

2003 WORLD ANTI-DOPING CODE OFFICIAL REPORT AS OF 31 DECEMBER 2008

STATUS OF SIGNATORIES WHOSE COMPLIANCE HAS TO BE FULLY MONITORED BY WADA, CONCERNING THE 2003 CODE

1) Activity performed and situation as of 31 December 2008

At the November 2006 Executive Committee and Foundation Board meeting, an implementation report was tabled and it was decided to present a final report on the level of compliance in November 2008.

At the May 2007 Executive Committee and Foundation Board meeting, a first interim Code compliance report was tabled to provide an overview of the level of Code compliance at that time.

At the September 2007 WADA Executive Committee meeting, a second interim Code compliance report was tabled. This report indicated that the majority of Summer and Winter Olympic International Sports Federations (IFs), as well as Recognized Federations had been successful in establishing anti-doping rules in line with the Code; a major step in achieving Code compliance. Subsequently, the major task for WADA was to ensure that these signatories were carrying out their anti-doping programs in accordance with their Code-compliant rules, and to report accordingly. Based on the same report, it was apparent that more work was required by many National Anti-Doping Organizations (NADOs), National Olympic Committees (NOCs) and non-Olympic/non-Recognized Federations to achieve compliance.

At the November 2007 Executive Committee meeting, the Code Compliance Monitoring Plan developed by WADA Management was approved. In light of this plan, WADA is required to fully monitor compliance of Olympic IFs, IOC-recognized IFs, non-IOC-recognized GAISF members, and NADOs. Pursuant to the same plan, WADA is to review the rules of NOCs, Major Event Organizations, as well as the IFs that are not part of the aforementioned categories, in order to ensure that they are in line with the Code. It is to monitor their answers provided by them directly to the on-line survey on Code compliance, but does not fully monitor their compliance.

At the May 2008 Executive Committee and Foundation Board meetings, a third interim Code compliance report was tabled in order to provide an overview of the situation and the planned approach for the ensuing months. This second interim Code compliance report indicated that additional NADOs, NOCs and non-Olympic/non-Recognized Federations had been successful in establishing anti-doping rules in line with the Code, but more work was still required by some in this respect.

At the September 2008 Executive Committee meeting, a fourth interim Code compliance report provided an overview of the level of Code compliance and the planned approach for the ensuing months. This fourth interim Code compliance report showed general progress for NADOs, NOCs and non-Olympic/non-Recognized Federations, but still showed that more work was required with some of the signatories.

During the same meeting, a new Code Compliance Assistance Strategy, to be effective only for the final 2008 Code compliance report, was approved.

In particular, it was decided that:

- Those NOCs and NADOs that are part of a RADO structure were to be deemed compliant or provisionally compliant, provided they had entirely committed to their respective RADO and their operations.
- As for the application of Article 23.4.3 of the Code, in order to identify the “extraordinary situations”, WADA should take into consideration the economic and political situation as well as the sports’ records and history of each country.
- For Code compliance purposes, any IF, NADO or NOC acting as a NADO should have within its rules, provisions in line with the Code and implemented these rules in practice in the following fields: Anti-Doping Rule Violations, Sanctions, Right for WADA to appeal, Out-of-Competition Testing, and respect of the International Standards.

As mentioned above, at the meeting of 23 November 2008, the Foundation Board decided to postpone its decision on compliance with the Code that entered into force on 1 January 2004, until the next Board meeting in May 2009. Following this decision, WADA kept working closely particularly with those signatories that still needed special assistance and guidance.

The situation can be summarized as follows:

A) International Federations

1) Implementation of the Code

As of 31 December 2008, none of the Summer and Winter Olympic IFs, IOC Recognized IFs and GAISF IFs without IOC Recognition status had major problems in implementing the Code into their rules, also taking into consideration the efforts made by some Federations to improve certain aspects of their rules during the revision process relating to the revised Code.

2) Enforcement of anti-doping

While monitoring compliance, WADA has requested all Federations provide evidence that they were conducting a consistent Out-of-Competition testing program. Most of the Federations responded to this request. WADA has also based its assessment on its own knowledge of the testing activity conducted by signatories and on other available information.

2a) Summer and Winter Olympic IFs

As of 31 December 2008, the following Federations still needed special assistance and guidance, considering that they hadn’t provided full evidence of the establishment of a consistent Out-of-Competition Testing program: Gymnastics (FIG), Wrestling (FILA), Volleyball (FIVB), Handball (IHF) and Modern Pentathlon (UIPM). The further developments have been taken into

consideration in the status report concerning the Code that entered into force on 1 January 2009.

As for the case concerning Weightlifting in 2006, which was tabled at the previous meetings, WADA has recently received information from the IWF indicating that this Federation is doing the expected follow up work on the case.

2b) IOC Recognized IFs

As of 31 December 2008, the following Federations still needed special assistance and guidance, considering that they hadn't provided full evidence of the establishment of a consistent Out-of-Competition Testing program: Air Sports (FAI), Bandy (FIB), Motorcycling (FIM), Polo (FIP), Bowling (FIQ), Roller Sports (FIRS), Cricket (ICC), Sumo (IFS), Surfing (ISA), Water Ski (IWSF), Wushu (IWUF), Tug of War (TWIF), Mountaineering and Climbing (UIAA), Bridge (WBF) and Billiards Sports (WCBS). The further developments have been taken into consideration in the status report concerning the Code that entered into force on 1 January 2009.

2c) GAISF IFs without IOC Recognition status

As of 31 December 2008, the following Federations still needed special assistance and guidance, considering that they hadn't provided full evidence of the establishment of a consistent Out-of-Competition Testing program: Angling (CIPS), Sambo (FIAS), Kendo (FIK), Draughts (FMJD), Aikido (IAF), Casting (ICSF), Dragon Boat (IDBF), Fistball (IFA), American Football (IFAF), Muaythai (IFMA), Go (IGF), Sepaktakraw (ISTAF), Ju-Jitsu (JJIF), Darts (WDF) and Flying Disc (WFDF). The further developments have been taken into consideration in the status report concerning the Code that entered into force on 1 January 2009.

B) NADOs

Pursuant to the Code Compliance Monitoring Plan approved in November 2007, we are monitoring compliance of NADOs. This category includes not only the individual NADOs but also the NOCs that act as NADOs in those countries where an official NADO has not yet been established.

1) Implementation of the Code

As for those countries which are RADO members (12 members in Europe, 22 in the Americas, 37 in Asia, 45 in Africa and 6 in Oceania), following the decision adopted by the Executive Committee at its meeting of 20 September 2008 (see chapter 1 above) and valid only for the compliance exercise concerning the Code that entered into force in 2004, NADOs and NOCs acting as NADOs have been deemed compliant or provisionally compliant, provided they have entirely committed to their respective RADO and its operations.

For the non-RADO members, as of 31 December 2008, the NADOs (or NOCs acting as NADOs) of Bolivia, Bulgaria, the City of Brussels-Joint Communities

Commission¹, Israel, Korea (Democratic Republic of), Lithuania, San Marino and Turkey did not have rules fully in line with the Code or at least provisions in line with the Code in the five fields identified by the Executive Committee at its meeting on 20 September 2008 (see chapter 1 above), had not provided WADA with full evidence that they were in the process of adopting rules in line with the revised Code, and could not be excused in the light of Code Article 23.4.3.

In addition, as for the German Community acting as a NADO in Belgium, this entity had neither formally accepted the Code nor sent its rules to WADA, despite several requests from WADA in this respect. The Belgian NOC has not been acting as a NADO taking into consideration the existence of this entity. Therefore, as of 31 December 2008 the German Community acting as a NADO in Belgium still required special assistance and guidance.

2) Enforcement of anti-doping

WADA has acknowledged that those NADOs (or NOCs acting as NADOs) which had rules in line with the Code were conducting In- and Out-of-Competition testing on a regular basis, as being the core reason for their establishment and existence.

2) Conclusions

WADA acknowledges the general progress which has been made towards Code compliance by its signatories and congratulates them for their efforts in this respect.

WADA has provided information concerning the situation as of 31 December 2008 and taking into consideration that the Code that entered into force on 1 January 2004 is not in effect anymore, WADA recommends that the Foundation Board acknowledge this status report, and regards it as completed because it is now not possible to achieve any work to comply with outdated rules. This recommendation is also based on independent legal advice received by WADA on this point.

¹ Belgium has four NADOs, namely the Flemish, French and German communities, as well as the city of Brussels-Joint Communities Commission.