

## **2016 – TURNING ADVERSITY INTO OPPORTUNITY**

**DELIVERED BY PRESIDENT OF  
THE WORLD ANTI-DOPING AGENCY  
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### **WADA Anti-Doping Organization (ADO) Symposium**

**Lausanne, 14 March 2016**

#### **Introduction**

Good morning. Welcome to WADA's annual Anti-Doping Organization Symposium. This is one of our major fixtures on the anti-doping calendar, and an occasion on which we meet, discuss and interact with the widest cross-section of the clean sport community – and those with a stake in it.

Over the last 12 months, we have had to face challenges on numerous fronts – some of which reached a scale we might not have expected – which rather emphasises the theme of this address: *Turning Adversity into Opportunity*.

Ladies and Gentlemen, the public's confidence in sport was shattered in 2015 like never before. The public mood has soured, cynicism has prevailed: there is a general feeling that 'they are all at it'.

We have seen criminal arrests of FIFA executives over corruption and bribery; systematic doping in Russia and serious anti-doping and governance failures at the International Track and Field governing body, the IAAF; tennis has been affected by claims of match-fixing at the highest level involving some umpires, and only last week doping charges at one of its biggest stars.

Our backs have been pushed up against the wall. Athletes and millions of sports fans worldwide have demanded answers. *This is not in keeping with the spirit of sport*, they say.

With knowledge of these wrongs, however, we are determined to set things right through robust anti-doping programs – a topic that will be a central focus of this Conference.

#### **Independent Commission Investigation**

Let me now touch on WADA's Independent Commission's investigation, and state a few home truths.

Although it was very unsettling to the world of sport, the Commission's Investigation proved to be hugely significant – and it demonstrated the role that investigative work can play in modern-day anti-doping.

The 2015 World Anti-Doping Code gave us the power to investigate, and I'm pleased to say that we used that power to the fullest.

Dick Pound – who is here this week - and his Commission should be commended for the thorough job they did in uncovering some uncomfortable findings. Those findings, which were shocking and appalling, are now public knowledge, and although they may be discussed here in Lausanne we must now focus on righting the wrongs.

On the topic of commendations, I was dismayed to read once again this past week that some believe that I, personally, have not shown enough gratitude to the Stepanovs, the Russian couple that, with the help of investigative reporters, courageously brought the Russian revelations to light.

While I have publically thanked the Stepanovs for what they exposed; it's true that I did not personally reach out to them. I did however ensure that key members of WADA's management team were in contact with the Stepanovs before, during and after the Independent Commission's investigation. And that separately, and until now privately, I ensured that the Agency demonstrated its support by:

- Facilitating their relocation;
- Providing financial support; and
- Appealing to the IAAF and the IOC that Yuliya be readmitted to compete in major international competitions.

For the record, I, WADA, the anti-doping community and clean athletes of the world are very grateful to the Stepanovs for their contribution.

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Now, let's have a look at what resulted from the Commission's Report. WADA and its partners immediately adopted the major recommendations; and, as such, we:

- Provisionally suspended the Moscow laboratory and asked the lab to remove from post its then Director;
- Requested that the IAAF suspend the Russian Athletics Federation, ARAF; and
- Declared RUSADA non-compliant, and immediately began the task of overhauling their anti-doping program.

We should remember that the IAAF's misdeeds described in the second part of the Report were under pre-2015 Code rules. Crucially, the Commission and WADA's independent

Compliance Review Committee reviewed the Report and considered there to be no situation of non-compliance with the 2015 Code.

I think it is also important to note the range of other recommendations made to WADA by the Commission, which we have taken on board. These included:

- Strengthening policies on compliance;
- Creating an independent mechanism to deal with compliance issues;
- Insisting that data is provided for use in WADA's ADAMS system;
- WADA developing and implementing a whistleblower assistance and protection policy;
- And a range of other issues dealing with suspicious test results; test distribution plans; temporary administrative sanctions against Russia; amendments to the International Standards; compliance audits under the UNESCO system; improvements to the laboratories; and providing sufficient staff and resources for further international investigations.

I am pleased to say that the IAAF, whose President is here today - has begun its vital reforms, and as a collaborative partner WADA will offer them a chance to achieve those. In doing so, we will help the organization regain the trust of clean athletes and the public worldwide.

WADA has also begun the work needed if RUSADA is to regain its compliance:

- A partnership between the UK Anti-Doping Agency – UKAD – and RUSADA is in place to ensure that targeted and intelligence-led testing is carried out during the period of non-compliance so that athletes get tested in Russia while RUSADA is non-compliant.
- Separately, WADA is assisting RUSADA in its efforts to regain compliance. To do this, we are involved in the restructuring of the organization and we are appointing two independent, international experts to be in Moscow in order to oversee RUSADA's transition to Code compliance. We have also requested that RUSADA include an independent member on their Board.

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What the Independent Commission also highlighted is that we, WADA, and you, the Anti-Doping Organizations (ADOs), have no monopoly on anti-doping wisdom.

Whistleblowers and the media are powerful allies in protecting clean athletes' rights and upholding the integrity of sport. On the topic of whistleblowing, look at its use – it led the Commission into areas of criminal wrongdoing highlighted in its second Report, and as a result the athlete (Liliya Shobukhova) met the conditions for 'substantial assistance' as permitted under the revised World Anti-Doping Code. This is a good example of whistleblowing, and indeed the Code, being put to good use.

We at WADA will continue to work hand in hand with both whistleblowers and the media – and we will put in place enhanced measures to protect whistleblowers better. We all want the same thing after all, and that is clean sport.

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The investigation also proved that we are reaping the rewards of our links with the law enforcement industry – we can help them and they can help us. It is pleasing to see the significant strides made by some ADOs in forging close relationships with law enforcement agencies.

To realize the potential of anti-doping’s relationship with law enforcement, however, and to support investigative efforts fully, we need governments to have the appropriate legislation in place so that law enforcement agencies can investigate fully and so that information can be exchanged freely and effectively. This is an expectation under Article 22 of the World Anti-Doping Code. Allow me to stress that far from encouraging athletes to go to jail for doping, implementing such legislation will allow doping matters to be investigated fully and as a result will cut off *the supply* of banned substances to athletes.

However, this must be mitigated with a dose of reality – the Independent Commission cost US\$1.5 million and WADA has a US\$26 million annual operating budget. WADA as an organization punches well above its weight on this budget, but we must pick our battles wisely based on hard evidence. We also need the Olympic Movement and Governments to accept that more funding is necessary to ensure that efficient anti-doping is conducted across the board.

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Allow me to tackle head-on the question of extending investigations into other sports in Russia or other countries; a question which was raised again recently with the United States Olympic Committee (USOC) Athlete Chair, and indeed WADA’s own Athlete Chair calling for further investigations.

If concrete evidence comes to light as part of the independent testing program underway in Russia and in our discussions with RUSADA - that, let us not forget, cover all Russian sports - and the evidence warrants further investigation, I will not hesitate to act. I have also assured WADA’s Athlete Chair Beckie Scott, following her appeal, that I will reanalyse the information in the IC Report; engage the members of the Commission to further understand the strength of the information in the Report; follow-up with my counterparts at the relevant other sports federations and NADOs that were referenced in the IC Report. Following this, I will determine whether or not there is sufficient information to propose further investigation to the WADA Executive Committee, and if so, how it would be funded.

If full-blown investigations are to become the norm then we must of course seriously explore greater funding for our community.

I have heard ever-more vociferous calls for a slice of the millions of dollars that are paid for sport television revenue to be provided to the anti-doping cause. This is a bold idea, and I put it to the leading sport federations and broadcasters: now is the time to look at this seriously. I also suggested last week in London that major sport sponsors should start to consider how they might help fund clean sport.

### **2015 Code gives us clout**

It is not just investigations that offer us all opportunity. The 2015 Code on the whole gives us real clout. The significant enhancements to the Code – which we all in this room signed up for at the World Conference in Johannesburg in 2013 – provide us with significant possibilities to detect doping, deter athletes and prevent future generations from doping.

'How is the 2015 World Anti-Doping Code Making a Difference?' is one of today's themes. It *can* make a huge difference if we *all* want it to. A real human will from all quarters is required if, in the future, this iteration of the Code is to be deemed a success.

The 2015 Code provides for longer and tougher four-year sanctions for first-time cheats; it encourages smarter testing not least under the Technical Document for Sport Specific Analysis; it stresses enhanced values-based education. And, yes, it puts a much greater emphasis on intelligence-led inquiries.

The Code offers us real clout if we use it *effectively*: these are all quality-based changes that we can collectively use to protect clean athletes, and in turn give them – and the wider public – greater belief in the system. The athletes deserve our full determination.

And we at WADA will continually guide you, our partners in the anti-doping community, to realize the full potential of this instrument.

### **Compliance**

It is important at this time to deal with the subject of compliance. For too many years, it has been assumed that the very word compliance meant compliance with *the Rules* under the Code. As mentioned earlier, the current Code was approved at the World Conference in Johannesburg in November 2013 after a long period of consultation. It came into force on 1 January 2015.

WADA has been engaged in a prolonged effort to ensure that all stakeholders are "rule" compliant; in other words that they have *Rules* which are in line with the 2015 Code. In May 2015, we were able to announce that all the International Federations were rule compliant. In November, we turned our attention to a small number of NADOs that were not rule compliant. In almost every case, this was due to a failure to complete the appropriate regulatory process in their country. A small number of those NADOs were given until 18 March 2016 – that is later this week - to complete these processes. There were three NADOs declared non-compliant for use of non-accredited laboratories.

We believe that a period of 28 months since the acceptance of the Code in Johannesburg is a more than sufficient period of time to complete this process.

Much of the regulatory work and assistance has been conducted by our Compliance Review Committee. This is a group of independent and highly knowledgeable people who, ultimately, make the important recommendations on non-compliance to the WADA Foundation Board.

When all stakeholders are *rule* compliant – which is the first step - WADA is instructed by its Foundation Board to use the Compliance Review Committee and the processes they have developed to focus on the *quality* of anti-doping *programs* (as was recommended in the Independent Commission Report). Anti-Doping Organizations, wherever they may be situated, are urged to be more efficient and more effective in their principal purpose: the protection of clean athletes. To ensure that this is conducted efficiently, we are in the process of seeking ISO Accreditation for our Code compliance monitoring process so that quality anti-doping rules are knowingly and properly applied. This accreditation process will enhance standards across *the whole* anti-doping community.

To give you an example, work has already begun with a selection of International Federations under the 'Partnership to Quality' project.

### **Other Priorities**

WADA will also upscale its other processes and priorities, which in turn will enhance the accountability of ADOs globally:

- Laboratory monitoring and accreditation;
- A greater fund for investigations;
- Creatively seeking more funds so that we can further our impact. An example of this is WADA's recent creation of its U.S. private *Foundation for Clean Sport*, which will target additional funds for research, education and other activities; and
- Enhancing whistleblower protection – which will help encourage more whistleblowers to come forward to report doping. Indeed, look at what happens when they do!

These are just a few of the areas in which we are enhancing our activities.

### **Other Potential Solutions**

Aside from the Code, and collectively enhancing our efforts, what other potential solutions exist as an antidote to this crisis for doping in sport?

There has been an initial discussion on the International Olympic Committee (IOC)'s proposal that one way to further protection of clean athletes could be to remove the inherent conflict facing International Sport Federations (IFs) between promoting and developing their sport on the one hand, and policing their sport on the other. It is suggested

that this issue, perceived or real, could be removed through by establishing an independent testing agency. WADA has been invited to study this proposal and initial meetings have already been held between technical anti-doping experts from WADA, IFs and the IOC. These were productive discussions and we now have a much clearer idea of how such an independent testing unit could operate.

The IFs are conducting the necessary research on the investment they currently make in their anti-doping programs. One outcome of the meetings was a request to the IOC to fund a project with independent business experts in order to establish the scale of the project and the funding required. There was also a discussion about the idea of an independent tribunal delivering decisions. Once these elements of research are completed and WADA's Executive Committee and Foundation Board have reviewed the relevant elements at their next meetings in May, WADA will establish the full consultation process necessary to include all stakeholders, including governments.

Let us see what results from the consultation, and let us not shy away from such bold initiatives if it is indeed for the greater good.

### **Providing Better Answers in Olympic Year**

What I have discussed here this morning are all considerations for us in an Olympic and Paralympic year, when, because of recent events, the spotlight will be on anti-doping at an Olympic and Paralympic Games like never before.

Strong anti-doping programs and good collaboration will get us only so far in reinforcing public confidence in sport. We must go to greater lengths if we are to assure clean athletes that they are competing against fellow athletes who are clean, and also to ensure that the public do not tune out in droves.

We must find some of the answers to the questions I have posed today if we are to shore up trust, and give sport back its credibility. To do this requires much better governance across all sport worldwide.

We have had our wake-up call. We must be more inventive, show greater initiative, above all, move in the same direction if we are to level the playing field.

### **Conclusion**

Will doping disappear entirely? Of course it cannot be eradicated entirely, because it is some people's nature to cheat, but we can collectively do our level best to *reduce* doping, and make the risk outweigh the reward.

Given the events of the last 12 months, some have asked 'Why bother? Why don't you allow athletes to dope?'

I have a succinct answer to that. No! It is simply not an acceptable solution.

Banned substances pose a threat not only to the purity of sport but also, to the health of athletes. And what could be more important than that?

Liberalizing the use of Performance Enhancing Drugs would lead to a worrying escalation in the use of dangerous substances; we would move into a sporting world where the athlete with the best chemist would win. That is not a world I, nor many others, would want to live in.

Think about future generations of athletes. We now as an industry – and we *are* an industry - have a responsibility under the revised Code to implement thorough, values-based education programs. That means not just *providing* information but going further by *instilling values* in those that want to become athletes, and ultimately preventing those people from ever considering doping. We want to create a healthy sporting environment where doping is not an option. This has to be our aim in the long run.

Let us maintain these values that all sport lovers want to see, and let us seize these times of adversity by turning them into opportunity.

Thank you.