



MERSIN 2013 MEDITERRANEAN GAMES

Report of the World Anti-Doping Agency Independent Observer Team

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*The Independent Observer Team
Mersin 2013 Mediterranean Games*

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1. INTRODUCTION

The following report contains a summary of the Independent Observer (IO) Mission findings at the Mersin 2013 Mediterranean Games (the Games). It summarizes and underlines the strengths and areas for improvement of the anti-doping program which were already shared with the Medical Commission (MC) of the International Committee of the Mediterranean Games (ICMG) and representatives of the National Olympic Committee of Turkey (NOCT) in charge of anti-doping services during the Games.

1.1 Agreement

An agreement was signed between the World Anti-Doping Agency (WADA) and the ICMG which outlined the framework of the IO Mission and specifically included Test Distribution Planning (TDP); Selection of competitors; Notification for doping control (DC); Therapeutic Use Exemption (TUE) procedures; Sample collection procedures; Transport and chain of custody of samples; and Result Management (RM) processes including all hearings.

The period of the observation was from three days prior to the Opening Ceremony, namely 17 June 2013, until and including the third day of the Games, 23 June 2013.

1.2 Independent Observer Team

The IO Team consisted of the following two members:

- Dr Michael Petrou – President, Cyprus Anti-Doping Authority (Cyprus) – IO Team Chair; and
- Ms Natalie Grenier – Manager, Standards and Harmonisation, WADA (Canada).

1.3 Objective

As in all IO Missions, the aim of this Mission was to ensure that procedures followed during doping controls were compliant with the World Anti-Doping Code, fair and unbiased, strengthening athlete and public confidence in the doping control programme in place. The task of the IO was to observe the different phases of the doping control process in a neutral and unbiased manner, to verify that appropriate procedures were followed and to provide their observations and recommendations in interim reports to the ICMG MC to assist them in delivering the doping control programme for the Games and a final public report that could benefit not only the future anti-doping programmes at the Mediterranean Games but also other Major Sporting Event Organisers.

1.4 Methodology

The methodology that was followed in this Mission was more of an “Audit” style which provided for feedback to the ICMG MC on a regular basis to assist them in

delivering the doping control programme for the Games. This approach is different from the “observation only” type of IO Missions which have formerly applied in Major Events.

The IO Team observed all aspects of the doping control programme to a sufficient level to be able to draw valid conclusions about the accuracy of the application of the Doping Control programme. It should be clarified that, in accordance with the Agreement, observation was not limited to the period the IO Team was present in Mersin but continued throughout the period of the Games via the Anti-Doping Administration & Management System (ADAMS) and the paperwork provided as well as via teleconference (in the case of a hearing).

The IO Team visited the Doping Control Stations (DCS) and observed the testing processes across the venues including the Mediterranean Games Village (Village) for a sufficient number of sample collection sessions. The IO Team also visited the Polyclinic at the Village which served as a sorting station which received all the samples collected from the various venues and delivered them to the courier company for transportation to the WADA-accredited Laboratory in Athens. The IO Team was also present at a hearing (via teleconference).

The IO Team met daily with the ICMG MC and representatives of the NOCT in charge of Anti-Doping. The observations and recommendations of the IO Team were presented at the daily meeting and then confirmed in writing. Apart from the observations and recommendations during the meetings other issues such as the TDP, TUEs, whereabouts and the use of ADAMS were discussed.

2. RULES AND PROCEDURES

The rules and procedures in place for DC during these Games were contained in the ICMG Anti-Doping Rules applicable to the Games (the “Rules”). Given that the Rules were reviewed and deemed compliant with the World Anti-Doping Code, the IO Team aimed to report only on the operations and activities upon the occasion of the Games in relation to such Rules.

The IO Team observed a meeting organized by the MC of the ICMG to which the medical staff of the participating national teams was invited. Unfortunately, the meeting was scheduled two days before the start of the Games and a number of nations had not yet arrived in Mersin. Moreover, during that meeting little was said about the Rules and anti-doping in general.

Recommendation

- The ICMG MC should ensure that the rules are reviewed in light of all the recommendations from previous Mediterranean Games Independent Observer reports.

- The ICMG MC should consider planning the meeting with the medical staff on a day where the maximum possible participation is anticipated. In addition, ICMG MC should take advantage of such meetings with medical doctors as an opportunity to present important elements of the Rules and provide more educational material.

3. TEST DISTRIBUTION PLANNING AND WHEREABOUTS

3.1 Risk Assessment and Test Distribution Planning

The Games involved 13 days of competition across 36 venues (13 of them for training purposes only). The Games included 121 final events in 27 different sports, including two disabled sports, and a total of 3,085 athletes from 24 different nations. The anti-doping program ran from the date of the opening of the Village, 15 June 2013, through to the end of the day of the Closing Ceremony, on 30 June 2013.

The IO Team had a discussion with the ICMG MC about the TDP. Details were obtained on the total number of planned tests (309 including 36 EPO and 30 blood samples). All samples were to be collected "post competition" and the athletes to be tested were to be selected randomly, based mainly on their ranking, whereas a small number of samples were to be collected "pre-competition" ("post-competition" to "pre-competition" ratio of 10:1); 10% of which were to be blood tests. The ICMG MC gave a comprehensive rationale for the number of planned samples (10% of participating athletes were expected to be tested) and the split of the urine and blood samples, both "post-competition" and "pre-competition". Further, the ICMG MC gave a detailed rationale for the split between sports and disciplines, and also the selection of athletes targeted for testing "pre-competition".

A total of 311 urine and 24 blood samples were collected in the end. Forty-six (46), from 44 athletes, of the collected urine samples were analysed for erythropoietin (EPO). (See also section 4.7 on Sample Analysis).

The IO Team was advised that, even though in the Rules the "in-competition period" was defined as the day of the opening of the Village (i.e. 15 of June, 2013), testing started on 19 June, 2013. Moreover, the IO Team observed that the "pre-competition" testing which was planned to take place on the day of the Opening Ceremony (i.e. 20 of June 2013) was conducted on 21 June 2013 instead, "for logistical reasons". It is the IO Team's opinion that testing should start as early as possible after athletes' arrival to the Village for detection as well as deterrence purposes.

The IO Team also observed that the MC of the ICMG communicated with a number of International Federations (IFs) as well as WADA and gathered intelligence before and during the Games with the goal of targeting athletes at highest risk for doping.

The IO Team was informed that no alcohol testing was planned during the Games.

Recommendations

- The ICMG MC should consider extending the testing program throughout the period of the Games, when athletes' arrival schedules or competition calendar so require, in accordance with its own definition of OOCT, so as to assist the detection of doping and to act as a further deterrent to athletes.
- The IO Team encourages the ICMG MC to consider contacting more Anti-Doping Organizations (ADOs) such as NADOs and IFs to collect intelligence before the Games for target testing.
- The ICMG MC should consider including alcohol testing for those sports where it is prohibited.

3.2 Whereabouts

Articles 5.4.1 to 5.4.3 of the Rules require participating athletes to submit their whereabouts for the period of the Games: if an athlete is part of a Registered Testing Pool (RTP) he or she must provide detailed whereabouts, as determined in the International Standard for Testing (IST) whereas the rest of the athletes are required to provide the ICMG with their room number, training schedule and location, only. Article 5.4.4 of the Rules states that *"Any NOC which fails to comply with the requirements in relation to whereabouts information and provision of other information such as training schedules and rooming lists as set out in these Rules, may be subject to sanctions as stipulated by the Code"*.

The IO Team observed that the ICMG MC did not examine whether participating athletes had fulfilled their whereabouts obligation under Articles 5.4.1 to 5.4.3 of the Rules. Moreover, the IO Team observed during the "pre-competition" testing a few situations where some athletes had only been located after several attempts based on the delegations' rooming lists.

The IO Team acknowledges that looking for athletes based on the rooming lists is more practical and that managing detailed whereabouts for all athletes present at the Games is a considerable task; However, it is the IO Team's belief that the ICMG MC should ensure that RTP athletes maintain their obligation of submitting detailed whereabouts (including the 60-minute time slot) during the period of the Games as described in the IST Article 11.3 *Whereabouts Filing Requirements* and that this information should be used when required.

Recommendation

- The ICMG should encourage all Delegations and/or athletes to comply with the whereabouts requirements in accordance with the IST and consider imposing sanctions in case of non-compliance.

4. SAMPLE COLLECTION, TRANSPORTATION AND ANALYSIS

4.1 Doping Control Personnel

The IO Team observed the doping control personnel [Doping Control Officers (DCOs), Blood Collection Officers (BCOs) and Chaperones] carrying out their responsibilities during the Games. The IO Team also attended a meeting of the ICMG MC with DCOs and Chaperones which took place on the day before the Opening of the Games and aimed to ensure consistency in sample collection procedures.

DCOs were all qualified sports physicians while chaperones were medical students recruited and trained specifically for the Games. The overriding impression was that the doping control personnel were generally well trained.

4.2 Doping Control Stations

The overall impression is that the size, location and accessibility of the doping control stations (DCSs) were appropriate for the testing conducted during the Games even though in a number of venues the DCS was not sufficiently large to cope with the test distribution plan for that venue. In some venues the same processing room was shared and sample collection sessions were conducted in parallel for two athletes.

The IO team observed that no anti-doping educational resources (e.g., flyers, leaflets etc.) were available in the waiting areas of the DCS. When this observation was raised, the ICMG MC advised the IO Team that a number of different educational resources were to be made available; however, this was not the case at least for the period the IO Team was present in Mersin.

Recommendations

- The ICMG MC should ensure that athlete privacy is well protected especially during the sample collection session.
- The ICMG MC should take advantage of the Games as an opportunity to provide educational material to athletes and athlete support personnel in the DCS.

4.3 Notification and Chaperoning of Athletes

The IO Team observed notifications post-, and pre-competition at various venues and at the Village, respectively. The overall impression is that notifications were carried out in accordance with the IST.

In the case of pre-competition testing, where DCOs/chaperones need to inquire via support personnel in trying to locate an athlete, it was observed that a member of a team used his telephone to call the athlete without any reaction from the DCO/chaperone. This cannot be allowed since pre-competition tests must be at no-advance notice to the athlete.

The IO Team noticed that the athletes were not always informed of their rights and responsibilities. The IO Team also noticed, on some occasions, that athletes were not under constant observation after notification (e.g., at the pre-competition testing at the Village) and that in a few cases notification took place in front of the spectators whereas this could have been avoided without harming the notification process. These observations were raised with the ICMG MC and improvement was observed.

Recommendations

- DCOs/chaperones must ensure that pre-competition tests are without advance notice.
- Even though sufficient information was not available in order to locate athletes prior to competition at the Village, DCOs/chaperones should do what is reasonable in the circumstances to locate the athlete. Once the location is identified the DCO/chaperone should find the athlete in order to notify him or her, as soon as possible.
- The ICMG MC should ensure that athletes are informed of their rights and responsibilities by chaperones and ensure that this requirement is not overlooked during the notification process.
- The ICMG MC should ensure that chaperones remain focused on the athlete at all times so that constant observation is maintained.
- The ICMG MC should ensure that the privacy of the athlete is well protected during the notification process.

4.4 Sample Collection Process

The IO Team's overall impression was that the sample collection procedures observed were of sufficient quality for both urine and blood.

The IO Team observed that access to the sample processing room was not as tight as the IO Team expected it to be. It is the IO Team's belief that once an athlete had entered the sample processing room and the actual sample collection process had started, individuals should not enter or exit unless under exceptional circumstances. This will ensure respect of not only the privacy of the athletes but also of the DCOs who are responsible for the procedure. On a number of occasions authorised people entered and exited the sample processing room when the actual sample collection session was in progress. This was raised with the ICMG MC and improvement was observed.

It was observed that, on some occasions, during the sample collection session, athletes were invited to write down their medications in their own language on the Doping Control Form (DCF) despite the presence of the athlete's representative and/or an interpreter. Since this information is meant to be utilized by the doping

control laboratory as well as for the purpose of results management it would be preferable to get the information in English or French. This issue was raised with the ICMG MC and improvement was observed.

Recommendations

- The ICMG MC should ensure that the rights and privacy of athletes during the sample collection session are respected by ensuring that only under exceptional circumstances should authorised individuals be allowed to enter or exit the sample processing room after the start of the actual sample collection session.
- The ICMG MC should ensure that the information collected on the DCFs is in English or in French.

4.5 Transport of Samples and Chain of Custody

After sample collection, samples were stored in a refrigerator and when the session was complete all collected samples were sealed in a plastic bag and delivered, by the Lead DCO, to the Polyclinic at the Village. All samples were stored in a refrigerator until pick-up by a courier company contracted by NOCT and transported to the accredited Laboratory in Athens every day.

The IO Team observed that the refrigerators at both the DCS and the Polyclinic were not lockable. This was identified to the ICMG MC and extra measures were taken to improve the security of samples at the Polyclinic.

The IO Team observed that on one occasion, when the sample collection session was completed, the samples remained in the possession of the Lead DCO at his hotel room and were delivered to the Polyclinic the next day. As per the IST, samples should be transported to the Laboratory as soon as practicable after the completion of the sample collection session. In that particular incidence, even though the samples were sealed in a plastic bag and their integrity and security were protected, it is the IO Team's belief that arrangements could have been made for the transportation of samples after the completion of the sample collection session. Timely receipt of the samples provides for expedient reporting of analysis results by the Laboratory.

Recommendation

- The ICMG MC should ensure that samples are transported to the Laboratory as soon as practicable after the completion of the doping control session.

4.6 Documentation

The DCF as well as the other forms used had been tailored specifically for the Games, in English and Turkish.

The IO Team reviewed the sample collection documentation and it is the IO Team's overall impression that the doping control personnel demonstrated sufficient quality

in dealing with the documentation even though some important omissions on the DCFs were observed.

Recommendations

- The ICMG MC should ensure that rigorous procedures are in place for dealing with sample collection documentation to prevent omissions and/or mistakes.

4.7 Sample Analysis

For the analysis of samples, the WADA-Accredited Laboratory of Athens, Greece (the Laboratory) was selected and an agreement between the NOCT and the Laboratory was signed. All urine samples were analysed for the full in-competition menu including EPO on 46 samples (from 44 athletes) and *isotope ratio mass spectrometry (IRMS)* on three samples. All blood samples were analysed for *recombinant Growth Hormone (hGH)*; three blood samples were additionally analysed for *Continuous Erythropoietin Receptor Activator (CERA)*.

As per the agreement between the Laboratory and the NOCT, the analysis of samples was completed within 48 hours from sample receipt. No encrypted and confidential facsimile was available to the ICMG MC during the Games, as per their own Rules and therefore all results were uploaded into ADAMS only.

Article 6.3 of the Rules provides for the reanalysis of samples "*at any time at the direction of the ICMG or WADA*". The ICMG MC advised the IO Team that no arrangements have been made for long storage of samples and re-analysis of a number of them at some future stage, within the 8-year period.

Recommendations

- The ICMG MC could consider developing specific testing strategies for targeted athletes that include all available prohibited substances and methods in the future.
- The ICMG MC could consider developing a strategy for the re-analysis of those samples collected during the Games, jointly with the concerned NADOs and IFs.
- The ICMG should ensure that all analytical results continue to be reported to ADAMS by the responsible laboratory and have the Rules amended accordingly.

5. THERAPEUTIC USE EXEMPTION (TUE)

In accordance with the Rules, ICMG has clear provisions for the TUE process before and during the Games. TUE applications before the Games are submitted to the relevant NADO or IF and the approval is valid during the Games. Even though the Rules indicate that "*All TUE Certificate of Approval granted by the relevant IF or*

NADO should be forwarded to the Medical Commission of ICMG by e-mail not later than 15 days before the date of the opening ceremony of the Games” the IO Team observed that only a limited number of delegations had fulfilled this obligation. As a result of this, there was an AAF where the athlete had a valid TUE granted by his NADO and he was provisionally suspended for more than three weeks before the ICMG MC was provided with the TUE Certificate of Approval and only then was able to lift the suspension.

In accordance with the Rules, a TUE Committee (TUEC) is formed to review TUE applications submitted during the Games. The IO Team was provided with the composition of the TUEC during the Games. However, on the TUE certificate that was issued following the only application reviewed during the Games, the composition of the TUEC was different. In addition, the President and the members of the TUEC were all members of the ICMG MC. Article 6.1 of the International Standard for TUE clearly indicates that *“In order to ensure a level of independence of decisions the majority of the members of any TUEC should be free of conflicts of interest or political responsibility in the Anti-Doping Organisation”* whereas in WADA’s TUE Guidelines it is stated that *“Ideally, (...) all members of the TUECs should be independent of the ADO”*. Therefore the composition of the TUEC and the multiple roles the members of the ICMG MC have to combine during the Games is of concern. (See also under Results Management).

Recommendations

- The ICMG MC should ensure that all delegations respect the Rules regarding the submission of granted TUE Certificates and might consider the application of sanctions for those delegations that are not compliant.
- The ICMG MC should ensure that the members of the TUEC are independent from the ICMG MC to eliminate conflicts of interest.

6. RESULTS MANAGEMENT

During the Games the IO Team noted two AAFs. One resulted in a hearing before the ICMG Disciplinary Commission and the provisional suspension of the athlete concerned while the other resulted in the provisional suspension of the athlete but was later reversed when the athlete provided the ICMG with a valid TUE Certificate for the substance detected in his sample. Both AAFs were reported after the IO Team left Mersin but the processes were followed through examination of the correspondence and documents related to the cases, and attendance of the hearing via teleconference.

It is the IO Team’s impression that the hearing was managed in a way that protected the athlete’s right to a fair process even though the athlete himself was not present at the hearing. However, based upon the observations collected during the management of this case, the IO Team raises the following issues:

- The composition of the hearing panel differed from the one that appeared on the signed Decision issued by the panel, as a panel member present at the hearing was not listed on the Decision.
- The IO Team observed that, even though the athlete had waived his right for the analysis of his B sample and his decision was promptly communicated to the Laboratory by his National Olympic Committee, no further action was taken by the ICMG towards the finalization of the panel's Decision, i.e. to cancel his results and forfeit the medals won at the Games until this was raised by the IO Team almost a month after the hearing.
- Article 8.1.2 of the Rules indicates that "*the consequences of anti-doping violations beyond the disqualification (...) including in relation to the imposition of other sanctions beyond those relating to the Mediterranean Games, will be managed by the competent National Anti-Doping Organisation or by the relevant International Federation*". However, it is not clear to the IO Team whether the jurisdiction was passed on to the NADO or the IF concerned or whether a final decision has been rendered.
- The IO Team is concerned that for the same rule violation athletes are required to go through two different hearing panels, i.e. the ICMG Disciplinary Commission which decides about provisional suspension and disqualification of the athlete's result obtained during the Games only, and the hearing panel of the relevant NADO or IF for sanctions beyond those related to the Games.
- The IO Team has concerns about the impartiality of the Disciplinary Commission considering that some of its members are also members of the ICMG MC and are highly involved in operating the Games anti-doping programme. The fact that members of the ADC have to combine multiple roles could lead to perceived or real challenges related to their independence and impartiality.

The other AAF was for a beta-2 agonist which is a specified substance and was returned by an athlete who had a valid TUE for the substance detected, granted by the TUEC of his NADO before the Games. The AAF was reported after the conclusion of the Games and the athlete was notified of the analysis results and his provisional suspension by letter. The athlete then provided the ICMG with his TUE Certificate and the ICMG closed the case almost a month later. It is the IO Team's belief that the provisional suspension of the athlete could have been avoided if the initial review regarding the AAF had determined that an applicable TUE had been granted (Code Article 7.1) or the ICMG MC had given clear instructions to the Laboratory for reporting findings with beta-2 agonists as a presumptive analytical finding instead of an AAF (International Standard for Laboratories Article 5.2.4.3.1.1).

It is the IO Team's opinion that the management of the above-mentioned cases elucidated the necessity for the ICMG to have alternative articles in their Rules which reflect the fact that results may be received after the Games have concluded and the organising committee essentially disbanded and the delegations departed.

During the IO Team's time in Mersin there were more AAFs reported from pre-Games national tests. These cases were dealt with at the national level and the IO

Team observed that the NADO concerned requested its National Olympic Committee to withdraw those athletes who tested positive from the Games.

Recommendations

- The ICMG should consider adding alternative articles in the Rules to reflect the fact that abnormal results may be received after the Games have concluded.
- The ICMG should consider modifying the Rules to allow the Disciplinary Commission to impose sanctions that are not limited to the disqualification from the Games and the relevant consequences. This way the athlete will have to present his case before one hearing panel only.
- The IO Team recommends that the Disciplinary Commission consists of members with no involvement in the management of the anti-doping program of the ICMG so as to ensure the impartiality of the hearing panel.

7. SUMMARY AND GENERAL CONCLUSIONS

The IO Team acknowledges the experience and expertise of the ICMG MC members involved in the Games as well as their passion and commitment to make the Games a success; these Games are typical of many events around the world where high expectation needs to be balanced with increasing demand on Organising Committees with respect to anti-doping management. However, it would be important to consider the impact that the multiple roles of the MC may have on the delivery and quality of the Game's anti-doping programme. Furthermore, the IO team believes that, in addition to the preparatory work required before their arrival at the Games location, it would be beneficial for the MC to begin working together on site as early as possible prior to the start of the Games.

That said, in the field, the anti-doping programme was well delivered and of adequate quality. Notification, as well as the sample collection process and transportation of samples to the laboratory were well executed although the IO Team noted room for improvement in some aspects, and progress was subsequently observed in most instances.

At a strategic level, the TDP was justified however the ICMG should consider carrying out more pre-competition tests, throughout the period of the event, instigating more target testing based on intelligence and developing specific testing strategies that include all available prohibited substances and methods so as to assist the detection of doping and to act as a further deterrent to athletes. Moreover, the ICMG should consider developing a strategy for the re-analysis of those samples collected during the Games, jointly with the concerned ADOs. Finally,

the ICMG should consider including alternative articles in the Rules to reflect the fact that abnormal results may be received after the Games have concluded.

The IO Missions are meant to provide recommendations to Major Games' organisers for the benefit of the future versions of the Games as well as to the whole anti-doping community for their own anti-doping programmes. This report, as well as the previous Mediterranean Games Independent Observer reports, includes recommendations the ICMG should consider for future versions of the Mediterranean Games.