboration with the Department of Pharmaceutical Chemistry, School of Pharmacy, National University of Athens

2015: Quantification of 11-nor-9-carboxy-tetrahydrocannabinol and norpseudoephedrine in human urine by direct injection and LC-QTOFMS analysis

## LIST OF PEER-REVIEWD PUBLICATIONS OF THE DOPING CONTROL LABORATORY OF ATHENS

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## **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.*

ESKAN implements an educational programme in the field of doping in sport. In this area, it cooperates inter alia with the Ministry of Sport and Tourism, Hellenic sport associations and other organizations that support the agenda of the Council. The Council's educational offer is targeted at three groups: firstly, high-performance athletes, their coaches and medical staff; secondly, young athletes whose carrier paths are not yet fully planned, their coaches and parents; and thirdly, the largest group – lower and upper secondary school students who are particularly exposed to the risk of using prohibited substances and improper use of dietary supplements.

The educational activities cover the following thematic areas: information on the rights and obligations of athletes; the list of prohibited substances and methods; effects of using prohibited substances and methods; risks related to the use of dietary supplements; the doping control procedures; ethics in sport, and information on the anti-doping system.

In the last 2 years, the Council carried out two information and education campaigns: "THE SUBSTANCE IS THE ATHLETE" and "Say NO! to Doping". In both cases, in order to increase the public interest and reach of the projects, it was decided to involve campaign ambassadors (former athletes), social media and film spots. The main target group of the campaigns were young athletes aged 12-20. The information activities are carried out through meetings held directly with target group representatives, as well as e-learning, a dedicated website and social media.

Database of prohibited drugs and substances: Since 2011, the Council website has included a database of drugs and substances prohibited in sport. The tool works as a browser of medicinal products that are admitted for trading in Hellas and contain prohibited substances. The database contains the following product categories: prohibited at all times, prohibited in-competition, and prohibited in selected sports.

Website and social media: The Council website is the main source of information on the fight against doping in sport in Hellas. In 2015, the website recorded 45.000 unique users and a total number of almost 70.000 visits. ESKAN very soon will have a Facebook profile which contains, inter alia, press information relating to the fight against doping in sport, a statement of the Council representatives, and information on prohibited substances and methods.

Information and education Lawivities implemented by 2016: In 2016, education activities within the global anti-doping campaign "**THE SUBSTANCE IS THE ATHLETE**" were continued.

In 2016, apart from routine information and education activities (visits to Schools, participation in conferences), the Council launched a new project in cooperation with the Hellenic Sports Federations: in October and November 2016, it carried out a series of training meetings for coaches working with young athletes in Olympic sports. The main objective of the programme was to reach coaches who work with young athletes – members of regional teams, under the programmes funded by the General Secretariat of Sports. Within this cooperation, the Council representatives travelled to all regions of the country, selected according to their current sports potential.

Another new activity in 2015 was the development and publication of an anti-doping manual which is addressed to the whole sports community. It complements the implemented mailing programme and contains all the key information on global and Hellenic anti-doping systems, doping controls, disciplinary sanctions, prohibited substances and methods, health consequences of using doping, and other aspects important for athletes. The issuing of the manual was accompanied by four flyers promoting clean sport and featuring the anti-doping campaign ambassadors.

The tasks in the field of education were supported, as each year, with the campaign gadgets provided by the Council and distributed among athletes during the campaign meetings. The gadgets included bracelets, cosmetic bags, pens, caps and T-shirts.

## **Article 7 – Co-operation with sports organisations on measures to be taken by them**

*1. The Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport.*

2. To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their:
- a. anti-doping regulations on the basis of the regulations agreed by the relevant international sports organisations;
  - b. lists of banned pharmacological classes of doping agents and banned doping methods on the basis of the lists agreed by the relevant international sports organisations;
  - c. doping control procedures;
  - d. disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen; these principles will include:
    - 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 judgment 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 Lawive 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.

**Anti-doping rules of sports organizations:** According the Hellenic Constitution the laws have compulsory character. This means that every legal or physical person is enforced and obliged to apply the laws, without any other procedure. Legislative provisions for harmonization are merely confirmatory and not constitutive of legislative obligations. Due to art. 2.2 of the Law 4373/2016 : “*Application to the National Federations 2.2.1 The harmonization with the rules of this Law and the compliance with the decisions, program and ESKAN’s indications are a precondition for receiving and maintaining any special recognition, financial grant or other assistance from the Ministry of Culture and Sports, the Greek Olympic Committee to sports federations, which are required to incorporate them in the statutes and regulations.*

2.2.2 By adopting and incorporating these Anti-Doping Rules, into their statutes and regulations the National Federations recognize the authority and responsibility of ESKAN for implementing and enforcing the National Anti-Doping Program to all the natural and legal persons under its jurisdiction. Simultaneously they accept and apply the decisions adopted pursuant to these rules by the primary Hearing Panel of ESKAN and ASEAD”

#### **DISCIPLINARY PROCEDURES IN ANTI-DOPING MATTERS (art.7.2)**

According to Article 9.1.1 of the Law 4373/2016 (main Anti-doping Law), by decision of the Board of ESKAN a Disciplinary Committee of first degree is established consisting of one (1) Chairman and two (2) Vice Presidents, each of whom shall be an attorney with at least five years experience, three (3) physicians with at least five years experience and three (3) members each of whom is or was formerly member of the administration of a sporting body or an athlete. The term of office of each member of the Disciplinary Committee of First Degree shall be four years. In case of death or resignation of a member, it is replaced by a decision of the Board of ESKAN. The term of office of the substitute shall be until the end of the term of the member that was replaced. The Disciplinary Commission of first degree is solely responsible for anti-doping

rules violations. The disciplinary bodies shall implement this law and all Federations must harmonize their regulations with these provisions.

According to Article 9.1.2 The Supreme Board for Arbitration in Sports (ASEAD) is the competent hearing panel of second degree

According to Article 9.1.3. The hearing procedure for doping disciplinary violations is the one provided by the WADA Code and this Act

Entities which conduct sports activities, including, in particular, Hellenic sports associations enforce disciplinary liability for doping in sport, in accordance with their internal rules and regulations. Thus, the Law stipulates that Hellenic sports associations are responsible for enforcing disciplinary liability for doping. However, given the fact that many associations issue rulings on doping cases only incidentally, and that they may not have sufficient experience in such cases, pursuant to the Hellenic Anti-Doping Rules a disciplinary panel has been established which Laws under the auspices of the Council Against-Doping in Sport.

The first degree Disciplinary Committee carries out proceedings and takes decisions in two instances; in both instances, the panel is composed of three members. The disciplinary panel is, by nature, independent of the Office of the Council and of the Council's other executive units such as the Doping Test Planning and Biological Sample Result Review Unit and the Therapeutic Use Exemption Committee. According to the statute, the only body superior to all executive units of the Council is the Council of ESKAN as a plenary body. Members of the disciplinary panel should have qualifications in the field of law, medicine, pharmacy or pharmacology. In the event of a conflict of interest, the concerned member or chairman of the panel is excluded from work on the case.

The first degree Disciplinary Committee started to operate on 1 July 2016. Till then decisions have been taken on 4 cases.

The disciplinary proceeding is as shown in the diagram below.



## **Article 8 – International co-operation**

1. *The Parties shall co-operate closely on the matters covered by this Convention and shall encourage similar co-operation amongst their sports organisations.*
2. *The Parties undertake:*
  - a. *to encourage their sports organisations to operate in a manner that promotes application of the provisions of this Convention within all the appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;*
  - b. *to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5; and*
  - 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.*

We are actively involved in international cooperation projects in the area of fighting against doping in sport. Both the General Secretariat of Sports and the Hellenic National Council for Combating Doping take part in the works of the Council of Europe, including meetings of the Monitoring Group (T-DO) and the European Ad hoc Committee for WADA (CAHAMA), as well as in the works of UNESCO and WADA.

Moreover, since 2014 the Hellenic National Council for Combating Doping has been a member of the Institute of National Anti-Doping Organizations (iNADO). The Department of Anti-Doping Research of the Institute of Sport takes part in the works of the World Association of Anti-Doping Scientists (WAADS). We seek cooperation on programmes to enhance our knowledge and experience in combating doping.

It is worth mentioning that we participate in CAHAMA activities and Doping Monitoring with our national representatives. We seek cooperation on programmes to enhance our knowledge and experience in combating doping.

**COLLABORATION AGREEMENT WITH UEFA:** During October 2015, ESKAN has signed a collaboration agreement with the European Football Federation. The purpose of this Agreement is to provide a framework for collaboration between the ESKAN and UEFA in relation to their anti-doping programmes, including information and intelligence sharing, the planning and execution of *Doping Controls*, *Results Management*, and *ABP* programmes. In addition to the above, the Parties agree to collaborate with each other more generally on anti-doping matters. In this regard, each Party agrees to share with the other on a timely basis other relevant or potentially relevant doping-related information (non-analytical intelligence, *Test Distribution Plan*, etc.).

**COLLABORATION AGREEMENT WITH CYPRUS:** On March 2017 a collaboration agreement was also signed between Hellenic Minister of Sports, Mr George Vasiliadis and the President of Cypriot Sports Organisation, Mr Georgiadis. Main issue is the cooperation on Anti-doping fight between Hellenic ESKAN and Cypriot Council against Doping.

#### **Additional information**

##### Work of the Therapeutic Use Exemption Committee

The following table indicates the number of applications for therapeutic use exemptions handled by the Therapeutic Use Exemption Committee (2011-2015).

Year	2011	2012	2013	2014	2015
Number	55	26	29	46	39

##### Information on RTP

Number of athletes in 2015 RTP: from 83 to 94.

#### **Attachments:**

- Law No 4376/2016 (art 1-22)
- Testing controls / Sports Federations

## **ANNEX THREE**

# **COMMENTS BY GREEK AUTHORITIES**