

6 October 2018

By email

Dear Ms Aggar,

I am writing in reference to your letter of yesterday, for which I thank you.

You close your letter by saying that the athlete community is losing patience with WADA. From my perspective there seems to be a complete unwillingness from a vocal few to even consider that the WADA Executive Committee (ExCo) decision of [20 September 2018](#) may in fact be in the interest of clean athletes.

The overwhelming majority of WADA's ExCo, which includes representatives from athletes, the sport movement and governments, believe reinstating the Russian Anti-Doping Agency (RUSADA) to compliance with the World Anti-Doping Code (Code), under a strict set of conditions, was the right thing to do for world sport and for clean athletes.

Russia has now accepted — for the first time — that there was indeed systemic doping organized with the implication of people working within the Ministry of Sport. It has also agreed to provide access for independent experts to vital data from the hitherto sealed-off former Moscow Laboratory so that more cheats can be brought to justice and clean athletes vindicated. As we have repeatedly said, access to the Laboratory Information System (LIMS) and its underlying data, as well as specific samples, from the former Moscow Laboratory is the missing piece of the puzzle for WADA. This will help conclude WADA's McLaren and Operation LIMS investigations and, through that, prosecute cheaters as well as exonerate innocent athletes. These are the remaining steps as laid out in the 31-point [RUSADA Roadmap to Code Compliance](#). Should the Russian authorities fail to permit laboratory access by 31 December 2018, it will result in non-compliance for RUSADA once again. The goalpost was never moved, our objective has never changed; we have simply now agreed how to achieve it.

It is important to remember that the ExCo decision was made via a democratic process, based on a vote that resulted in nine members voting in favour; two voting against; and one abstaining. The decision was based on a recommendation made by WADA's independent Compliance Review Committee (CRC). While you are certainly entitled to have a differing view, does this democratic process not deserve a minimum of consideration and some respect?

WADA Athlete Committee Chair Beckie Scott, who was previously a member of the CRC, participated fully throughout the elaboration of the proposal. She agreed with the

recommendation that was submitted by the CRC to WADA and to Russia back in June, before being approved by the WADA ExCo. As an experienced athlete representative, Ms. Scott was intimately involved in every step of the process. You too, as a member of the WADA Athlete Committee, had the opportunity to ask questions or express dissatisfaction to the CRC Chair, Jonathan Taylor, in a conference call organized for the WADA Athlete Committee following the CRC's recommendation. Yet dissatisfaction has only ever been conveyed publically.

You say that I have tried to justify this democratic decision. This is simply not the case. I have endeavoured to explain what is a complex and, to some, unpopular decision that I support. Because of its complexity, it does require one to want to understand the rationale and to be prepared to leave the emotion aside and think of the end game.

Let me explain why I support the CRC's recommendation, which its members, and I, remain convinced today is the best path forward outside and inside Russia.

1. First of all, we now have a clear and strict timeline by which we must receive the data from the Moscow laboratory.

Is this not what we all want?

In your letter, you speak about Russian athletes that should be sanctioned and removed from competition. If that is indeed the case (and I stress that in a number of cases we do not currently have sufficient evidence to support it) access to the Moscow Laboratory data will help us first identify further potential doping cheats, and then help Anti-Doping Organizations build and prosecute strong cases against them.

2. Second, compiling enough evidence for each case is a momentous task. For a number of cases, what WADA currently has, or what the International Federations have, is not sufficiently robust to withstand legal challenge.

This is why getting access to the data within a firm deadline, 31 December 2018, as opposed to having no deadline, is much better than the status quo. And there is real urgency here because, as you rightly point out, other than Athletics and sports under the International Paralympic Committee, all Russian athletes are competing today. This in itself should justify the decision we took.

Of course there remains the possibility that the Russian authorities do not uphold their commitment to grant access to the data by 31 December. If that is the case, rest assured that we will respond immediately. For the first time, under WADA's new [International Standard for Compliance by Signatories](#) that came into effect on 1 April 2018, there is a legal framework to sanction. Remember, when we first issued the RUSADA Roadmap to Code Compliance in August 2017, that framework simply did not exist. In my view, this is a second strong reason to support the CRC recommendation and subsequently the decision by the ExCo.

3. Thirdly, you criticise WADA for not having been vocal enough in relation to the 4 October announcement by the Federal Bureau of Investigation (FBI) and US Department of



- 3 -

Justice (DOJ) that they had charged a number of individuals in connection with hacking and other cyber-crimes against WADA and other targets dating back to 2016.

To be clear: WADA welcomed this week's announcement (the statement that was provided to media is appended below); and WADA has led the condemnation since [September 2016](#), when we were the first to denounce this criminal activity that sought to undermine the Agency and anti-doping, and to ask the Russian Government to do everything in its power to make it stop. Of course we welcome some closure to what was a very difficult period that saw athletes' rights being violated. But our priority today is action that protects the clean athlete – like securing laboratory data – rather than words.

Maybe one day the Russian authorities might have accepted the roadmap conditions to the letter; maybe not. But while we waited and argued, the competitions still carried on and potential cheats still competed. We lacked the data necessary to prosecute (or clear) a number of cases and ultimately we risked a return to the previous regime. Now we have a deadline to obtain the data and we have the legal power to force change.

Finally, as a member of WADA's Athlete Committee, you are most certainly aware that in November 2016, WADA launched a governance review process to ensure that the Agency's governance is fit for purpose. While I am not involved in the process, WADA's Athlete Committee, as well as other athlete groups, are participating in this group that is chaired by an independent person and consists of stakeholder groups as well as independent governance experts. I look forward to hearing its outcomes, which will have followed a well-structured process and allowed all stakeholders to contribute to the strengthening of our governance in the interest of clean sport. This process, too, deserves respect and patience.

In the meantime, we are resolutely focused on obtaining the data by 31 December 2018.

Yours sincerely,

Sir Craig Reedie
President



WADA statement of 4 October

The World Anti-Doping Agency (WADA) notes the announcement today by the Federal Bureau of Investigation (FBI) and US Department of Justice (DOJ) that they have charged a number of individuals in connection with a range of alleged offences, including hacking and other cyber-crimes dating back to 2016.

The alleged criminal activity as outlined in these indictments and as it pertains to WADA, sought to violate athletes' rights by exposing personal and private data – often then modifying them – and ultimately undermine the work of WADA and its partners in the protection of clean sport.

As an organization that takes cyber-security and data privacy very seriously, WADA was pleased to collaborate with the FBI and DOJ in their investigations, as well as other law enforcement agencies in other countries, including the United Kingdom.

As a matter of course, the Agency closely and continually monitors its Anti-Doping Administration and Management System (ADAMS) and its other systems and regularly updates and strengthens its defences – both in terms of technological advancements and by ensuring our users are aware of and properly educated regarding security. Since the breach in 2016, WADA has taken numerous further improvement measures with respect to ADAMS, including:

- Implementing additional authentication controls;
- Enhancing security logging and the monitoring program;
- Completing a full assessment to enhance vulnerability and security controls;
- Advising all ADAMS users to vigilantly monitor their electronic communications and remain alert for attempted phishing schemes; and
- Implementing mandatory courses for all employees to further alert and educate them to cyber risks.

There is no evidence of any breach of WADA's systems having occurred since 2016. WADA continues to operate a close and permanent monitoring of its systems.

Background

Before and during the 2016 Rio Olympic Games, third-party hackers targeted a number of WADA and IOC email accounts for an email spear-phishing attack, which led to the compromise of certain ADAMS passwords.

In September 2016, the cyber espionage group "Fancy Bear" started releasing on its website batches of confidential athlete data regarding Therapeutic Use Exemptions (TUEs).

Fancy Bear illegally obtained the data from an account in ADAMS created especially for the Rio 2016 Olympic Games and therefore had access to the TUE history of athletes that participated in the Games.

The broader ADAMS was not compromised in the attack.



As soon as WADA became aware of the breach of that ADAMS account in September 2016, the Agency took the following action to secure the system and contain the known impact:

- Deactivation of all Rio 2016 ADAMS accounts;
- Disabling the self-service "forgot password" reset feature;
- Increasing logging capabilities related to security events;
- Increasing monitoring of logs and network activity;
- Enabling personal verification questions; and
- Deactivating of dormant accounts.

WADA also promptly engaged FireEye Inc., d/b/a Mandiant, a premier security and forensic consulting firm, to conduct a thorough and comprehensive investigation of WADA's assets, networks, and systems, including ADAMS, to determine the scope of the intrusion and access to data stored on such systems, and to contain any ongoing threat.