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ANTI-DOPING CONVENTION

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**Project on the Compliance with the Commitments
Anti-Doping Convention (ETS 135)**

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

Evaluation visit to the Russian Federation
21-23 September 2021

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INTRODUCTION

By way of formal letter addressed to the Chair of the Monitoring Group of the Anti-Doping Convention (T-DO) dated 19 April 2021, Mr Oleg Matytsin, Minister of Sport of the Russian Federation invited “the Monitoring Group to visit Moscow to contribute to further improvement of the national anti-doping policy”.

In April 2021, consistent with the Compliance with Commitments project, an Evaluation Team (“the Evaluation Team”) was appointed to carry out an Evaluation Visit to the Russian Federation (“the Visit”). This appointment also followed a letter from the World Anti-Doping Agency (“WADA”) which brought to the attention of the Council of Europe potential non-compliance of the Russian anti-doping system with the Council of Europe Anti-Doping Convention (“the Convention”).

Prior to the Visit, the Russian authorities provided the T-DO with a report detailing the measures taken by the Russian authorities to comply with the commitments made pursuant to the Convention (“the National Report”). A copy of this report is attached as Annex 1 to this Report. To the appreciation of the Evaluation Team the National Report was delivered in a very timely manner which enable the appropriate preparation of the Visit.

The Visit took place in Moscow on 21-23 September 2021. The program of the Visit and the list of persons and institutions met are reproduced in Annex 2. The composition of the Evaluation Team¹ is attached in Annex 3.

A preliminary version of the Evaluation Report has been provided to the Russian authorities for review, and their comments are attached in Annex 4 to this Evaluation Report.

SCOPE

The Evaluation Team focused its evaluation on Articles 1-9 of the Convention that place obligations on state parties. Particular attention was given to the manner in which the Russian authorities have established a state-backed anti-doping framework as well to consider concerns raised in the above-mentioned correspondence received from WADA.

¹ The Evaluation Team was accompanied by a representative of WADA in a capacity of observer.

ARTICLE 1 – AIM OF THE CONVENTION

1 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.

Introduction

1.1 Article 1 requires State Parties to the Convention to take measures to reduce and eliminate doping in sport, including by way of legislation, and commit themselves towards this responsibility.

Findings

1.2 The Convention was ratified by the former Union of Socialist Soviet Republics on 12 February 1991 and entered into force in respect of it on 1 April 1991. The Additional Protocol to the Convention has not been ratified, yet.

1.3 The Russian Federation is also a Party to the International Convention against Doping in Sport of UNESCO (“UNESCO Convention”), ratified on 26 December 2006.

1.4 The Russian Authorities signed the Copenhagen Declaration against Doping in Sport, and the Russian Anti-Doping Agency (“RUSADA”), the Russian Olympic Committee and Russian Paralympic Committee accepted the World Anti-Doping Code. RUSADA, acting as the National Anti-Doping Organisation of the Russian Federation has developed its Anti-Doping Rules, in line with the Code.

1.5 The Russian Federation has no specific anti-doping law in place. The legal framework for the fight against doping in sport in the Russian Federation and the establishment of RUSADA as the country’s National Anti-Doping Organisation are found in Articles 26 and 26.1 of the Law on Physical Culture and Sports in the Russian Federation (the “Federal Sports Law”) (Law No. 329-FZ) which is the principal legislation concerning sport in the Russian Federation, originally adopted on 4 December 2007 and amended several times since then.

1.6 The Federal Sports Law does not refer specifically to the Anti-Doping Convention of the Council of Europe or the UNESCO Convention. Both are international instruments that require governmental support in the fight against doping, not limited to the operations of their National Anti-Doping Organisation. Therefore, the Evaluation Team is of the opinion that the implementation of the Convention (as well as the UNESCO Convention) should always be explicitly mentioned in the relevant legislation and policy related documents.

1.7 Provisions related to anti-doping are also found in the Russian Criminal Code (Law No. 63-FZ). The Criminal Code, as amended on 22 November 2016, imposes criminal liability for coaches, sport doctors or other specialists in the field of physical culture and sports when "*inducing an athlete to use substances and/or methods prohibited for use in sport*" (Article 230.1) or "*using of substances and/or methods prohibited for use in sport against an athlete*" (Article 230.2).

1.8 At the time of the Visit, there was ongoing discussion as regards the implementation of the Court of Arbitration for Sport's ("CAS") Award on WADA v. RUSADA (CAS 2020/O/6689). The Minister of Sport informed the Team that the Russian Federation will continue to improve the anti-doping system having in mind the implementation of the CAS Award and to assist in every possible way RUSADA in its reinstatement process. Despite this strong commitment, the Team noted that the situation generated uncertainty and instability in particular in relation to RUSADA and the Anti-Doping Laboratory (see below for further details).

Conclusion

1.9 The Evaluation Team concludes that the Russian Federation fulfils the political commitments described in Article 1 of the Anti-Doping Convention of the Council of Europe.

Recommendations

1.10 The Russian authorities should consider ratifying the Additional Protocol to the Anti-Doping Convention of the Council of Europe.

1.11 The Russian authorities should consider developing and adopting an anti-doping specific law to regulate all aspects of the fight against doping in sport in the Russian Federation. When drafting or revising the specific law, a particular attention should be paid to the transposition of the definitions mentioned in the Convention and in the World Anti-Doping Code to eliminate any potential legal conflicts between the new law and existing norms of the Russian legal system.

1.12 The Russian authorities should indicate in the respective legislation that the fight against doping in the country shall respect and be governed by the Convention.

1.13 The Russian authorities are encouraged to take all necessary steps to further facilitate the implementation of the CAS Award by RUSADA in order to regain its compliance with the World Anti-Doping Code.

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.

2.2. 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.

Introduction

2.1 Article 2 provides for basic terms and definitions of the Convention. The definitions of “doping in sport”, “pharmacological classes of doping agents and doping methods” and “sportsmen and sportswomen” are explicitly stated and are to be reflected within the national rules and regulations referring to anti-doping.

2.2 With the entry into force of the World Anti-Doping Code (“WADC”) in 2004 with several revisions and amendments until 2021, a broader and, at the same time, more precise approach to the definition of doping has been adopted.

2.3 In addition to the description of the different elements of the various doping offenses, the creation of a detailed list of prohibited substances and methods in relation to doping is released at least annually by WADA. This Prohibited List is reproduced as an appendix to the Convention and adopted by the Monitoring Group.

2.4 Within the Appendix 1 of the WADC the terms “Athlete”, “International-Level Athlete” and “National-Level Athlete” are described in relation to Anti-Doping as “any person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization)”. Moreover, a National Anti-Doping Organisation is granted the authority to bring other persons apart from International and National-Level Athletes under the “definitions” of athlete and apply Anti-Doping regulations to these persons.

Findings

2.5 The Evaluation Team was informed that several legislative acts regulate sport in general and anti-doping in particular in the Russian Federation. The Federal Sports Law provides for general definitions and principles, the Order of the Russian Ministry of Sport on the improvement of the Russian Anti-Doping Rules No 464 of 24 June 2021 (“Russian Anti-Doping Rules”) stipulates more detailed rules and regulations in relation to Anti-Doping.

2.6. Article 26 (on Prevention of Doping in Sport and the Fight against it) of the Federal Sports Law provides with a detailed definition covering a large spectrum of actions which should be considered as a violation of the anti-doping rules.

2.7 In addition to the aforementioned general definitions of doping in sport, the Russian Anti-Doping Rules provide for the various specific descriptions of violations in Part IV "Definition of Doping and Violation of the Rules". The respective Articles 4.1.-4.11. correspond to the Anti-Doping Rule Violations laid down in Article 2 of the 2021 WADC.

2.8 In order to comply with Article 2.1.b, the State Party would have to transcript and/or adopt a list of pharmacological classes of doping agents or doping methods that has been approved by the Monitoring Group. A Prohibited List is approved annually by the Monitoring and also annexed to the UNESCO Convention.

2.9 According to the rules of the Federal Sports Law (Article 26. 9 2)) a list of substances and (or) methods prohibited for use in sports shall be approved by the "Federal Executive Power Body/Authority for Physical Culture and Sport" within the Ministry of Sports. Article 6.1. of the Russian Anti-Doping Rules refers precisely to the Prohibited List issued by WADA which is subject to approval by the afore mentioned Authority.

2.10 Article 6.2. stipulates that unless provided otherwise in the Prohibited List itself the List in accordance with the Rules shall enter into force three months after publication by WADA without any further actions from RUSADA. The Prohibited List as well as revisions apply to all Athletes and other Persons from the date of their entry into force, without further requirement.

2.11 The Evaluation Team was not able to understand if the Federal Laws ratifying the Convention and the UNESCO Convention contain specified provisions for the implementation of Annexes referring to the Prohibited List, respectively their amendments especially in relation to the above-mentioned process of publication.

2.12 The broadest definition of sportsmen is found in the Federal Sports Law Article 2 paragraphs 22 and 23 where a sportsman is defined as "an individual practicing a chosen form or forms of sports and performing sporting contests". A high-class sportsman is defined as "a sportsman enjoying a sports title and performing at sporting contests with the aim of achieving high sporting results". No further elements of definition are to be found. Apparently, this differentiation is not used in the following Articles, the rules refer to sportsmen only.

2.13 The Law further provides that the charter of an All-Russia Sports Federation ("National Federation") shall specify the criteria for selection of sportsmen to be included as members of national sports team to be formed by the National Federation but no criteria for further definition of what or who shall be deemed as sportsmen/sportswomen. The activities of sportsmen shall be regulated by labour legislation; the rights and obligations of sportsmen in Article 24 do reflect this as well.

2.14 The Law specifies the relation of sportsmen to a physical culture-and-sports organisation or educational organisation in Article 27 by once again referring to a labour contract as the basis for a

relationship between these entities. A relationship based on a membership can be created only if the sports organisation has the legal form of a public or public-state organisation. In case of the person undergoing sport training this shall be determined on the basis of an administrative act on enlistment of this person.

2.15 Athletes are addressed explicitly within the Russian Anti-Doping Rules in connection with the definition and application of the Anti-Doping Rules. Article 1.3.3. a) provides for applicable rules to all Athletes, including athletes falling within the category of protected Persons and recreational Athletes. Athletes are described as individuals being citizens or residents of the Russian Federation, licence holders or members of physical culture and sports organisations registered within the territory of the Russian Federation. The Rules also apply to non-citizens or residents but located within the territory, to athletes taking part in competitions organised by a physical culture and sports organisation registered in the territory of the Russian Federation.

2.16 Moreover, within the Russian Anti-Doping Rules Article 6.3 introduces the concept of National-Level Athletes and International-Level Athletes in connection with submitting and granting Therapeutic Use Exemptions (TUE). The Rules do not provide with further definitions or precisions on who could benefit from these exemptions and appear to solely reflect the respective Articles of the WADC.

2.17 There are too many different terms for sportsman/sportswoman or athlete. The application of various terminology and/or singular use of terms e.g. International-Level Athlete without further definition or broader context might lead to confusion rather than clarification. Since the applicable regulations in force are interconnected, the definitions and terms shall be used in line and according to their meaning within their respective context. All terms used should have a corresponding definition including more detailed criteria to assess their application.

Conclusions

2.18 The Evaluation Team concludes that the Russian Federation fulfils the commitments under Article 2 of the Convention.

Recommendations

2.19 The Evaluation Team recommends a more stringent use of the terms “Sportsman/sportswoman” and “Athlete” with the underlying meaning and definition of each term. A balanced and adjusted use of terminology should be introduced.

2.20 The Evaluation Team recommends the development of criteria for the application of terms such “sportsman/sportswoman” and “athlete”.

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.

Introduction

3.1 Several governmental departments or agencies involved in the anti-doping, such as the departments responsible for sport, physical education, public health authorities, medical care, police and customs, universities and research institutions, need to work together constructively. The Convention does not propose a single operative method. Each state may decide how responsibilities will be allocated.

3.2 The article requires that the Parties shall ensure a practical implementation of the Convention and especially of Article 7. The article provides for the establishment of a National Anti-Doping Organisation (NADO), which is able to give effect to a Government's commitments under the Convention.

Findings

3.3 The Evaluation Team was provided with information regarding the co-operation and coordination between public bodies as well as the NADO (RUSADA).

3.4 The implementation of the provisions of the Convention is ensured by the Ministry of Sport, regional sport administration and RUSADA as well as National Federations.

3.5 The Ministry of Sport is responsible for coordinating all anti-doping efforts within the Russian Federation and notably for (1) formulating and enforcing the Russian anti-doping policy, (2) approving anti-doping regulations, (3) cooperating with other Russian governing bodies for the purposes of eliminating and combating doping and (4) representing the Russian Federation when dealing with international organisations responsible for the fight against doping.

3.6 Policy measures are based on legislation and regulations previously mentioned which served as a basis for the Government to establish various coordination and cooperation bodies at federal and regional levels as well as between public bodies and with the sport movement. A plan of priority measures to strengthen the fight against doping in sports is approved by the Government of the Russian Federation.

3.7 The Ministry of Sport established an Interdepartmental Working Group on ensuring the prevention of and combating doping in sports by order of 20 May 2020. The Working Group is chaired by the Deputy Minister of Sport, Mr Odes Baysultanov and is composed of representatives of several

ministries and other stakeholders, such as Ministries of the Interior, Foreign Affairs, Health, Science and Higher Education, Education, and Finance; Federal Service for the Oversight of Consumer Protection and Welfare; Committee of the State Duma on Physical Culture, Sports, Tourism and Youth Affairs; Federal Service for State Registration Cadastre and Cartography; Customs; Federal Medical-Biological Agency (FMBA; see paragraph 3.12 below); Russian Olympic Committee; Russian Paralympic Committee; Federal State Budgetary Institution of Russia; Federal Centre for Training Sports Reserve; Sports Training Centre for Russian National Teams; Russian Academy of Science; Moscow State University and RUSADA. The Evaluation Team did not receive information on the Working Group's activities or working methods and was informed that necessary information would be provided at a later stage.

3.8 The Government Commission on the International Convention against Doping in Sport is a national platform for the fight against doping in sport. The Chair is the Minister of Sport, Mr Oleg Matytsin. According to the media, the composition of the Commission was approved after the Visit by the Russian government on 6 October 2021 and includes Russia's Ministry of Sport; the Ministry of Foreign Affairs; the Ministry of Internal Affairs; the Ministry of Digital Development, Communications and Mass Media; FMBA; the Russian Olympic Committee; the Russian Paralympic Committee; and the Russian Deaflympic Committee. RUSADA is not included in the Commission. The composition differs partly from that suggested by UNESCO.

3.9 The Team was informed about the bilateral cooperation between the Ministry of Sport and other ministries, e.g., cooperation with the Ministry of Education on an intersectoral programme concerning Olympic values and anti-doping in sport schools.

3.10 According to the National Report, the Ministry of Sport has developed the Concept for Improvement of Anti-Doping Policy Mechanisms in the federal subjects of the Russian Federation in order to involve the regions of the Russian Federation in the anti-doping work and to implement a unified anti-doping policy. The concept is a set of measures aimed at improving the organisation of anti-doping activities in regions and it is implemented progressively. Each region has a designated person responsible for anti-doping, whose functions include interaction with the Ministry, all-Russian and regional sports federations, as well as RUSADA. In the course of its Visit, the Team was informed that the Ministry of Sport holds a conference with regional administrations once a year.

3.11 Representatives of the Main Directorate for Drug Trafficking Control of the Ministry of Internal Affairs explained that the Police established a task-force for doping crimes setting appropriate measures yearly. The Police cooperates with the Prosecutor's Office. On the initiative of the Ministry of Internal Affairs and the Ministry of Sport, Article 6.18 of the Criminal Code has been amended in 2019 to provide for administrative liability for 'intentional violation by an athlete of the requirements for preventing and combating doping in sport', including the use or attempted use of a prohibited substance or prohibited method. The cooperation between the Police and RUSADA is formalised by an agreement in order to enhance the information sharing. The Russian Police has bilateral relations with police in several countries. The Ministry of Internal Affairs supervises the Russian Police.

3.12 Representative of the FMBA² presented the activities of the Agency in anti-doping. The Agency provides medical and biological support for national teams' athletes, in agreement with the Ministry of Sport of the Russian Federation, as well as conducts preliminary and periodic medical examinations, provides assistance in relation to the Therapeutic Use Exemptions and conducts research. RUSADA communicates actively/on a daily basis with the FMBA by exchanging information in accordance with the provisions of the WADC and International Standards.

3.13 The Russian Anti-Doping Agency, RUSADA was created in 2008 according to the provisions of Article 26.1 of the Federal Sports Law as a non-profit organisation. According to its statutes, RUSADA's main activities are preventing, combating and eliminating doping in sport; drafting and enforcing the Rules and assisting other sporting organisations in achieving the goal to eliminate doping. Its functions are defined in the Federal Sports Law.

3.14 RUSADA's governing bodies are (1) the General Members' Meeting, (2) the Supervisory Board and (3) the Director General.

3.15 The composition of the members/founders was changed at the beginning of 2021. The National report indicates that the reason behind the change was the revised the WADC provisions on the operational independence of National Anti-Doping Organisations. Instead of the Russian Olympic Committee and Paralympic Committee, RUSADA founders are now the All-Russian Non-Governmental Organisation "Association of Lawyers of Russia" (ALRF) and the "International Health Care Center" LLC.

3.16 According to information provided by the ALRF, it was established with the support of the President of the Russian Federation in 2005. The ALRF Board of Trustees is chaired by Mr Dmitry Medvedev, former Prime Minister, and composed, among other, of several former ministers of the Russian Federation.

3.17 "International Health Care Center" LLC is a private entity providing health care services to individuals, and does not receive public funding.

3.18 The General Members' Meeting is the supreme decision-making body, which decides e.g., on amending RUSADA Statutes subject to recommendations of the Supervisory Board; on approving RUSADA's annual reports upon the recommendation of the Supervisory Board and on appointing the Director General upon the recommendation of the Supervisory Board.

3.19 General Members' Meeting selects the seven members to the Supervisory Board. One member is an international expert in anti-doping recommended by WADA. The composition of the Supervisory

² FMBA is a federal executive body that ensures radiation, chemical, biological safety of the country and the population, as well as the organization of a health protection system at enterprises of strategically important industries with especially dangerous working conditions. It is directly subordinate to the Government of the Russian Federation and cooperates closely, among others, with the Russian Academy of Sciences, scientific institutes and centers, the Presidential Administration of the Russian Federation, the Federal Assembly of the Russian Federation, the Government of the Russian Federation, the Ministry of Health of Russia, the Ministry of Sports of Russia, the Ministry of Industry and Trade of Russia, the Ministry of Education and Science of Russia, other ministries and departments, state authorities of various levels, as well as public organizations and professional communities, including international organizations and structures.

Board is renewed every four years (with subsequent replacement of three and four members). According to the Statutes of RUSADA, the Supervisory Board and its members must be independent from the Russian State governing bodies, the Russian Olympic Committee, the Russian Paralympic Committee, international and national sporting federations, and sporting competitions organisers. The Supervisory Board is the management and the collective governing body controlling the other RUSADA executive bodies. The RUSADA Supervisory Board also provides financial and informational support to RUSADA. Decisions of the Supervisory Board are legally binding.

3.20 The Evaluation Team had a meeting with the Founders' representatives and the Chair of the RUSADA Supervisory Board. All of them underlined the independence and the autonomy of RUSADA, although the Team was asked for advice on clarifying the line between autonomy and cooperation. The RUSADA Supervisory Board Chair emphasised that the Board does not intervene in the operational activities of RUSADA. The Team noted RUSADA Supervisory Board's intentions to develop a transparent governance of RUSADA, to create trust especially of young athletes towards RUSADA and international anti-doping community as well as to enhance cooperation with other stakeholders. The Evaluation Team was informed after the Visit that the Chair and three of the members of the RUSADA Supervisory Board have resigned and were subsequently replaced and was not informed of the intentions of the Supervisory Board in its new composition.

3.21 The Director General is a standing individual executive body dealing with day-to-day operations. At the time of the Visit, the Supervisory Board was preparing the recruitment process of a new Director General after the failed first process. The Evaluation Team was later informed that the procedure for the selection of the Director-General of RUSADA was completed, resulting in the appointment of Ms Veronika Loginova, on 4 December 2021.

3.22 The Evaluation Team had a meeting with RUSADA's acting Director General, in office since August 2020, and staff of RUSADA. Due to the limited time of the meeting, the Evaluation Team appreciated having written material from RUSADA on its activities (see below the findings concerning Article 7).

3.23 The Evaluation Team considers that the legislation, regulations, recently created measures and established cooperation groups facilitate the fulfilment of the implementation of article 3 of the Convention. As the structures created are still relatively new, information on their operation and functionality was not yet fully available.

Conclusions

3.24 The Evaluation Team concludes that the Russian Federation fulfils the commitments under Article 3 of the Convention. The practical implementation of Article 3 could not be evaluated at this stage.

Recommendations

3.25 The functioning of national coordination should be further strengthen ensuring an appropriate level of co-operation and exchange of information among all anti-doping stakeholders.

3.26 The Evaluation Team recommends that the Russian authorities and the governing bodies of RUSADA review the concept of the Agency's independence and its role as an autonomous actor. Attention should be given to the transparency of the governance and Agency's ability to act effectively in its executive role. The Recommendation on the operational independence of National Anti-Doping Organisations (T-DO/Rec (2018) 1) of 31 August 2018) offers tools for such a review.

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.

Introduction

4.1. Article 4.1 requires to adopt measures to restrict the availability, including trafficking, of banned substances and methods and, in particular, anabolic steroids. The Explanatory Report to the Convention states that most of the classes of banned substances and methods are under pharmacists' regulations or strict medical control and the main area of further restrictions lies in the anabolic steroids.

4.2 In addition to the above provision of the Convention, the Monitoring Group adopted Recommendation (94/2) on Measures to Restrict the Availability of Anabolic Steroids that recommends to Parties to ensure, among other, that a legislative framework provides for (a) efficient control of the unauthorised possession, supply and transfer of anabolic androgenic steroids; and (b) appropriate penalties for such conduct are in place.

4.3 Article 4.2 can be applied by governments or by sports organisations which grant subsidies to individual federations in such a way that the criterion may be judged with particular reference to the effectiveness of the regulations applied by the sport.

4.4 In applying Article 4.3, Governments may support the entire cost of doping controls and analyses or offer partial grants and subsidies to encourage sports organisations to undertake them on a large scale.

4.5 Article 4.3 is to be interpreted in the sense of withholding financial support from public funds, whether directly or indirectly through sports organisations, to sportspersons (including, where appropriate, to those categories of sports officials mentioned in Article 7.2.e).

4.6 Some states have adopted legislation by virtue of which, public authorities may themselves organise doping controls. Article 4.4 also provides a further encouragement for sports organisations to regulate their own affairs satisfactorily. The conduct of doping controls by public authorities is subject to the same principles and standards as those set out in the Convention and carried out by the sports organisations.

Findings

4.7 The Evaluation Team was informed that there are several legislative actions adopted in connection with restricting the availability and/or sanctioning the possession, use or distribution and sale of banned doping agents and doping methods.

4.8 Under the Federal Sports Law and the Russian Anti-Doping Rules, regulations are adopted in order to define doping, anti-doping rule violations, to establish a list of banned substances and prohibited measures, rules and responsibilities in connection of testing and sanctioning regimes, the implementation of anti-doping rules within the respective stakeholders on the basis of administrative law as well as private (labour) law.

4.9 Moreover, the Evaluation Team met representatives of the Main Directorate for Drug Trafficking Control from the Ministry of Internal Affairs. They stated that one of the Directorates' main duties as a law enforcement agency is to identify and suppress crimes and administrative offences related to the use of doping.

4.10 The Russian Criminal Code was amended in 2017 and contains two Articles (230.1 and 230.2) that impose criminal liability for coaches, sports medicine officials and other physical culture and sport specialists for either "inducing an athlete to using substances or methods prohibited in sport or using substances or methods prohibited in sport in respect of the athlete".

4.11 As the Evaluation Team understood, the substances and methods prohibited in sport mentioned in Articles 230.1 and 230.2 of the Criminal Code correspond with the ones stipulated in the Prohibited List, issued by WADA and implemented after approval by the Federal Executive power body/authority in the area of physical culture and sports. Drugs and psychotropic substances are not included in these provisions, since the trafficking/use of these substances trigger different sanctions, up to life imprisonment.

4.12 The sanctions imposed by the criminal provisions include fines, the prohibition of engaging in certain activities for a specified period of time and imprisonment for a period up to three years.

4.13 Furthermore, the Evaluation Team was presented with challenges that the Main Directorate faced in recent years. Mainly the production of “designer” sports dietary supplements and anabolic steroids with subsequent sale with high margins on the black market or the rapid development of synthesizing new types of anabolic steroids, synthetic hormones and stimulants constitute a continuing cause of risk to the health of athletes. The Main Directorate attempts to identify and monitor substances that are not controlled yet in order to develop further regulatory legal acts for sanctioning their use, trafficking or sale.

4.14 Another part of the legal framework is the establishment of the athlete’s administrative liability for “violating the requirements prescribed by the Russian physical culture and sports legislation regarding preventing and combating doping” in Article 6.18 of the Russian Code of Administrative Offences (No 195-FZ). Part I of the Article provides for liability of an athlete for intentionally violating requirements consisting in using or attempting to use a prohibited substance or method. Part II imposes liability for distributing a prohibited substance or method by athletes, coaches, sports medicine officials or other sports specialists (provided that none of these actions is punishable under the afore mentioned criminal code provisions). Administrative fines are stipulated as sanctions.

4.15 In addition to administrative sanctions, Article 348.11 of the Russian Labour Code (No 197-FZ of 30 December 2001) provides for the possibility of unilateral termination of the labour contract by an employer if the employee/ athlete has violated any anti-doping regulations.

4.16 According to the Federal Sports Law, every sport federation should promote clean sport.

4.17 The Russian Government has recently adopted a law concerning the financing of sport federations, which provides that every federation must have a four-year plan to Olympic Games to fulfil the anti-doping obligations. Not fulfilling this condition prevents federations from receiving funding from the Government. Year 2022 is considered as indicative in terms of the functioning of the system. The Russian authorities considered that the system still requires further development, for example with regard to the objectivity of criteria.

4.18 Furthermore, according to the All-Russian Anti-Doping Rules, Russian Sports Federations must accept and abide the national anti-doping programme and the Rules as a condition of receiving financial and/or other assistance from the government and/or Russian Olympic Committee, Russian Paralympic Committee, Russian Committee for Sport of Deaf. RUSADA may send an application to the Ministry of Sports requesting the latter to consider the expediency of financing a federation or apply other non-financial measures for the failure to comply with the Anti-Doping Rules, including a failure to provide assistance to RUSADA.

4.19 The Anti-Doping Unit of the Ministry of Sport monitors the implementation of the Anti-Doping Rules. This includes also the monitoring of the registered professional sport.

4.20 RUSADA is financed from the federal budget of the Russian Federation in accordance with a three-year agreement between RUSADA and the Ministry of Finance of the Russian Federation. RUSADA reports to the Russian Government on disbursing these subsidy funds and on achieving its targets. According to the Ministry of Sport, RUSADA’s subsidy amounted to 556,685,500 Rubles (some

€6,786,000) in 2019, whereas in 2021 the subsidy is about 501,000,000 Rubles (some €6,100,000). RUSADA also received extra funding (some €1,700,000) for a testing program prior to the Tokyo Games from the Ministry of Finance.

4.21 The allocation of the funds is determined by the above-mentioned agreement which includes objectives to be achieved by RUSADA, in particular:

- Testing Department - a number of the doping samples which have to be collected as part of RUSADA's testing programme;
- Educational Department – a number of the training and informational educational activities;
- Scientific Department – the number of athletes included in the Athlete Biological Passport (“ABP”) programme;
- Therapeutic Use Exemptions Department - a number of the athletes and doctors attending the online anti-doping medical educational programme and passing an exam.

4.22 According to the All-Russian Anti-Doping Rules, anti-doping rule violations imply a complete or partial withholding of financial support to the sport activity of other related benefits received by the perpetrator. This applies both to funding directly provided by the Government or to support provided through RUSADA, a federal or regional authority, sports federation, professional sports league or National Olympic or Paralympic Committees.

4.23 RUSADA conducts testing within the territory of Russia, and it has a contract with a nation-wide healthcare provider to supply trained medical professionals to work as BCOs across Russia (Russian Railways – Medicine). At international level, RUSADA has testing agreements with more than ten national anti-doping organisations and two sample-collection agencies. According to RUSADA, in 2021 until the date of the Evaluation Visit, 196 tests have been arranged across 22 countries, for instance in Greece (48), Turkey (29) and Italy (29).

4.24. The Evaluation Team considers that a comprehensive legal framework consisting of criminal, administrative and private law provisions has been established by the Russian Authorities with the aim to restrict the availability, to control movement, possession, distribution and sale as well as use in sport of banned doping agents and doping methods and in particular anabolic steroids. However, the system is still partly under development and the Evaluation Team could not evaluate its implementation.

Conclusions

4.25 The Evaluation Team concludes that the Russian Federation fulfils the commitments under Article 4 of the Convention. The practical implementation has not been evaluated at this stage.

Recommendations

4.26 The Evaluation Team recommends that, as part of its follow-up activities in relation to the Evaluation Report, the Russian Authorities provide the Monitoring Group with information and documentation on the methodology adopted in relation to the withholding of public funding and/or publicly funded benefits to sports organisations that do not comply with the World Anti-Doping Code, and/or sportspersons who have committed violations of the Anti-Doping Rules.

4.27 The Evaluation Team recommends to further develop RUSADA's effective and expedient testing activities. It should also cooperate with foreign National Anti-Doping Organisations for testing athletes outside the Russian Federation and allocate the necessary resources for this activity.

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.

Introduction

5.1 The important role of doping control laboratories in the fight against doping is reflected in the Convention, as well as the UNESCO Convention and WADC.

5.2 The Convention, under Article 5, requires Parties either to create doping control laboratories suitable for accreditation or, if such a laboratory is not in place, then access to an accredited laboratory in another State must be sought and subsidised. Moreover, the Convention requires that only accredited laboratories be used: this is as an essential part of a coherent anti-doping strategy and ensures equal treatment for all athletes.

5.3 Since 2004, anti-doping laboratories have been accredited by WADA which also monitors and assesses 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.

Findings

5.4 The national anti-doping laboratory in the Russian Federation was originally created in 1971, as a Soviet national anti-doping laboratory, part of the All-Union Scientific Research Institute of Physical Culture based in Moscow. It received accreditation from the IOC to analyse samples for doping control, including the samples from the Moscow 1980 Olympic Games. Since 2004, the 'Moscow Antidoping Laboratory' was accredited by WADA until 10 November 2015 when it was suspended and on 15 April 2016 had its accreditation revoked due to non-compliance with the ISL. However, the laboratory's re-accreditation for blood analysis for the Athlete Biological Passport was restored on 12 May 2016 (see comments on paragraph 5.5 below). Until December 2015, the Laboratory existed in the form of a federal state unitary enterprise and in December 2015, it was transformed into a federal state budgetary institution, the founder of which is the Ministry of Sport. On 11 October 2016, the

Presidential Council for the Development of Physical Culture and Sport decided to incorporate the National Anti-Doping Laboratory (hereinafter “NADL” or “Laboratory”) into the Lomonosov Moscow State University as its structural division.

5.5. As it is mentioned above, the accreditation of the Laboratory for performing anti-doping analyses was revoked in 15 April 2016 by WADA. In 12 May 2016, WADA restored the Laboratory’s accreditation to analyse blood samples exclusively for ABP. The NADL was provisionally suspended from this activity in 21 January 2020, and this accreditation was revoked by WADA due to non-compliances with the ISL and its Code of Ethics in 9 October 2021.

5.6 In 2019, NADL analysed 2507 samples for ABP; and 86 samples for ABP in 2020, before its suspension. Since its suspension in 21 January 2020, NADL is ineligible to carry out any work related to the analysis of blood samples in connection with the ABP or any other form of anti-doping analysis for Anti-Doping Organisations that are compliant with the WADC.

5.7 According to its webpage, NADL is accredited by Analytica Association of Analytical Centres, in accordance with the requirements of the standard GOST ISO / IEC 17025-2019.

5.8 NADL remains active analysing samples mainly from companies testing their employees for drugs (narcotics and psychotropic substances). It analysed 552 urine samples in 2019, 268 in 2020 and 226 samples in 2021 until the date of the Evaluation Visit. No samples from sport organisations or individual persons are accepted for analysis by the NADL.

5.9 The Evaluation Team visited the NADL at its premises at Lomonosov Moscow State University and were given a short tour of the Laboratory area in active use, followed by a meeting with Interim Director General of the Laboratory, and the Vice-Rector of the University.

5.10 The Laboratory is equipped mainly with instruments from the previous “Moscow Antidoping Laboratory” and from the temporary laboratory that was established in Sochi for the Olympic and Paralympic Games in 2014.

5.11 The Laboratory at the time of the Evaluation Visit had 38 employees in total; 17 of them working in the Doping Control Department of the Laboratory. Several of the staff have experience from when the Laboratory was WADA-accredited.

5.12 According to the webpage of the Laboratory, there have not been any research studies from the Laboratory’s staff published in international scientific journals since 2017, apart from a few contributions in symposia and one publication in Russian.

5.13 The Evaluation Team is concerned that the Laboratory’s scientific expertise on doping analyses will be lost. Relevant instrumentation is in place and the present activity (although minimal) will help the staff maintaining their knowledge and skills to perform anti-doping analyses, at least within the field of mass spectrometry. Following the revocation of the Laboratory’s accreditation by WADA, the Laboratory’s staff has limited possibilities to follow the developments within the field of anti-doping analyses. The attendance at important symposia and meetings, exclusively for WADA-accredited

laboratories, is not possible for the staff of NADL. This will lead to difficulties not only to improve, but also to maintain the competence of the staff over time.

5.14 Independency of the laboratory is of the utmost importance. The Laboratory is a structural unit of the Lomonosov Moscow State University. The budget of the Laboratory is a specific item in the Governmental budget. According to the information given in the meeting, the funding is for three years and for maintaining and developing new methodology. The Rector of the University is responsible for the activity, but delegates this to the Director General of the Laboratory. The Director General and Chief Accountant are hired by the University. The Director General is responsible for hiring all additional staff. The Evaluation Team is of the opinion that, the current organisation of the Laboratory, as a part of the Lomonosov Moscow State University gives the possibility to be independent from the Ministry of Sport, the sport movement and RUSADA.

5.15 In the absence of a WADA-accredited laboratory in the Russian Federation, for the analysis of samples, RUSADA uses several different WADA-accredited laboratories, mainly in Europe.

5.16 The Russian Federation is a country with a large number of athletes, and where sport is considered of great importance. Additionally, RUSADA operates an extensive doping control program in the country. A WADA-accredited laboratory, of the highest scientific and ethical standards, would be an important part of the anti-doping system in Russia.

Conclusions

5.17 The Evaluation Team concludes that the Russian Federation fulfils the commitments under Article 5 of the Convention, as samples collected in Russia for doping control are sent to WADA-accredited laboratories for analysis.

Recommendations

5.18 The Russian authorities should conduct a thorough analysis of the need to have a WADA-accredited laboratory in their country. It is important to ensure that such laboratory will have the required independence from the Government, the sport movement and RUSADA and implement the requirements of the ISL. Such a laboratory could be the National Anti-Doping Laboratory as a part of the Lomonosov Moscow State University.

5.19 It is important to ensure that a WADA-accredited laboratory in the Russian Federation can have cooperation with stakeholders in the anti-doping field, notably RUSADA and relevant governmental organisations. To ensure independency for all parts, this has to be transparent and structured in a way to strengthen the anti-doping system.

5.20 The National Anti-Doping Laboratory is encouraged to collaborate with the relevant departments of the Lomonosov Moscow State university and of other research institutions in the Russian Federation and other countries for the scientific development of its staff.

5.21 The National Anti-Doping Laboratory is encouraged, in collaboration with universities and research institutions in the Russian Federation and other countries, to implement scientific research programmes and publish their results in peer-reviewed scientific international journals.

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.

Introduction

6.1 The Convention acknowledges the importance of education and information for the prevention of doping in sport, and anticipates State Parties and sport organisations cooperation in that respect. It is generally agreed that educational and informational programmes should be comprehensive and directed mainly to athletes and their support personnel. Apart from the Convention, the importance of education for the fight against doping in sport is reflected in the UNESCO Convention, the WADC, and the International Standard for Education.

6.2 The Monitoring Group has developed *Model Guidelines for Core Information/Education Programmes to prevent Doping in Sport*, annexed to *Recommendation (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 has also developed 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 *Recommendation (2016) 2 of the Monitoring Group on the Guidelines for anti-doping education*.

6.3 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.

Findings

6.4 The Russian Government understands the importance of anti-doping education and its role for the prevention of doping in sport. It has made specific provisions for this in both the Federal Sports Law and the Russian Anti-Doping Rules and created specific requirements upon RUSADA as well as the Russian Sports Federations, the Russian Olympic Committee, the Russian Paralympic Committee, federal executive authorities, executive authorities of constituent entities of the Russian Federation and educational institutions to act in this space

6.5 The Evaluation Team received information on RUSADA's anti-doping education activities. Based on the information provided, despite the COVID-19 pandemic and the disruption caused, RUSADA

remained particularly active implementing its educational programmes for athletes and their coaches, doctors and pharmacists, parents and other persons concerned. From January 2021 until the date of the Evaluation Visit, RUSADA organised 345 educational events, mainly online, which were attended by 16,339 participants (9,593 athletes; 2,147 coaches; 637 medical doctors; and 3,962 others). Additionally, 275,315 persons (228,660 athletes; 31,678 coaches; 1,699 medical doctors; 6,301 parents; and 6,977 others) have successfully completed 'Triagonal' that is RUSADA's e-learning course and received certification.

6.6 RUSADA has been particularly active developing its educational programmes, especially before the onset of the COVID-19 pandemic and under its previous management. The programmes aimed to create "zero tolerance" towards doping in Russian sport and Russian society, in general. Although the Evaluation Team did not thoroughly evaluate RUSADA's educational activities, some of the key elements of the programmes are listed below:

- RUSADA's educational activities are extended at the regional level, with all Federal districts of the Russian Federation required to have an approved anti-doping specialist who conducts anti-doping awareness-raising activities in their region (see also point 6.7 below);
- RUSADA interacts with higher education institutions (including the Moscow State Institute of International Relations; Lomonosov Moscow State University; Russian State University of Physical Culture, Sport, Youth and Tourism; Far Eastern State Academy of Physical Culture and Sports; Russian International Olympic University (RIOU), etc);
- RUSADA regularly conducts events in the Outreach format; and
- RUSADA actively promotes clean sport in social media such as Twitter, Facebook, VKontakte and Instagram.

6.7 As part of its efforts to create "zero tolerance" towards doping in Russian sport, RUSADA developed in 2019 multi-level educational programmes for athletes and athlete support personnel, including young athletes and their parents; and developed supporting material. Notably, RUSADA's educational material was made available for use not only by athletes and their support persons but also by sport schools and other educational institutions in the country.

6.8 RUSADA also developed a system of close cooperation on anti-doping education with the Federal districts of the Russian Federation. Additionally, RUSADA established criteria to monitor the work that is carried out in the regions. Such criteria include having an approved specialist who conducts anti-doping awareness-raising activities in the region; providing schedule of anti-doping activities for different target audiences; monthly reports on the activities conducted, etc. Although the Evaluation Team acknowledges the important work that is carried out by RUSADA to promote clean sport across all the regions, it is not clear how many regions are closely cooperating with RUSADA. Additionally, the Evaluation Teams notes that the above criteria are actually monitoring – and not evaluating - the work done at the regions and its impact on clean sport.

6.9 Another important direction of RUSADA's educational activities is the interaction with national sport federations. RUSADA developed criteria to assess national sport federations' prevention work including each federation having to develop its own anti-doping strategy that is reviewed and approved by RUSADA, the number of athletes and their support persons under the jurisdiction of the federation who complete 'Triagonal' (that is RUSADA's e-learning course), the number of activities by the

federations' anti-doping specialists held with the use of RUSADA's educational material, etc. The Evaluation Team acknowledges the important work that is carried out by RUSADA to promote clean sport across all national federations in the country; however, it is not clear how many national federations are closely cooperating with RUSADA and fulfil the criteria set up by RUSADA. For example, based on RUSADA's Annual Report in 2019 only 31 national federations provided their annual strategy for review, and only 22 were approved. Additionally, the Evaluation Teams notes that the above criteria are actually monitoring and not evaluating the quality of work done by national federations and its impact on clean sport.

6.10 The Evaluation Team addressed education and doping prevention with representatives of two Russian federations: the Russian Athletics Federation (RusAF) and Russian Biathlon Union (RBU). The representatives from both federations explained that they developed and implemented their anti-doping strategy and values-based education programmes with the aim to change the attitude towards doping among the athletes and their support persons. RBU presented its Education Plan which provides for anti-doping education for RBU athletes (including youth and junior athletes), coaches, doctors and other medical personnel, and RBU staff. Likewise, RusAF presented separate programmes for educational and prevention events for athletes (of all different age groups, national team members and amateur athletes), athlete support personnel (coaches, sport doctors, other medical staff, nutritionists, parents, RusAF staff, etc.). RusAF presented its Anti-Doping Strategy which included the Information Policy, and details on the monitoring of the implementation and evaluation of the effectiveness of the Strategy and anti-doping programmes.

6.11 The Evaluation Team met with a representative of the Russian International Olympic University (RIOU). RIOU was established in 2009 under a Memorandum of Understanding between the International Olympic Committee, the Sochi 2014 Organising Committee and the Russian Olympic Committee. The founders of the University include, among others, the Ministry of Sport of the Russian Federation and the Russian Olympic Committee. RIOU's faculty includes Russian and international experts in sports management. Its programmes are dedicated to sport business education and concentrate on training specialists in sports management for the Russian and international sports industry, and the Olympic and Paralympic Movements. RIOU provides anti-doping programmes aiming at training representatives of all-Russian sport federations and regional sport federations, as well as educational courses for athlete support personnel, conferences for athletes and other persons on specific topics and lectures on anti-doping in all RIOU educational programmes. The Evaluation Team was provided with detailed information on the implementation of these programmes which confirms that a great number of head of federations, staff and anti-doping coordinators from all-Russian and regional sport federations as well as coaches, trainers, medical doctors, other medical staff and athletes participate in RIOU programmes.

6.12 The Evaluation Team also met with representatives of the Federal Medical and Biological Agency (FMBA). One of the main activities of FMBA is the medical support of athletes of national teams of Russia during training, competitions or rehabilitation. Additionally, FMBA is particularly active on anti-doping education of sport physicians and other medical personnel, including:

- Monitoring and (providing a) summary of up-to-date information on anti-doping;
- Co-operating with RUSADA on translating and distributing relevant materials developed by WADA;

- Advisory assistance to athletes' physicians in case of application for TUEs;
- Development and introduction of educational programmes and lecture materials for physicians and other health professionals;
- Testing of the knowledge of sports teams' physicians on anti-doping rules;
- Operating 24-hour hotline for physicians and athletes;
- Utilising RUSADA's and WADA's educational resources (such as the 'Triagonal' e-learning course and Sport Physician's Tool and ADeL, respectively).

6.13 The series of meetings with different stakeholders during the Visit proved that there is common understanding of the importance of delivering values-based education for athletes and their support personnel. However, the Evaluation Team was not in a capacity to assess whether this applies to all Russian sport federations, especially at the regional level.

6.14 The Russian Government supports the importance of research for the support of anti-doping education and its role for the prevention of doping in sport. It has made specific provisions for this in the Federal Sports Law and particularly in Articles 6 (Powers of the Russian Federation in the Field of Physical Culture and Sports), Article 28 (Physical Culture and Sports Within the System of Education) and Article 38 (Funding of Physical Culture and Sports).

6.15 Article 1.3 of the Russian Anti-Doping Rules requires RUSADA to "*encourage scientific research in the field of the prevention of and fight against doping in sport*".

6.16 Based on the information available in RUSADA's 2019 Annual Report, RUSADA conducted survey research studies looking into the use of nutritional supplements in sport and attitudes towards doping in sport.

6.17 Additionally, in the Russian Federation, there are many well-established academic institutions, including universities that offer courses on sport science (e.g., Lomonosov State University in Moscow, Saint Petersburg University), and it is beyond doubts that these institutions are active in research in the field of sport.

Conclusion

6.18 The Evaluation Team concludes that the Russian Federation fulfils the commitments under Article 6 of the Convention.

Recommendations

6.19 The Russian authorities shall ensure that RUSADA is the main authority on anti-doping education in the country, in close cooperation with Russian sports federations, the Russian Olympic Committee, the Russian Paralympic Committee, but also the Russian Ministry of Sport and other Ministries and governmental departments or institutions concerned.

6.20 The Russian authorities shall ensure that all Russian sports federations develop their anti-doping strategy and regularly inform RUSADA and the Russian Ministry of Sport on their implementation; and

make these requirements a condition of accreditation and/or receiving financial and/or other assistance from the government of the Russian Federation, the Russian Olympic Committee or the Russian Paralympic Committee, based on clearly defined criteria.

6.21 RUSADA should encourage and fund research studies related to anti-doping by academic and other interested institutions in the country.

6.22 RUSADA should play a role in the coordination of the research activities on anti-doping in the Russian Federation.

6.23 The Russian authorities should encourage RUSADA and academic institutions to publish the results of their research in peer-reviewed and indexed scientific journals.

6.24 Sports federations, in cooperation with RUSADA and possibly with the Ministry of Sport and other relevant stakeholders, could launch campaigns, exchange good practices and boost education and awareness raising in order to spread positive messages towards anti-doping work at local, regional and federal levels.

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.

Introduction

7.1 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 programs.

7.2 The purpose of this article is not only to encourage sports organisations to adopt and implement a series of measures which, together, will constitute the effective application of anti-doping regulations called for in Article 4.2; but also to indicate the strong desire for national and international compatibility and harmonisation between sports and countries, with due respect for the rights of persons who may fall foul of these regulations.

7.3 The Convention requires State Parties to encourage their national sport organisations to foster harmonisation and expedite clarification of rules in relation to anti-doping regulations, testing, fair and due process of law, imposing effective penalties and procedures for mutual recognition of suspensions.

Findings

7.4 The Russian Ministry of Sport signed agreements with sports federations and other sporting organisations on the responsibilities of the respective organisations. The standard agreement addresses the anti-doping regulations and includes issues such as research, hosting events and cooperation in investigations of potential anti-doping rules violations.

7.5 It is mandatory for all national federations to appoint an anti-doping coordinator for collaboration between RUSADA and the federation. National sporting federations must apply the provisions of the All-Russian Anti-Doping Rules. Russian sports federations and other members must include Rules to recognise the authority and responsibility of RUSADA for implementing national anti-doping programme in their rules and programmes and their local regulations. Moreover, according to recommendations of the Ministry, the federations publish on their official websites and apply anti-doping rules of the respective international sporting federations. The All-Russian Anti-Doping Rules do not limit the liability of athletes or athlete support personnel under the rules of other anti-doping organisations. Russian Sports Federations and their members must comply with the WADC, International Standards and national Rules.

7.6 The Evaluation Team met representatives from the Russian Olympic Committee, the Russian Paralympic Committee, the Russian Athletics Federation (RusAF) and the Russian Biathlon Federation (RBU). All of them had been active in the fight against doping. To present some examples, in biathlon many of the 55 regional federations have anti-doping coordinators. RusAF has its own strategic plan and roadmap for anti-doping. The Evaluation Team was informed that the federations are committed to develop the anti-doping culture in Russia and developed their education programmes for that purpose. For instance, in athletics, neither athletes nor coaches are allowed to take part in competitions without taking part in the RusAF education programme.

7.7 According to the Federal Sport Law, professional sports leagues and other sport organisations must also implement the measures to prevent and combat doping in sport.

7.8 Moreover, the Evaluation Team met with representatives of RUSADA to analyse anti-doping testing programme. Until the date of the Evaluation Visit, RUSADA collected 7087 samples from the beginning of 2021 of which 2636 from athletes represented in the summer Olympic sports.

7.9 The Evaluation Team was informed by RUSADA that it plans to collect eleven hundred (11000) samples in 2021. Samples are collected primarily by a team of RUSADA Doping Control Officers (DCOs) and service providers. Currently RUSADA employs 66 DCOs and 19 chaperones. RUSADA maintains a Registered Testing Pool, and the number of Athletes providing whereabouts information varying each year in the range of 400 Athletes. Also, RUSADA carries on a programme of Testing Pool, which is a wide range of athletes obliged to deliver general whereabouts, consisting of 1673 athletes. According to Annual reports from 2018 and 2019 it is clear that the number of out of competition tests and individual tests have increased significantly in comparison to previous years. Unfortunately, it was impossible to analyse statistics from 2020, as the annual report was not available.

7.10 RUSADA aims to develop their programme and increase the testing (test every twentieth athlete each year) which would require increased funding in the coming years.

7.11 The Federal Sports Law serves as the basis for the relation between the public authorities and the respective national Sport Federations (so called All-Russia Sports Federation). A sports federation is defined as a public organisation which is established on a membership basis in order to promote a particular or several sports, organise and hold sporting events and training of sportsmen-members of sports combined teams.

7.12 The Federal Sports Law establishes a system of state accreditation of all-Russia Sport Federations (Article 6.7) and requires that the setting up, operation, reorganisation and liquidation of National Sports Federations be in accordance with the legislation on public associations (Article 14.1). Only one public organisation may be accredited in respect of one sport on the territory of the Russian Federation and granted the status of all-Russia Sport Federation.

7.13 The state accreditation is carried out by the federal executive governmental body/authority in the field of physical education and sport and can be suspended or even terminated under certain circumstances. As a consequence, the vast majority of rights and obligations of National and Regional Sport Federations are stipulated by law. Sports and Sport Disciplines have to be recognised within a special procedure by the federal executive governmental body (Article 21 of the Federal Sports Law) and incorporated in the all-Russia Register of Forms of Sport. The rules of the forms of sports shall be prepared by the respective all-Russia Sports federation with regard to the rules established by the International Federations.

7.14 The rules allow an all-Russian Sport Federation to join the relevant international sport organisation and acquire rights and bear obligations corresponding to the status of a member whereas rights and obligations under national law shall prevail (Article 16.1.12 of the Federal Sports Law).

7.15 All-Russian Sports Federations are obliged to take part in the prevention of doping in sports and the fight against it (Article 16.3.6 of the Federal Sports Law) and to take the following measures (Article 26.10.1-10.6):

- to publish the all-Russia anti-doping rules and those approved by the international sports federation;
- to supply information necessary for inclusion of the compiling of a list of sportsmen and sportswomen for conduction testing and to notify accordingly;
- to render assistance in carrying out testing;
- to apply the sanctions on the grounds of the corresponding decision of the anti-doping organisation;
- inform about sanctions applied.

7.16 Moreover, the Russian Anti-Doping Rules apply to all-Russia Sports Federations and define their roles and responsibilities for them.

7.17 The Russian Anti-Doping Rules provide for regulations as to what establishes anti-doping rule violations, the publication and revision of the Prohibited List, regulations on testing and investigations, sample analysis, results management, disciplinary procedures, consequences and sanctions, reporting and enforcement of decisions.

7.18 Through these aforementioned Russian Anti-Doping Rules, the National Federations are obliged to incorporate the Rules into their internal norms or to be able to enforce the Anti-Doping Rules directly on athletes or other persons under their authority (Article 3.3.). Further, regulations and actions have to be undertaken by the all-Russia Sport Federations in order to comply with International Standards for Testing and Investigation to ensure that cases of violations of Anti-Doping Rules are adjudicated by the established Disciplinary Anti-Doping Committee. The sports federations are further obliged to have disciplinary rules in place that prevent Athlete Support Personnel from providing support to Athletes in case of violation of Anti-Doping Regulations.

7.19 These Rules establish a legal framework for cooperation between the all-Russia Sport Federations and RUSADA. This includes the recognition, abidance and implementation of decisions of RUSADA or the relevant disciplinary body imposing sanctions by all-Russia Sport Federations. Pursuant to Article 10.9. of the Rules the all-Russian Sports-Federations are obliged to apply decisions rendered by the relevant disciplinary panels (RUSADA) within five days of receipt of the decision.

7.20 The Russian Anti-Doping Rules require that testing shall be conducted pursuant to the provisions of the International Standard for Testing and Investigation and awards the testing authority for In-Competition Testing as well as Out-Of-Competition Testing to RUSADA (to the exception of specified testing during events). The responsibility for conducting results management lies either within RUSADA or within the relevant International Federation.

7.21 The disciplinary procedures are set forth in Part X of the Russian Anti-Doping Rules and establish a disciplinary committee within RUSADA to hear cases of potential violation of the Russian Anti-Doping Rules. Further regulations as to the organisation, membership, independence, impartiality or nature of the hearing are not foreseen, but should be established. Violation of the Russian Anti-Doping Rules by International-Level or National-Level Athletes or other Persons may be heard in a single hearing directly by the CAS with the consent of the Athlete, other Person, RUSADA or WADA.

7.22 Procedural rights and obligations of athletes and/or other persons are stipulated in Art 10.6 of the Anti-Doping Rules. The right of access to a hearing is provided for as well as the right to be represented and basic rules referring to the right of presentation of evidence.

7.23 The general rules for appeals are defined in Part XV of the Russian Anti-Doping Rules whereas different proceedings are established. Depending on the addressee of the decision, appeals of decision may be launched before the CAS or the National Appeal Body, namely duly appointed arbitration panels adjudicating sports disputes within the permanent arbitration institution, the National Centre for Sports Arbitration. The Centre is a non-commercial organisation, founded by the Russian Olympic Committee.

7.24 The Russian Anti-Doping Rules introduce the WADC-based definition of Athlete Support Personnel which includes any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel working with, training or assisting an athlete participating for a sports competition and provides sport-related disciplinary sanctions against such persons. However, the Evaluation Team was not able to examine whether further penalties for such persons (e.g., from their respective administrative or professional authorities) could be applied in cases of anti-doping rule violations.

7.25 The Russian Anti-Doping Rules incorporate, in Article 18.1 the WADC-based provisions on the mutual recognition of sanctions which cover the requirements under the Convention.

7.26 Regarding the implementation of the Disciplinary proceedings/appeals the Evaluation Team was not able to explore further rules and regulations of the "Sports Arbitration Chamber" respectively the structural unit "National Sports Arbitration Centre" which are established under the Federal Law (No 382-FZ of 29 December 2015) on arbitration proceedings and the relevant Decree No 250-p of 25 April 2019 of the Russian Ministry of Justice on providing the right to exercise the functions of a permanent arbitration institution.

7.27 As a general remark, the Evaluation Team would like to share the observation that the newly enacted Russian Anti-Doping Rules and the Federal Sports Law sometimes seem to lack coherence within the use of terminology or appliance of objectives and principles or seem to duplicate content more that it would require based on the legal (sub)ordination of these two legal acts.

7.28 The Federal Sports Law provides in Article 3.3 for the combination of state-regulation and self-regulation in the field of physical culture and sports as a basic principle of legislation, but it is noted by the Evaluation Team that state regulation is the predominant way of determining the rules of establishment of sport federations. Also the Sports Disciplines and Rules of Sports are entered in into an all-Russia Register of Forms of Sport after approval through the relevant state authority.

7.29 The Evaluation Team considers that it creates greater control and regulation powers in order to facilitate harmonisation of rules for sports federations but on the other hand bears greater responsibility and accountability for the State to establish balanced, fair, proportionate rules and regulations adhering to and respecting human rights.

Conclusions

7.30 The Evaluation Team finds that the Russian Federation fulfils the commitments under article 7 of the Convention.

Recommendations

7.31 Organisations must be provided with the necessary resources and support for effective anti-doping work.

7.32 Having in mind the size of the country (spread among nine time zones), it is suggested to analyse the efficiency of the current testing programme to ensure that Doping Controls Officers have a possibility to conduct tests in the whole territory of the Russian Federation.

7.33 The Russian authorities should consider introducing more severe consequences, including administrative, professional or criminal for athlete support persons who commit anti-doping rule violations (e.g., possession, trafficking or administration of doping substances) apart from sport-related consequences; and develop policies and procedures in place for reporting to the competent authorities any such cases.

7.34 Based on the principle of prevailing State regulation within sports, the principles of anti-doping (protecting the integrity of sports, protecting clean athletes and promoting fair and clean sports) should be stressed and incorporated as a basic principle and a sign of strong commitment of the Russian Federation within the basic principles of Legislation on Physical Culture and Sports.

7.35 The Evaluation Team wished to draw the attention of the State Authorities to the Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases of the Monitoring Group (T-DO/Rec (2017)). It recommends including the higher-ranking principles for anti-doping proceedings (e.g., operational independence, impartiality of members of the disciplinary panels) within the Anti-Doping Rules.

7.36 The Evaluation Team highlights the importance of maintaining testing programmes on a high level of quality, intelligence and good practices which require adequate resources and proper administration and operational measures.

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.

Introduction

8.1 Articles 8.1 and 8.2.c of the Convention emphasise 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 of the Anti-Doping Convention (T-DO) set up by virtue of Article 10 of the Convention as well as the Advisory Groups and the ad hoc groups of experts established by virtue of Article 11.2 of the Convention, to support the work of the Monitoring Group. Another important channel of cooperation at the Council of Europe level is the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA), which is responsible for the coordination of the positions of all States Parties to the European Cultural Convention, with regard to questions and policy relating to WADA, WADA policies and WADA's operational activities.

8.2 Articles 8.2b and 8.3 are a logical extension of the principle of Article 5 and seek to ensure that all Parties have equal access to high-quality laboratories, as provided for in Article 5.

Findings

8.3 Representatives of the Ministry of Sport of the Russian Federation and RUSADA regularly attend the meetings of the T-DO and its four Advisory Groups as well as the meetings of CAHAMA.

8.4 Outside the structures of the Council of Europe, the cooperation of the Ministry of Sport of the Russian Federation and RUSADA in the field of anti-doping includes collaboration with UNESCO and the Conference of Parties to the International Convention against Doping in Sport, WADA and the Institute of National Anti-Doping Organisations (iNADO) as detailed below:

- Representatives of the Ministry of Sport of the Russian Federation attend the Conference of Parties to the International Convention against Doping in Sport of UNESCO. Mr Oleg Matytsin,

Minister of Sport of the Russian Federation was the Vice-Chair of the Bureau of the seventh session of the Conference of Parties (COP) and was re-elected as Vice-Chair of the Bureau of the eighth COP;

- RUSADA is a Signatory to the WADC, and thus subject to the WADA compliance and regulatory processes, and;
- RUSADA has been a member of iNADO since 2013.

8.5 Based on the information provided in the National Report, at an operational level, RUSADA collaborates with at least 16 European and Non-European National Anti-Doping Organisations, mainly for testing, education and development of anti-doping programmes in general.

8.6 Regarding the regulation referred to in Article 8.2.a, the Evaluation Team was informed that the rules for certain sports (e.g., swimming) provide that if an athlete or team break a national, European or world record, they must be subjected to testing and their records are recognised only if accompanied by a negative doping control. However, it is not clear if all national federations have similar provisions in their rules.

8.7 Finally, regarding Articles 8.2b and 8.3, please see comments under Article 5.

Conclusions

8.8 The Evaluation Team concludes that the Russian Federation fulfils the commitments under Article 8 of the Convention.

Recommendations

8.9 The Ministry of Sport together with national federations and other key sport stakeholders should consider adopting a harmonised approach regarding the recognition of national, European or world records.

8.10 The Evaluation Team encourages the Ministry of Sport and RUSADA to continue participating actively in the T-DO and CAHAMA activities as well as other international activities regarding the fight against doping in sport.

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.

Introduction

9.1 The Convention requires States Parties to exchange information and experiences between Parties 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.

Findings

9.2 Representatives of the Russian Ministry of Sport and RUSADA attend the meetings of the Monitoring Group and report to the Monitoring Group on legislative and other measures taken for the purpose of the implementation of the provisions of the Convention as well as on any developments made for the fight against doping in the Russian Federation.

9.3 The Government of the Russian Federation regularly replies to the annual questionnaire that is set up by the Monitoring Group providing information about the implementation of the Convention.

9.4 Additionally, the Government of the Russian Federation and RUSADA report through other anti-doping compliance monitoring tools. The Government of the Russian Federation replies to the UNESCO questionnaire (Anti-Doping Logic) measuring the implementation of the International Convention against Doping in Sport. Likewise, RUSADA replies to the WADA Code Compliance Questionnaire (CCQ) measuring the implementation of the Code and International Standards. RUSADA responded to the CCQ in 2017 and shared its responses with the Monitoring Group.

9.5 RUSADA prepares and publishes annual reports on its doping control and other activities, as required by Article 14.4 of the WADC.

9.6 In the preparation of this Visit, the Russian Ministry of Sport provided the Evaluation Team with a National Report on the implementation of the Convention and a series of related documents. In addition, a list of questions was prepared and submitted by the Evaluation Team and answered by the Russian Ministry of Sport prior to the Visit.

Conclusions

9.7 The Evaluation Team concludes that the Russian Federation fulfils the commitments under Article 9 of the Convention.

Recommendations

9.8 The authorities of the Russian Federation should continue providing information to the Monitoring Group on the legislative and other measures they take for the purpose of the implementation of the provisions of the Convention and the development, at the national level, of the fight against doping in the country.

SUMMARY OF RECOMMENDATIONS

Article 1

1. The Russian authorities should consider ratifying the Additional Protocol to the Anti-Doping Convention of the Council of Europe.
2. The Russian authorities should consider developing and adopting an anti-doping specific law to regulate all aspects of the fight against doping in sport in the Russian Federation. When drafting or revising the specific law, a particular attention should be paid to the transposition of the definitions mentioned in the Convention and in the World Anti-Doping Code to eliminate any potential legal collisions between the new law and existing norms of the Russian legal system.
3. The Russian authorities should indicate in the respective legislation that the fight against doping in the country shall respect and be governed by the Convention.
4. The Russian authorities are encouraged to take all necessary steps in order to further facilitate the implementation of the CAS Award by RUSADA in order to regain its compliance with the World Anti-Doping Code.

Article 2

1. The Evaluation Team recommends a more stringent use of the terms “Sportsman/sportswoman” and “Athlete” with the underlying meaning and definition of each term. A balanced and adjusted use of terminology should be introduced.
2. The Evaluation Team recommends the development of criteria for the application of terms such “sportsman/sportswoman” and “athlete”.

Article 3

1. The functioning of national coordination should be further strengthened ensuring an appropriate level of co-operation and exchange of information among all anti-doping stakeholders.
2. The Evaluation Team recommends that the Russian authorities and the governing bodies of RUSADA review the concept of the Agency’s independence and its role as an autonomous actor. Attention should be given to the transparency of the governance and Agency’s ability to act effectively in its executive role. The Recommendation on the operational independence of National Anti-Doping Organisations (T-DO/Rec (2018) 1) of 31 August 2018) offers tools for such a review.

Article 4

1. The Evaluation Team recommends that, as part of its follow-up activities in relation to the Evaluation Report, the Russian Authorities provide the Monitoring Group with information and documentation on the methodology adopted in relation to the withholding of public funding and/or publicly funded benefits to sports organisations that do not comply with the World Anti-Doping Code, and/or sportspersons who have committed violations of the Anti-Doping Sport Rules.

2. The Evaluation Team recommends to further develop RUSADA's effective and expedient testing activities. It should also cooperate with foreign National Anti-Doping Organisations for testing outside the Russian Federation and allocate the necessary resources for this.

Article 5

1. The Russian authorities should conduct a thorough analysis of the need to have a WADA-accredited laboratory in their country. It is important to ensure that such laboratory will have the required independence from the Government, the sport movement and RUSADA and implement the requirements of the ISL. Such a laboratory could be the National Anti-Doping Laboratory as a part of the Lomonosov Moscow State University.

2. It is important to ensure that a WADA-accredited laboratory in the Russian Federation can have cooperation with stakeholders in the anti-doping field, notably RUSADA, and relevant governmental organisations. To ensure independency for all parts, this has to be transparent and structured in a way to strengthen the anti-doping system.

3. The National Anti-Doping Laboratory is encouraged to collaborate with the relevant departments of the Lomonosov Moscow State university and of other research institutions in the Russian Federation and other countries for the scientific development of its staff.

4. The National Anti-Doping Laboratory is encouraged, in collaboration with universities and research institutions in the Russian Federation and other countries, to implement scientific research programmes and publish their results in peer-reviewed scientific international journals.

Article 6

1. The Russian authorities shall ensure that RUSADA is the main authority on anti-doping education in the country, in close cooperation with Russian sports federations, the Olympic Committee of Russia, the Paralympic Committee of Russia, but also the Russian Ministry of Sport and other Ministries and governmental departments or institutions concerned.

2. The Russian authorities shall ensure that all Russian sports federations develop their anti-doping strategy and regularly inform RUSADA and the Russian Ministry of Sport on their implementation; and make these requirements a condition of accreditation and/or receiving financial and/or other assistance from the government of the Russian Federation, the Olympic Committee of Russia or the Paralympic Committee of Russia, based on clearly defined criteria.

3. RUSADA should encourage and fund research studies related to anti-doping by academic and other interested institutions in the country.

4. RUSADA should play a role in the coordination of the research activities on anti-doping in the Russian Federation.

5. The Russian authorities should encourage RUSADA and academic institutions to publish the results of their research in peer-reviewed and indexed scientific journals.

6. National sports federations, in cooperation with RUSADA and possibly with the Ministry of Sport and other relevant stakeholders, could launch campaigns, exchange good practices and boost education and awareness raising in order to spread positive messages towards anti-doping work at local, regional and federal levels.

Article 7

1. Organisations must be provided with the necessary resources and support for effective anti-doping work.

2. Considering the size of the country (spread among nine time zones), it is suggested to analyse an efficiency of current testing program to ensure that Doping Controls Officers have a possibility to conduct tests in the whole territory of the Russian Federation.

3. The Russian authorities should consider introducing more severe consequences, including administrative, professional or criminal for athlete support persons who commit anti-doping rule violations (e.g., possession, trafficking or administration of doping substances) apart from sport-related consequences; and develop policies and procedures in place for reporting to the competent authorities any such cases.

4. Based on the principle of prevailing State regulation within sports the principles of anti-doping (protecting the integrity of sports, protecting clean athletes and promoting fair and clean sports) should be stressed and incorporated as a basic principle and a sign of strong commitment of the Russian Federation within the basic principles of Legislation on Physical Culture and Sports.

5. The Evaluation Team wished to draw the attention of the State Authorities to the Recommendation on ensuring the independence of hearing panels (bodies) and promoting fair trial in anti-doping cases of the Monitoring Group (T-DO/Rec (2017)). It recommends to include the higher-ranking principles for anti-doping proceedings (e.g. operational independence, impartiality of members of the disciplinary panels) within the Anti-Doping Rules.

6. The Evaluation Team highlights the importance of maintaining testing programs on a high level of quality, intelligence and good practices which requires adequate resources and proper administration and operational measures.

Article 8

1. The Ministry of Sport together with national sport federations and other key sport stakeholders should consider adopting a harmonised approach regarding the recognition of national, European or world records.

2. The Evaluation Team encourages the Ministry of Sport and RUSADA to continue participating actively in the T-DO and CAHAMA activities as well as other international activities regarding the fight against doping in sport.

Article 9

1. The authorities of the Russian Federation should continue providing information to the Monitoring Group on the legislative and other measures they take for the purpose of the implementation of the provisions of the Convention and the development, at the national level, of the fight against doping in the country.

ANNEX 1 – NATIONAL REPORT OF RUSSIAN FEDERATION

23 August 2021

ANTI-DOPING CONVENTION (CETS No. 135)

AUTO-EVALUATION REPORT
on compliance with the commitments under the Convention

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

The report was amended and revised in accordance with the questions posed by the T-DO Evaluation Group in August 2021.

The document was prepared by the Ministry of Sport of the Russian Federation.

Moscow, Russia

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.

Russia is a party to the Anti-Doping Convention of the Council of Europe, which it ratified on 12 February 1991 . Russia is also a party to the International Convention Against Doping in Sport (the “Anti-Doping Convention”), done in Paris on 19 October 2005 . The Russian Olympic Committee (the “ROC”), the Russian Paralympic Committee (the “RPC”) and All-Russian anti-doping organization - the Russian Anti-Doping Agency (“RUSADA”) are signatories of the World Anti-Doping Code (as amended) (the “WADC”) . The Russian national sporting federations undertake to comply with the WADC’s provisions through their membership within the respective international sporting federations which are the WADC signatories.

Given the above Russia does its best to comply and fulfill its obligations under the mentioned international instruments.

The Russian Ministry of Sport (the “Ministry”) prepared this report based on the provisions of the Russian legislation, sporting organizations’ statutory acts and publicly available information. For the purposes of describing certain specific issues relating to RUSADA activities, the Ministry had approached RUSADA’s founders which in turn asked RUSADA’s Acting General Director to provide the Ministry with the necessary information (the “RUSADA enquire”). This information is contained in RUSADA Letter No. MB-2999 dated July 21, 2021 (the “RUSADA Letter”).

I. SPORTS STRUCTURE AND MAIN RESPONSIBILITIES OF EACH STAKEHOLDER

The national government body responsible for coordinating state policy in the field of fighting doping in sport is Ministry. The Ministry is a federal executive body formulating and implementing state policy in the field of physical culture and sports. The respective Ministry’s anti-doping division is responsible for (1) formulating and enforcing the Russian state anti-doping policy, (2) approving anti-doping regulations, (3) cooperating with other Russian governing bodies for the purposes of eliminating and combating doping and (4) representing Russia when dealing with international organisations responsible for fighting with doping.

The following state governing bodies also take part in fighting with the scourge of doping:

- ☐ the Ministry of Internal Affairs which supervises the Russian police (investigating persons’ involvement in violating anti-doping rules);
- ☐ the Ministry of Finance which supervises the Federal Customs Service (combating drugs trafficking across the Russian borders);

RUSADA was established according to the provisions of Article 26.1 of the Sports Law. RUSADA’s functions include and are not limited to:

- ② planning, coordinating, performing, exercising control over and improving the doping control procedure;
- ② cooperating with other stakeholder organizations and agencies and other anti-doping organizations;
- ② encouraging scientific research in the field of preventing and fighting doping in sport;
- ② vigorously pursuing all potential anti-doping rules 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 sanctions;
- ② planning, performing, assessing and promoting anti-doping educational programs;
- ② conducting a mandatory investigation of athlete support personnel within its authority in the event of any violation of anti-doping rules by a protected person and conducting an automatic investigation of any athlete support personnel who provided support to more than one athlete found to have committed an anti-doping rule violation;
- ② cooperating fully with WADA in connection with investigations conducted by WADA within its authority.

Update

In addition to the above mentioned authorities, the following institutions are involved in the preparation of the National teams' athletes for participation in competitions, as well as in the formation of the sports reserves:

The Russian Federal Medical-Biological Agency is a federal state executive body ensuring the radiation, chemical, and biological safety of the country and population, as well as organizing the health protection system at enterprises in strategically important industries with particularly hazardous working conditions. It is directly supervised by the Russian Government. The Agency provides medical and biological support for the National teams' athletes (in agreement with the Ministry of Sports of the Russian Federation); as well as conducts preliminary and periodic medical examinations of the National teams' members.

The Federal Sports Training Center (the "CSP") is responsible for preparing high level athletes in respective sports. In particular, the CSP (1) implements special training for high level athletes for the purposes of participating in international and national sporting competitions, (2) organizes coach professional development programs, and (3) keeps the mentioned athletes in sporting equipment, medical and (4) provides scientific support.

The ROC and the RPC are the WADC signatories and ensure the implementation of the anti-doping program within their powers.

The ROC is responsible for developing, promoting and protecting the Olympic Movement in Russia, in accordance with the Olympic Charter's provisions. The ROC should also promote the ideas and values of Olympism, encourage the development of high-performance sports as well as sports for all, take action against any form of discrimination and violence in sports.

The RPC is an all-Russia organization, legally established as a non-commercial organization representing para-athletes in compliance with the Paralympic standards. RPC is a non-commercial,

corporate, socially oriented independent, voluntary, non-governmental, self-regulating organization in the field of physical fitness and sports, and is recognized by the International Paralympic Committee.

The Russian national sporting federations are responsible for developing the respective sports (football, swimming, boxing etc.) within the Russian territory. Only one national sporting federation can be accredited by the Ministry for developing the respective sport.

According to the Sport Law, the Russian national sporting federations, professional sports leagues and other sporting organisations implement the following measures to prevent and combat doping in sport:

- ☐ publishing anti-doping rules approved by international federations of the respective sports, in Russian, in Russian printed periodicals and/or place them on their official website;
- ☐ providing information which RUSADA needs to form the list of athletes for conducting in-competition and out-of-competition testing;
- ☐ informing athletes on inclusion into the list of athletes to be tested in-competition and out-of-competition;
- ☐ assisting in conducting testing pursuant to the doping control procedure;
- ☐ applying sanctions (including sporting ineligibility) based on and pursuant to the decision of the respective anti-doping organization on a violation of anti-doping rules by athletes, athlete support personnel, other persons or personnel with respect to animals taking part in a competition;
- ☐ informing a particular international sporting federation, RUSADA, a federal executive authority for physical culture and sport, the executive authorities of the respective constituent entities of the Russian Federation of sanctions applied;
- ☐ determining officials responsible for organizing the work of a Russian sporting federation and/or professional league for preventing and combating doping in sports in cooperation with the Ministry, a federal executive authority authorized to provide biomedical support to athletes of combined sports teams of the Russian Federation, RUSADA;
- ☐ cooperating with RUSADA in conducting educational anti-doping programs; exercise control over the anti-doping education level of their members and maintain records of persons (including athletes and athlete support personnel) who have completed educational programs aimed at preventing violations of anti-doping rules;
- ☐ transmitting to RUSADA any information indicating a violation or related to an anti-doping rules violation, provide assistance in investigations conducted by RUSADA.

It is not clear what set of anti-doping rules national federations apply: the ones drafted by RUSADA or their own rules, following the approval of their international federation. Also, it is important to see how RUSADA's anti-doping rules bind national level athletes.

National sporting federations must apply the provisions of the All-Russian Anti-Doping Rules. Moreover, according to recommendations of the Ministry, the federations publish on their official websites and apply anti-doping rules of the respective international sporting federations. The All-Russian Anti-Doping Rules are not designed to limit the liability of athletes or athlete support personnel under the rules of other anti-doping organizations which also have jurisdiction over them. Pursuant to the provisions of Para.3.1 of the All-Russian Anti-Doping Rules "All Russian Sports Federations and members thereof shall comply with the Code, International Standards and these Rules. Russian sports

federations and other members shall include in their rules and programs (other local regulations) the provisions necessary to recognize the authority and responsibility of RUSADA for implementing national anti-doping program and enforcing these Rules (including carrying out Testing) directly in respect of Athletes and other Persons under their authority as specified in Chapter I of the Rules. Each Russian Sports Federation shall incorporate these Rules directly or by reference into their local regulations, constitution so that they may enforce the Rules directly in respect of Athletes and other Persons under their authority. Implementation and application of the Rules shall establish a legal framework for cooperation between Russian Sports Federations and RUSADA. They shall also recognize abide by and implement the decisions made pursuant to the Rules, including the decisions imposing sanctions on Persons under their authority. All Russian Sports Federations shall take appropriate actions to enforce compliance with the Code, International Standards, and these Rules". For instance, in athletics member federations must comply with the provisions of the WADC and WADA International Standards. The member federations must also develop and implement their own national anti-doping polices compliant with the WADA regulations (2021 World Athletics Anti-Doping Rules). In biathlon the provisions of the WADC and International Standards prevail in case of discrepancies between them and the International Biathlon Union's anti-doping regulations (International biathlon union integrity code). So, the national federations must apply the WADA regulations as well as International biathlon union's acts.

Withdrawal of funding from national federations:

In accordance with the provisions of Para. 3.2 of the All-Russian Anti-Doping Rules "Each Russian Sports Federation shall accept and abide by the spirit and terms of the national anti-doping program and these Rules as a condition of receiving financial and/or other assistance from the government of the Russian Federation and/or Russian Olympic Committee, Russian Paralympic Committee, Russian Committee for Sport of Deaf". As also prescribed by the provisions of Para. 14.1 of the All-Russian Anti-Doping Rules RUSADA may send an application to the Sports Ministry requesting the latter to consider the expediency of financing a Russian sporting federation or apply other non-financial measures for the failure of a Russian sporting federation to comply with the All-Russian Anti-Doping Rules, including a failure to provide assistance to RUSADA

II. LEGAL FRAMEWORK

The main legislative act governing sport in Russia is Federal Law No. 329-FZ "On Physical Culture and Sport in the Russian Federation" dated December 4, 2007 (as amended) (the "Sports Law"). The provisions of Articles 26 and 26.1 of the Sports Law defines "doping", "anti-doping rules violation", "doping control", "testing" and "all Russian anti-doping organization". These provisions also provide for measures aimed at preventing doping, prescribe the Russian sporting organizations' obligations with regard to preventing doping. Finally, the Russian national anti-doping organization's powers are specified. The Sports Law contains other provisions regulating certain issues relating to preventing and combating doping.

The effective Russian legislation provides for criminal and administrative liability for violating anti-doping rules.

Thus, Russian Criminal Code No.63-FZ dated June 13, 1996 (as amended) (the “Criminal Code”) imposes criminal liability for (1) “inducing an athlete to using substances or methods prohibited in sport” (Article 230.1) and (2) “using substances or methods prohibited in sport in respect of an athlete” (Article 230.2). The provisions of Article 230.1 apply to coaches, sports medicine officials and to other physical culture and sport specialists. The criminal sanctions include fines (up to 300,000 Rubles), the prohibition on engaging in certain activities for some period and the imprisonment for the period up to three years. The provisions of Article 230.2 apply to coaches, sports medicine officials and to other physical culture and sport specialists as well. The criminal sanctions include fines (up to 1,000,000 Rubles), the prohibition on engaging in certain activities for some period and the imprisonment for the period up to three years.

Update

For the purposes of imposing criminal liability for offences under Articles 230.1 and 230.2 of the Criminal Code, Decree No. 339 of the Government of the Russian Federation of 28 March 2017 "On Approval of the List of Substances and (or) Methods Prohibited for Use in Sport for the Purposes of Articles 230.1 and 230.2 of the Criminal Code of the Russian Federation" approved the list of substances and (or) methods prohibited for use in sport. At the initiative of the Russian Ministry of Internal Affairs, additions from WADA's Prohibited List are made to this regulation. Further additions are submitted for approval of the Government of the Russian Federation in July 2021.

The provisions of Article 6.18 of the Russian Administrative Violations Code No. 195-FZ dated December 30, 2001 (as amended) provide for administrative liability for “violating the requirements prescribed by the Russian physical culture and sports legislation regarding preventing and combating doping”. The provisions of Part I of the mentioned article provide for administrative liability for “intentional violation by an athlete of the requirements for preventing and combating doping in sport consisting in using or attempting to use a prohibited substance or method”. The sanction is the administrative fine in the amount of 30,000 – 50,000 Rubles. The provisions of Part II of this article impose administrative liability for “distributing (by an athlete, coach, sports medicine official or another physical culture and sports specialist) a prohibited substance of method, if these actions are not punishable pursuant to the provisions of the Criminal Code”. The sanction is the administrative fine in the amount of 40,000 – 80,000 Rubles.

The existing Russian labor legislation stipulates that labor relationships may be unilaterally terminated by an employer if an employee – athlete has violated anti-doping rules (Article 348.11 of the Russian Labor Code No. 197-FZ dated December 30, 2001 (as amended)).

The provisions of the Sport Law are enforced through the All-Russian Anti-Doping Rules 2021 (the “Rules”) approved by Ministry on June 24th, 2021 (Decree No. 464 of the Ministry dated June 24, 2021 “On approving the All-Russian Anti-Doping Rules”). The Rules were drafted in strict accordance with the provisions of the Anti-Doping Convention, Sports Law, WADC and other documents issued by the World Anti-Doping Agency (“WADA”). Given that the effective WADC entered into force on January 1,

2021, RUSADA redrafted the Rules in 2021 as well (the Rules include all new provisions contained in the 2021 WADC).

The Rules govern the following main issues:

- ☐ the obligations of athletes and other persons;
- ☐ what “doping” is;
- ☐ adducing evidence in doping cases;
- ☐ the prohibited list’s contents;
- ☐ the procedure for analyzing doping samples;
- ☐ the disciplinary procedure;
- ☐ imposing sporting sanctions;
- ☐ filing appeals.

III. LEGAL STATUS OF RUSADA

RUSADA is not-for-profit organization duly incorporated under the Russian laws. RUSADA performs its activities in strict accordance with the provisions of the Russian laws, international treaties, WADC and International Standards.

RUSADA’s main activities include and are not limited to:

- ☐ preventing, combating and eliminating doping in sport;
- ☐ drafting and enforcing the Rules;
- ☐ assisting other sporting organisations in achieving the goal to eliminate doping.

RUSADA is organization acting completely independently from any Russian governing bodies and national sporting institutions.

In anticipation of the entry into force of the provisions of the updated WADA-2021 Code concerning the operational independence of National Anti-Doping Agencies (Art.20.5.1), the composition of the founders (members) of RUSADA has changed.

In replacement of the Russian Olympic Committee and Paralympic Committee, RUSADA founders now are the All-Russian Non-Governmental Organisation “Association of Lawyers of Russia” and “International Health Care Center” LLC. Pursuant to the provisions of RUSADA Statutes (the effective version was approved on December 11, 2020) only legal entities complying with the respective WADA requirements can become RUSADA members.

The All-Russian Non-Governmental Organisation “Association of Lawyers of Russia” is the largest non-governmental association uniting legal practitioners. Its activities are aimed at improving legal culture and legal education, and protecting the constitutional rights of the Russian citizens. The Association also cooperates with public associations, international governmental and non-governmental organisations. The Association’s Sports Law Committee is actively involved in strengthening the Russian legal framework for sport and in protecting the Russian athletes’ rights.

“International Health Care Center” LLC is a multidisciplinary medical clinic that has been providing fee-based services to Moscow residents for more than 15 years. The Center provides a full range of medical services in accordance with international quality standards. The Center is the only clinic in Russia, which annually confirms the level of quality of services provided by the international TUV certificate.

The Ministry’s conclusions relating to the RUSADA’s founders are based solely on publicly available information. The Ministry has no indication that RUSADA needs to obtain prior approval from WADA for the renewal of the agency’s founding members. The Ministry also is not aware of any specific WADA questions (concerns) with regard to the All-Russian Non-Governmental Organisation “Association of Lawyers of Russia” and “International Health Care Center” LLC.

The provisions of the Russian budget legislation prescribe that RUSADA gets direct funding for providing anti-doping support to the Russian national sports teams. Thus, RUSADA is provided with the subsidy for financial support of activities relating to anti-doping support of the Russian sports teams . The procedure for subsidizing RUSADA is prescribed by the provisions of the Russian Government Decree dated March 3, 2017 No. 248 “On approving the rules for granting subsidies from the federal budget to the organization for financial support of measures to provide anti-doping support to the Russian sports national teams”. RUSADA obtains the mentioned subsidy according to provisions of an agreement on granting a subsidy entered into between RUSADA and the Ministry of Finance. RUSADA reports the Russian Government on disbursing these subsidy funds and on achieving its targets.

In 2018 and 2019 RUSADA’s subsidy amounted to 545, 551,800 and to —556,685,500 Rubles accordingly . Pursuant to the RUSADA Letter in 2021 the subsidy equals to 501,000,000 Rubles (approximately EUR 5,763,741.8074).

RUSADA’s governing bodies include (1) the General Members’ Meeting, (2) the Supervisory Board and (3) the General Director.

The General Members’ Meeting is the supreme RUSADA body responsible for deciding on the following issues: amending RUSADA Statutes subject to recommendations of the Supervisory Board; approving RUSADA’s annual reports upon the recommendation of the Supervisory Board; appointing the General Director upon the recommendation of the Supervisory Board, etc.

The RUSADA Supervisory Board is a collective governing body controlling the other RUSADA executive bodies. The RUSADA Supervisory Board also provides financial and informational support to RUSADA. The RUSADA Supervisory Board and its members are independent from the Russian state governing bodies, the ROC, the RPC, international and national sporting federations and sporting competitions organizers.

Any member is appointed in strict accordance with the WADA requirements (guidelines). Any potential RUSADA Supervisory Board member undertakes to be impartial and independent in exercising his / her powers.

The RUSADA General Director is a standing individual executive body dealing with day-to-day affairs.

As for testing, RUSADA always tries to do its best to fulfil the obligations laid down in the WADC and WADA International Standards. Thus, RUSADA is trying to rise the testing figures notwithstanding the ongoing COVID-19 issues (11,072 samples collected in 2019, 8158 in 2020). According to the RUSADA the plan for 2021 is to collect 7,450 samples (27 samples daily).

Pursuant to the RUSADA Letter the testing plan is compiled in strict accordance with the provisions of the WADA International Standard for Testing and Investigations and given the risk index for a particular sport.

RUSADA and anti-doping officers cooperate based on civil law contracts pursuant to the recommendations of the roadmap relating to the previous RUSADA non-compliance period. Before entering into those contracts RUSADA evaluates CVs of particular candidates (personal information, work experience and language qualifications) and defines whether a conflict of interest exists as prescribed by the provisions of the RUSADA Ethics Code. Blood collection officers work with RUSADA based on agreements made with medical centers.

Anti-doping officers take training quarterly, but blood collection officers (which are junior medical staff) do not need special training. If a particular anti-doping officer does not participate in anti-doping missions within three months, he / she should be reattested. If a particular anti-doping officer makes less than five anti-doping missions within three months, he / she may be reattested without schedule.

RUSADA is fully committed to enforcing the decision of the Court of Arbitration for Sport (the "CAS") in respect of case No. CAS 2020/O/6689 World Anti-Doping Agency v. Russian Anti-Doping Agency dated December 17, 2020 (the "Award") and fulfilling all the respective reinstatement conditions to become a compliant WADC signatory again.

Pursuant to the Award:

❑ RUSADA was found to be non-compliant with the provisions of the WADC in connection with its failure to procure that the authentic LIMS data and underlying analytical data of the former Moscow Laboratory had been received by WADA;

❑ the CAS imposed the following sanctions for the two-year period: (1) the Russian "Government Representatives" (a) cannot be appointed to sit, and may not sit, as members of the boards or committees (including sub-committees) of any WADC signatory (or its members) or association of signatories; (b) are restricted in obtaining accreditation for certain sporting events; (c) may not participate in or attend certain sporting events; (2) Russia may not host or bid for, or be granted in the right to host any editions of the Olympic and Paralympic Games or any World Championships; (3) the Russian flag may not be flown or displayed in any official venue or area controlled by the WADC a signatory or event organiser appointed by a signatory at certain sporting events; (4) any Russian athlete may participate in the Olympic and Paralympic Games or any World Championships subject to special conditions (no sporting sanctions, uniform);

❑ the CAS ruled that RUSADA must satisfy a number of reinstatement conditions, including paying certain amounts (as compensations and fines) to WADA, cooperating with WADA for the purposes of investigating any possible anti-doping rules violations.

RUSADA has been actively working to fully enforce the Award since January 2021. Namely, RUSADA:

- ☐ has partially fulfilled its financial obligations;
- ☐ provides any assistance to WADA, World Athletics and Athletics Integrity Unit relating to investigating any possible anti-doping rules violations;
- ☐ is working on implementing the RUSADA reinstatement roadmap.

In enforcing the Award RUSADA maintains its independence from any governmental / non-governmental bodies and organisations.

IV. NATIONAL SITUATION AND COMPLIANCE WITH THE COMMITMENTS UNDER ANTI-DOPING CONVENTION OF THE COUNCIL OF EUROPE

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" mean those persons who participate regularly in organized sports activities.

(2) Until such time as a list of banned pharmacological classes of doping agents and doping methods is approved by the monitoring group under the terms of Article 11.1.b, the reference list in the appendix to this Convention shall apply.

RUSADA has been the WADC signatory since 2008. The Rules' provisions (doping, athlete) are based on the WADC.

The effective WADA Prohibited List (the "List") (along with the other WADA International Standards) is fully enforced within the territory of Russia without any modifications.

The List has been translated into Russian and its updates are available on RUSADA official website . RUSADA also spreads the effective List to athletes, athletes support personnel, as well as to all persons interested in the problems of anti-doping.

According to the provisions of the Rules (Part IV Definition of Doping and Violation of the Rules) doping is the occurrence of one or more 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 by an athlete or other person; (6) Possession of a prohibited substance or a prohibited method by an athlete or athlete

support personnel; (7) trafficking or attempted trafficking in any prohibited substance or prohibited method by an athlete or other person; (8) Administration or attempted administration by an athlete or other person to any athlete in-competition of any prohibited substance or prohibited method, or administration or attempted administration to any athlete out-of-competition of any prohibited substance or any prohibited method that is prohibited out-of-competition; (9) Complicity or attempted complicity by an athlete or other person; (10) prohibited association on the part of an athlete or other person; and (11) acts by an athlete or other person to discourage or retaliate against reporting to authorities.

As for the term “athlete”, the Rules cover amateur, professional and “Masters” sport providing the following definitions: “athlete”; “recreational athlete”; “international-level athlete” and “national-level athlete”. For instance, the “athlete” is defined as follows: “Any person who competes in sports at the international level (as defined by each international federation) or the national level (as defined by each national anti-doping organization). An anti-doping organization shall have the right 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”.

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 organization.

As described above, the Ministry, RUSADA and other state governing bodies cooperate to eradicate doping in sport.

Basically, the Ministry is responsible for coordinating all anti-doping efforts within Russia. The Ministry works with the Ministry of Internal Affairs when it comes to investigating particular persons’ involvement in violation of anti-doping rules.

The Russian Federal Medical-Biological Agency gives medical and biological support to the Russian national teams in the respective sports. The Agency also provides assistance in relation to the Therapeutic Use Exemptions. Finally, the Agency conducts research on a wide range of different medications and substances.

What is the role of the Agency on the fight against doping (especially if, at the same time, the Agency provides all of the above services to the Russian athletes)? Who directs and who oversees the work of this Agency? The Agency (1) develops methodological and reference materials for medical specialists of the Russian national teams involved in providing medical care to athletes, taking into account the requirements of the WADC; (2) prepares comments to the WADA Prohibited List (relevant issues relating to combating doping in sport from an athlete doctor’s perspective –

<https://www.sportfmba.ru/component/jdownloads/send/55-odin-fajl/626-aktualnye-voprosy-protivodejstviya-dopingu-v-sporte-v-praktike-vracha-kommentarij-k-zapreshchennomu-spisku-2018>) and (3) drafts recommendations for executing medical documents with regard to Therapeutic Use requests.

In accordance with the provisions of the Russian Government Decree No. 206 dated April 11, 2005 “On the Federal Medical-Biological Agency” the Russian Government supervises the Agency.

RUSADA communicate with the Federal Medical-Biological Agency and the Training Center by exchanging information in strict accordance with the provisions of the WADC and WADA International Standards.

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.

Russia fully fulfills its obligations to restrict the availability of any drugs, doping agents and anabolic steroids within its territory.

The Criminal Code’s provisions prescribe criminal liability for drugs trafficking. All drug-containing substances may be acquired only by medical prescription. The Russian Government has enacted the list of drugs, psychotropic substances and their precursors subject to Control in Russia (Decree of the Russian Government No. 681 dated June 30, 1998).

Does this list and the Decree provides also for doping substances? If it is in effect since 1998, then I assume it is significantly different from WADA's prohibited List and the list of banned substances that is appended to our Convention.

The List includes the drugs, psychotropic substances and their precursors that may be contained in some medicines. These medicines it turn may be consumed by athletes as well. There is no need to include doping substances into the List since the latter are already included into separate lists approved by the Sports Ministry Order No. 927 dated December 16, 2020 "On approving the lists of substances and (methods) prohibited from using in sport". Basically, these lists are identical to the lists prescribed by ANNEX No. 1 to the Anti-Doping Convention. More importantly, WADA Prohibited List is fully enforced within the territory of Russia without any modifications.

As it was already mentioned above, the effective Russian legislation provides for criminal and administrative liability for violating anti-doping rules.

Moreover, violating anti-doping rules triggers the funding withdrawal from athletes who have been suspended for anti-doping rule violation for the duration of the suspension period.

Withdrawal of funding from suspended athletes: the National Report (on page 14) indicates that "violating anti-doping rules triggers the funding withdrawal from athletes". More information how this is secured and implemented in practice, is needed.

According to the provisions of Para. 12.14.4 of the All-Russian Anti-Doping Rules "Anti-doping rule violations, except for cases when sanctions are reduced under Article 12.5 or 12.6 hereof, will entail a complete or partial withholding of financial support related to the sport activity or other related benefits received by the Rules violating Person in connection with the sport activity in cases where the activity is financed through RUSADA, a federal or regional executive authority for physical culture and sports, a Russian Sports Federation, a professional sports league, or national Olympic or Paralympic committees, directly or through their subordinate organizations, or is otherwise financed out of the budget of the Russian Federation or constituent entities of the Russian Federation". From a practical perspective, a sporting organisation (an employer) terminates the existing employment contract with an athlete (an employee) who has violated anti-doping rules.

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.

The National Anti-Doping Laboratory (Institute) of the Lomonosov Moscow State University (“NADL MSU”) is an anti-doping laboratory, founded in 1976, whose main purpose is combating doping in sport in accordance with the effective Russian legislation, the Rules, the WADC and the WADA International Standard for Laboratories .

NADL MSU activities are aimed at providing anti-doping support for the sports teams of the Russian Federation and international sporting federations.

In January 2020 the WADA provisionally suspended the WADA-approved status of NADL MSU (pending formal disciplinary action). This provisional suspension prohibits NADL MSU from carrying out any work related to the analysis of blood samples in connection with the Athlete Biological Passport (the “ABP”) program and will remain in place pending disciplinary proceedings to be carried out by an independent Disciplinary Committee. During the period of suspension, all the ABP samples collected prior to the date of the provisional suspension may be analyzed by NADL MSU and the laboratory will need to contact all relevant Testing Authorities to determine whether any stored ABP samples need to be transported to a WADA-accredited or ABP-approved laboratory for further analysis .

Pursuant to the RUSADA Letter NADL MSU is currently storing blood samples which had been sent to NADL MSU before 2019.

The CAS Award does not further (as compared to the abovementioned WADA decision of January 2020) affect the rights and obligations of NADL MSU as it exclusively relates to RUSADA’s compliance with the WADC’s provisions.

NADL MSU is accredited in accordance with the requirements of GOST ISO/IEC 17025-2019 interstate standard, which confirms the technical competence and functioning of the laboratory quality management system, as well as the compliance with the WADC and the WADA International Standard for Laboratories.

NADL MSU has developed cooperation with other WADA accredited laboratories in Cologne, Lausanne, Beijing and Los Angeles. Scientists from NADL MSU have been trained at the above laboratories for the newest methods of doping analysis.

The Ministry also enquired with the MSU about the current status of the Laboratory. At the time of preparing the said auto-evaluation report, the Ministry had no such data from the MSU. However, there is ongoing interaction with the MSU and the Ministry expects to provide this data as soon as possible.

What kind of support is provided, especially since it is suspended from analysing athletes’ samples? The Laboratory’s employees conduct research on anti-doping issues and analyze samples on a contractual basis. We have already requested additional information regarding the Laboratory’s current activities. The Laboratory is yet to respond.

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.

The target audience of RUSADA educational anti-doping activities is athletes and coaches, doctors and pharmacists, parents and other persons concerned. Thus, RUSADA organizes seminars, conferences, and webinars for athletes and athletes support personnel. In conducting such events RUSADA acts in line with the WADC provisions.

RUSADA has also created an online anti-doping course for those who are interested in enhancing their literacy in the area of anti-doping. The course mainly aims at raising athletes' awareness of the most important anti-doping issues. RUSADA issues e-certificates to those who have successfully completed the course.

Additionally, RUSADA has published on its official website the following materials:

- ☒ social implications of doping;
- ☒ consequences of anti-doping rules violations, sanctions;
- ☒ risks and implications of consuming dietary and nutritional supplements;
- ☒ harm from doping to spirit of sport;
- ☒ health implications of doping.

The above materials help RUSADA officials to eliminate doping from the Russian sport in its entirety.

Finally, RUSADA has started creating the social educational movement "Russia Without Doping" in June 2021.

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 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.

It is mandatory for the national sporting federations and other sporting organisations to comply with the anti-doping regulations, approved by an order of the Minister of Sports and to implement the WADC and the Anti-Doping Convention. Every national sporting federation has an anti-doping official.

What is included in these agreements? Can we have copies of such (template) agreements?

Indeed, the Ministry enters into such agreement with different sporting organisations. These agreements cover a wide range of issues including combating doping. Basically, the Ministry, the regions and sporting organisations undertake to conduct research, host events, cooperate when it comes to investigating potential anti-doping rules violations, etc

The Ministry has developed a model draft agreement with the regions of the Russian Federation on cooperation and collaboration in the field of physical education and sport. The agreement also deals with issues relating to anti-doping work.

It specifies the powers of the entities to: conduct educational seminars and information programmes, including anti-doping provision, for coaches, sports medicine doctors and other specialists in physical culture and sport; participate in the organization of work in the entity to prevent and combat doping

in sport and also to combat any forms of discrimination and violence in sport in cooperation with the Russian anti-doping organization, the Ministry, FMBA; and also to carry out anti-doping work. Each region has a person responsible for anti-doping (in consultation with the Ministry), whose functions include interaction with the Ministry, all-Russian and regional sports federations, as well as RUSADA.

Update

The Ministry has developed a standard draft agreement with the constituent entities of the Russian Federation on cooperation and interaction in the field of physical culture and sports. The agreement also addresses issues relating to the anti-doping regulation.

In particular, local authorities are empowered to: (1) conduct educational seminars and information programmes, including ones in the field of anti-doping support, for coaches, sports physicians and other specialists in the field of physical culture and sports; (2) participate in the organization of activities in the constituent entity aiming at preventing and combating doping, as well as counteracting any forms of discrimination and violence in sports in cooperation with the Russian anti-doping organization, the Ministry, the FMBA of Russia; (3) and implement anti-doping propaganda in local mass media.

At the same time, each constituent entity of the Russian Federation has appointed a responsible person in charge of anti-doping support (as agreed with the Ministry), whose functions include interaction with the Ministry, all-Russian and regional sports federations, as well as with RUSADA.

The results management is handled by RUSADA, if RUSADA has initiated the testing or when there is a possible Whereabouts Failure and an athlete is in RUSADA's Registered testing pool (and is not the responsibility of the IF). RUSADA shall also investigate other possible violations of the Rules. The procedure described in the Rules follows the WADC and the International Standard on Testing.

A possible violation of the Rules shall be assigned to the Disciplinary Anti-Doping Committee for adjudicating and determining consequences - sanctions. A violation of the Rules an accusation of which is brought against an international-level or national-level athlete or other person may be heard in a single hearing directly at the CAS with the consent of the athlete concerned, RUSADA and WADA.

The rights of the athlete concerned are thoroughly described in the Rules. These include the possibility of a hearing in due time and the possibility to be represented at the hearing at the party's own expense.

The Russian sporting federations apply sanctions on the basis of and pursuant to a RUSADA decision. RUSADA will inform WADA and the international sporting federation concerned of the final decision and appeals lodged against the final decision.

A particular Disciplinary Anti-Doping Committee decision may be appealed to the National Appeal Body acting within the National Sports Arbitration Center (the "Center"). The Center is a permanent arbitration institution administering the resolution of disputes arising from professional and elite sport (among others, admission to sporting competitions, doping, imposing sporting sanctions, individual labor disputes, etc.). In short, the Center supports sports arbitration from organization and technical perspectives.

Disciplinary Anti-Doping Committee and National Appeal Body: more information is needed, including their regulations.

Here we provide extracts from the National Sports Arbitration Center Regulations which contain more detailed information concerning its power and functions.

“...As part of the administration of disputes arbitration arising from professional and elite sports in accordance with the Center Regulations and the Rules of Arbitration for Sport, the Center performs the following functions: (1) organizational and technical support of sports arbitration; (2) ensuring due process for the formation of the arbitration panels; (3) ensuring a proper procedure for considering applications for the challenge and termination of the arbitrators’ powers; (4) ensuring communication between the arbitration panel, parties to the arbitration, as well as third parties involved in the case; (5) organization of collection and distribution of arbitration fees and costs...”

The Center does not resolve sports disputes. On the contrary, duly appointed arbitration panels adjudicate sports disputes.

“... the arbitration panels adjudicate the following disputes: (1) admission to sporting competitions; (2) anti-doping rules violation; (3) imposing sporting sanctions; (4) membership issues in all-Russian sports federations, professional sports leagues; (5) athletes’ status and change in the athletes’ affiliation to professional sports clubs or sports organizations; (6) power and functions of the organizers of sporting competitions; (7) rights and obligations of the National Teams’ members; (8) delegation of rights to hold sporting competitions; (9) disputes arising from the activities of sports agents; (10) individual labor disputes between athletes and coaches in professional and elite sports...”

The Center is a structural unit of the Autonomous Non-Commercial Organization “Sports Arbitration Chamber” (the “Chamber”).

The Chamber in turn fulfills the functions of a permanent arbitration institution pursuant to Decree No. 520-p dated April 25, 2019 of the Russian Ministry of Justice on providing the right to exercise the functions of a permanent arbitration institution to the Chamber (the “Decree”, “Ministry”). The Decree was adopted by the Ministry in strict accordance with the provisions of Federal Law No. 382-FZ dated December 29, 2015 “On arbitration (arbitration proceedings)” (the “Law”). The Chamber’s sole founder is the ROC.

In pursuing their activities both the Center and Chamber fully comply with the Law’s provisions paying special attention to impartiality and independence of hearing panels (i.e. arbitrators) dealing with particular sports disputes. Thus, both the Center and Chamber satisfy the requirements found in the definitions of “Operational and Institutional Independence” (Appendix 1 to the 2021 WADC).

The Center’s arbitrators (forming particular hearing panels) include not only sports lawyers, but also (former) athletes, coaches and sports judges/referees. It allows the Center to benefit from a diverse range of knowledge and experience and in general makes the arbitration proceedings professional, efficient and impartial. No one from those arbitrators is connected with RUSADA and therefore does not represent RUSADA’s views. Every arbitrator fulfills his/her role on his/her behalf independently and impartially. No one from RUSADA employees or RUSADA bodies members is connected (directly

or indirectly) with the Center and Chamber. No one from the Center's arbitrators is retained by RUSADA for the purposes of investigating any antidoping rules violations.

As already noted above, the Center's arbitrators (forming particular hearing panels) are independent and impartial. In adjudicating sports disputes they fulfill their role exclusively on their behalf and free of any influence/interference from any third party.

Thus, in administering sports disputes resolution the Center provides to the parties involved all the guarantees prescribed by the Law's provisions. The Center's disputes resolution standards comply with the best arbitration practices.

Disciplinary Anti-Doping Committee and National Appeal Body: more information is needed, including their regulations.

As for the National Appeal Body, please see pages 21-23 of the National Report where we provide detailed extracts from the original Russian texts as to how it operates.

Please let us know if you have any concrete question we could respond to.

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.

The Ministry and RUSADA actively participate in intergovernmental anti-doping projects. Thus, the Ministry's and RUSADA's and officials regularly participate in the working sessions of the Ad hoc European Committee for the World Anti-Doping Agency (CAHAMA) hosted by the Council of Europe.

RUSADA also takes part in strengthening the existing anti-doping regulations, for example, the WADC.

RUSADA duly fulfills its financial obligations making annual payments to the WADA and to the "UNESCO Fund for the elimination of doping in sport" that specializes on educational activities.

The Approval Committee (2020-2021) of the Fund for the Elimination of Doping in Sport held its third formal meeting on 15 June 2021, hosted in Moscow by the Russian Federation – Vice-Chairperson of the Bureau of the seventh session of the Conference of Parties (COP7) and Committee member. For the first time since its creation, a private sector actor, Russian sportswear company Forward pledged a contribution to the Fund in support of sport values, ethics and integrity, as also expressed by athletes Tatyana Ivanova (Paralympian, volleyball) and Vladimir Mineev (kickboxing world champion).

In accordance with the RUSADA Letter RUSADA maintains and develops friendly and professional relations with the following foreign national anti-doping organisations:

- ☐ Anti-Doping Agency of Kenya;
- ☐ Spanish Agency for Health Protection in Sport;
- ☐ Azerbaijan National Anti-Doping Agency;
- ☐ Sport Integrity Australia;
- ☐ Nationale Anti-Doping Agentur Austria GmbH;
- ☐ Bulgarian Anti-Doping Centre;
- ☐ Canadian Centre for Ethics in Sport;
- ☐ Finnish Center for Integrity in Sports;
- ☐ NADO Italia;
- ☐ Slovak Anti-doping agency;
- ☐ Turkish Anti-Doping Commission;
- ☐ USADA;
- ☐ UKAD;
- ☐ National Anti-Doping Agency of the Republic of Belarus;
- ☐ Armenian Anti-Doping Agency; and
- ☐ Kazakhstan Anti-Doping Agency.

RUSADA's cooperation with the above national anti-doping organisations includes (1) bilateral doping samples collection; (2) conducting educational events; and (3) developing the existing anti-doping programs.

According to the RUSADA Letter RUSADA is also a member of the Institute of National Anti-Doping Organisations (the "iNADO"). Being the iNADO member RUSADA participates in all events organized by the iNADO. Thus, in 2020-2021 RUSADA takes part in webinars relating to the anti-doping activities. RUSADA also participates in research projects, discussions and in sharing experiences between the iNADO members. If needed, the iNADO consults RUSADA on the anti-doping issues. Being the iNADO member RUSADA never bypasses new relevant information and always stays abreast of what is going on in the international anti-doping community.

ANNEX 2 – PROGRAMME AND LIST OF PARTICIPANTS

PROGRAMME (version 16 September)

September 20th (Monday)

until 18:00	Arrival, transfer to the hotel “Mercure Baumanskaya” (Baumanskaya str., 54 bld.1)
18:00 – 21:00	Internal preparatory meeting of the T-DO evaluation team members

September 21st (Tuesday)

Until 08:30	Breakfast at the hotel
08:45 – 9:00	Transfer to the Ministry of Sport of the Russian Federation (Kazakova str., 18)

Meetings at the Ministry of Sport of the Russian Federation

09:30-12:00	Meeting with the Minister of Sport of the Russian Federation Mr. Oleg Matytsin <i>Participants:</i> <i>Mr Odes Baysultanov, Deputy Minister of Sport, Mr Aleksey Gorbunov, Director of Department, Education, Science & International Affairs, Ms Alina Biktimirova, Deputy Director of Department, State Regulation in Sport (Anti-Doping Division), Mr Kirill Kozhevnikov, Deputy Director of Department, Education, Science & International Affairs.</i>
12:00 – 12:30	Meeting with Ms Tatyana Pushkina, Head of Sports Medicine and Digitalization Department of the Federal medical and biological Agency (FMBA)
12:30 – 13:00	Meeting with Mr Victor Blazheev, Chairperson of the Bureau of the "National Centre for Sports Arbitration"
13:30 – 14:30	Lunch (<i>Florentine Restaurant</i>)
Laboratory session (joint)	
14:30 – 16:30	Site visit Meeting with an interim Director-General of the Moscow National anti-doping laboratory (NADL MSU) Ms Elena Mochalova; Honorary President of the Russian Olympic Committee Mr Vitaliy Smirnov
17:00-17:30	Informal dinner for the T-DO evaluation team members with the Minister of Sport of the Russian Federation
19:30	

September 22nd (Wednesday)

until 08:15	Breakfast at the hotel
08:40	Transfer to the meeting with the founders of RUSADA and the Chairperson of the RUSADA Supervisory Board (24/7 Myasnitskaya str., bld. 1, pod. 8)

RUSADA session

09:45-10:30	Meeting with representatives of RUSADA's founding organisations (Association of Lawyers of Russia and the International Centre for Health Protection)
10:30-11.00	Meeting with Ms Tamara Shashihina, Chairperson of the RUSADA Supervisory Board
Transfer to RUSADA (Begovaya Str., 6a)	
11:30-12:30	Meeting with Mr Michail Bukhanov, Acting Director General of RUSADA <i>Participants:</i> <i>RUSADA Staff</i>
12:30-13:00	Head of RUSADA Disciplinary panel
12:30 – 15:00	Lunch (<i>Florentine Restaurant</i>) and transfer to the Ministry
At the Ministry of Sport of the Russian Federation	
Sport movement session	
15:00-15:30	Meeting with Mr Stanislav Pozdnyakov, Russian Olympic Committee President <i>Participants:</i> <i>Mr Victor Berezov, Deputy Head of the Legal Department, ROC</i> <i>Ms Ekaterina Romashina, Sports Integrity Head of the unit of, Legal Department, ROC</i>
15:30-16:00	Meetings with the President of the Russian Paralympic Committee, Ms Pavel Rozhkov <i>Participants:</i> <i>Ms Guzel Idrisova, Head of Anti-Doping, Medical and Scientific-Methodological Support Department of the Russian Paralympic Committee</i>
16:30-17:00	Meetings with representatives of national sports federations: <i>Participants:</i> <i>Ms Irina Privalova, Acting President of the All-Russian Athletics Federation,</i> <i>Ms Margorita Pakhnotskaya, Independent expert of World Athletics</i> <i>Mr Victor Maigurov, President of the Russian Biathlon Union, Ms Elena Barabanova, Anti-Doping Coordinator of the Russian Biathlon Union</i>
17:00-18:00	Presentation of anti-doping education programmes at the Russian International Olympic University Ms Veronika Loginova, Advisor to the RIOU Rector on Development of Anti-Doping Programmes
September 23rd (Thursday)	
until 08:45	Breakfast at the hotel
09:00-09:45	Preparatory meeting for the Evaluation Team
09:45 – 10:00	Transfer to the Ministry
At the Ministry of Sport of the Russian Federation	
Final session (joint)	

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10:00 – 12:00

Meeting with the Minister of Sport of the Russian Federation Mr. Oleg Matytsin and T-DO Evaluation team's presentation of the main conclusions and steps forward

12:00 – 12:30

Optional - press conference

From 13:00

Lunch (optional), *Florentine Restaurant*

Drafting the report in the hotel

Departures (first part of the team)

September 24th (Friday)

T-DO evaluation team members' departure (second part of the team)

ANNEX 3 – COMPOSITION OF THE EVALUATION TEAM

Mr Michael PETROU	Head of Delegation Chair of the Monitoring Group President of the Cyprus Anti-Doping Authority
Mr Michal RYNKOWSKI	Rapporteur Vice-Chair of the Monitoring Group Director of the Polish Anti-Doping Agency
Ms Pia HASCHKE	Acting Chair of CAHAMA Head of Unit, Departmental Legal Affairs, Sport Department, Federal Ministry for Arts, Culture, the Civil Service and Sport, Republic of Austria
Ms Satu HEIKKINEN	Senior Ministerial Adviser, Division for Sport, Department for Youth and Sport Policy, Ministry of Education and Culture, Finland
Ms Ingunn HULLSTEIN	Scientific Deputy Director/Nordic APMU Manager Norwegian Doping Control Laboratory
Council of Europe:	
Ms Sophie KWASNY	Head of Sport Conventions
Mr Julien ATTUIL -KAYSER	Head of Anti-Doping Unit
Ms Liene KOZLOVSKA	Senior Programme Manager, Anti-Doping Convention

ANNEX 4 – COMMENTS PROVIDED BY THE RUSSIAN AUTHORITIES TO THE REPORT



MINISTRY OF SPORT OF THE RUSSIAN FEDERATION

Moscow, Kazakova str., 18, 105064, tel.: +7(495) 720 53 80, fax: +7 (495) 995 05 51

December 9th, 2021

Dear members of the T-DO evaluation team,

The Ministry of Sport of the Russian Federation commends you for the evaluation visit to Russia undertaken on September 21-23, 2021 and a thorough work on the preparation of the report.

The Russian side considers the visit and the publication of the report as a step forward in the anti-doping cooperation between Russia and the Council of Europe as well as a great and unique opportunity to further improve and enhance the national anti-doping system. In this regard, we will carefully study and analyze the findings and recommendations presented in the report as it lays a solid foundation for the future work in this field.

Given our mutual commitment to strengthening the anti-doping collaboration between Moscow and Strasbourg, I would like to invite the members of the T-DO evaluation team and the Secretariat of the Council of Europe to organize a special event in Russia for the presentation of the report after its official release in January 2022.

We look forward to continued mutual cooperation in the interest of sports integrity.

Minister of Sport
of the Russian Federation

A handwritten signature in black ink, appearing to be 'Oleg Matytsin', written in a cursive style.

Oleg Matytsin

THE MONITORING GROUP OF THE ANTI-DOPING
CONVENTION OF THE COUNCIL OF EUROPE

Strasbourg