

## **Independent Commission**

### **Terms of Reference (Addendum)**

On 1 August 2015 ARD German Television aired a new program following the original program released on 3 December 2014, with new documentation and other evidence alleging misconduct on the part of IAAF in relation to the follow-up of suspicious indications of doping in the period 2001 - 2012. The program also produced evidence of what appeared to be extensive doping among Kenyan athletes, primarily in distance running events.

What appeared to be a database of several thousands of tests carried out at the request of IAAF was referred to, as well as a report by Australian scientists, Michael Ashenden and Robin Parisotto.

Many articles appeared shortly thereafter, primarily in the British press, purporting to rely on information contained in the database. The President of WADA referred the matter to the Independent Commission as an extension of its original mandate arising out of the initial documentary shown on 3 December 2014.

#### **Objective / Key Activities**

The Independent Commission, for this purpose, will therefore proceed as follows:

1. Obtain a copy of the leaked database and confirmation by IAAF that it is – or was – all or part of an IAAF database.
2. Obtain a copy of the report prepared by the Australian scientists.
3. Obtain from WADA the precise dates of the progress toward adoption of the ABP and the applicable protocols for bringing anti-doping rule violation charges based on the ABP, as well as any statements by WADA (or others) regarding inappropriateness of the use of suspicious or abnormal test results as proof of doping.
4. Verify through WADA what portions of the IAAF database have been recorded in ADAMS.
5. Direct WADA to identify all suspicious test results that should have led to targeted testing.
6. Direct WADA to audit the actions of the IAAF in dealing with such suspicious test results, including the timeliness and frequency of any subsequent actions, by examining the IAAF records on a case-by-case basis. The results of the WADA audit shall be reported exclusively to the IC.
7. WADA shall provide exclusively to the IC, by way of such audit, the timelines established by the foregoing verifications [e.g., date of test, date of receipt of results, date of decision to target test, date(s) of targeted testing, date(s) results were received, date(s) of decision to proceed with sanctioning process, date(s) of process and decision(s) to sanction, date(s) of any provisional sanction].

8. Review the actions of WADA regarding IAAF follow-up on suspicious values in the test results while recognizing and bearing in mind, in any review of WADA, that in matters of doping in Athletics the primary responsibility of WADA is that of a regulator and monitor. Any review and report shall be exclusively on the instructions of and will be delivered only to the IC.
9. Determine to what extent, if any, were IAAF actions the result of WADA's actions. Obtain from WADA a complete description of the internal processes in place at WADA to coordinate follow-up with IAAF and other ADOs in relation to suspicious test results.
10. WADA shall identify all athletes having abnormal values in test results who were later discovered to have doped as a result of targeted testing, with timelines and outcomes.
11. In its report on the subject matter of this Addendum, the IC should identify, where appropriate, mis-statements made in media releases and other statements by all concerned.
12. In its report on the subject matter of this Addendum, the IC should make appropriate findings and recommendations.

August 17, 2015