

RUSSIA TASKFORCE REPORT TO COUNCIL MEETING OF 17-18 MARCH 2021

I am pleased to present the following update to Council on behalf of the Russia Taskforce:

1. In December 2020, Council decided that (1) a satisfactory Reinstatement Plan had to be proposed by the RusAF Reinstatement Commission and approved by Council by 1 March 2021; (2) Russian athletes would only be allowed to compete in international competitions -- as Authorised Neutral Athletes (**ANAs**) -- once a suitable Reinstatement Plan had been provided and satisfactory progress had been made in the implementation of that plan; and (3) in the meantime RusAF had to continue to pay the costs incurred by World Athletics in connection with the reinstatement process.

The Reinstatement Plan

2. The Taskforce reviewed and provided detailed feedback on three different drafts of the Reinstatement Plan proposed by the RusAF Reinstatement Commission. Once all of the Taskforce's comments had been addressed to its satisfaction, on 25 February the Taskforce recommended that Council approve the Reinstatement Plan, and Council did so by the 1 March 2021 deadline. I am grateful to Council for responding quickly and decisively to the Taskforce's recommendation.

3. The three international experts appointed by World Athletics worked closely with RusAF on the development of the Reinstatement Plan. They have advised the Taskforce that they believe the Reinstatement Plan (assuming it is fully and effectively implemented) is capable of embedding in Russian athletics the deep-rooted change in culture that Council has been demanding for the past five years. In addition, although RusAF President Peter Ivanov has been required to step down for two years because of his appointment as a senior official of the Russian Government (to respect the CAS sanctions imposed on Russian Government officials in the WADA/RUSADA compliance case), the international experts also consider that the senior management that Mr Ivanov has put in place are capable of moving the Reinstatement Plan forward in his absence, under the leadership of Acting President Irina Privalova.

4. However, the Reinstatement Plan will be worth nothing unless the RUSAF leadership has the resolve and the resources to fully and effectively implement it. Therefore, the Taskforce will monitor the milestones and KPIs in the Reinstatement Plan carefully, so that it is able to advise Council at future meetings whether RusAF is keeping up with the enormous work that will be required to implement the Reinstatement Plan successfully. RusAF is fully aware that if it fails to do so, Council's July 2020 decision to call a meeting of Congress to vote on the expulsion of RusAF from membership will be re-activated.

RusAF's payment of ongoing costs

5. In January 2021, World Athletics invoiced RusAF for \$260,284, representing costs incurred in the last quarter of 2020. This includes the costs of various disciplinary proceedings and the costs of the international experts. RusAF has paid that invoice in full.

6. World Athletics will invoice RusAF in April for the reinstatement costs incurred in the first quarter of 2021, in accordance with the Framework Agreement.

Authorised Neutral Athletes

7. In relation to Authorised Neutral Athletes, I first remind Council of the following background:

7.1 The World Athletics constitution is clear that athletes may only participate in international competitions if their member federations have met all of their anti-doping obligations. Council has been steadfast in defending that principle, which is why Russian athletes have been excluded from international competitions since December 2015. On the other hand, Council also created the ANA mechanism to give it discretion to allow Russian athletes an opportunity to compete even before RusAF itself had met all of the conditions for reinstatement, if they could show they were not tainted in any way by RusAF's anti-doping failures.

7.2 Unfortunately, permitting Russian athletes to participate as ANAs had the unintended effect of taking the pressure off the new RusAF regime to press ahead with meaningful reform, which ultimately led to that regime's fabrication of documents to cover up the whereabouts violation of Danil Lysenko (himself an athlete who had been granted ANA status with the endorsement of RusAF). In this regard, Council will note that in February 2021 a disciplinary tribunal found former RusAF President Dmitry Shlyakhtin guilty of being party (along with five others) to a *'fraudulent conspiracy'* to tamper with results management, and banned him for four years, the maximum sanction permitted under the rules, but one that the tribunal itself said was *'grossly inadequate on the facts of this case'*.

7.3 In March 2020, at the same time as Council imposed a fine and costs on RusAF for its Lysenko-related violations, Council also decided that for the remainder of 2020 no more than ten Russian athletes would be permitted to compete as ANAs in the Olympic Games, World Athletics Series events, and the European Athletics Championships. Council did so in the hope that this would incentivise RusAF to take its reform efforts more seriously. In July 2020, when RusAF failed to pay the fine and costs by the due date, the ANA programme was suspended, and in December 2020 Council decided that it would consider the question of ANAs again at this March meeting, if a suitable Reinstatement Plan had been provided and if satisfactory progress had been made in the implementation of that plan.

8. Given that the Reinstatement Plan was only approved on 1 March, there has obviously only been very limited implementation of the plan to date. Furthermore, the Taskforce considers that strong pressure needs to be maintained, to ensure that RusAF's stakeholders remain incentivised to back RusAF management in their implementation of the plan. On the other hand, the Taskforce strongly sympathises with clean Russian athletes who continue to miss out on participation in international competitions while the work towards reinstatement of RusAF continues. Therefore, **the Taskforce recommends** that Council reinstates what it put in place this time last year, i.e.:

8.1 The Authorised Neutral Athlete process shall be reinstated, with the Doping Review Board to be entitled to revise that process where it considers it necessary or helpful to do so to facilitate its decision-making.

8.2 For the remainder of 2021, no more than ten athletes (in total, not per competition) will be granted eligibility to compete (as Authorised Neutral Athletes) in the following international competitions: (a) the athletics programme

for the Olympic Games; (b) any relevant World Athletics Series events;¹ and (c) the 2021 European Under-23 Championships. RusAF may choose which athletes will make up these ten ANAs out of those who have applied for and been granted ANA status, but it must choose athletes in the International Registered Testing Pool in priority to any other athletes. No changes may be made to the ten designated ANAs, for any reason, once they have been nominated by RusAF.

8.3 There is no cap on the number of Russian athletes who may compete (if invited, and if they have been granted ANA status) in international competitions other than those listed in paragraph 8.2.

8.4 Russian under-15 athletes may continue to compete in under-15 international competitions as neutral athletes without the need to make individual applications to the Doping Review Board.

8.5 Council may revoke the above provisions relating to Authorised Neutral Athletes at any time (a) if the Taskforce advises that satisfactory progress is not being made against the milestones and KPIs set out in the Reinstatement Plan; or (b) if any of the ten athletes designated to compete as ANAs in the Olympic Games etc. commits an anti-doping rule violation.²

8.6 Otherwise, at its last meeting in 2021 Council will review the above provisions relating to Authorised Neutral Athletes and determine whether they should be renewed or revised for international competitions staged in 2022. If necessary, it will repeat that process for 2023, 2024, and so on.

9. Finally, for the avoidance of any doubt, **the Taskforce also recommends** that Council resolve that:

The decision Council made in July 2020 (to propose that Congress expels RusAF from membership of World Athletics) remains suspended, but it will come into effect immediately and automatically if either of the following conditions is not met:

¹ However, the only World Athletics Series competitions scheduled for the remainder of 2021 are the World Athletics Relays in Silesia on 1-2 May 2021 and the World Under-20 Championships in Nairobi on 17-22 August 2021. The World Athletics Relays is a team competition, and therefore there is no option for neutral athletes to participate in it. On the other hand, last year Council decided that the cap of 10 ANAs should not apply to an under-20 competition, and the same approach shall apply in 2021, i.e., the cap of 10 ANAs will not apply to the 2021 World Under-20 Championships.

² Editor's note: The text highlighted in yellow above denotes amendments to the resolution that were agreed by Council during its meeting on 18 March 2021. The original proposal from the Taskforce read as follows:

8.1 A new Authorised Neutral Athlete process shall be put in place, with a strengthened application process and strengthened criteria, each to be determined by the Doping Review Board on behalf of Council.

[...]

8.5 Council may revoke the above provisions relating to Authorised Neutral Athletes at any time if the Taskforce advises that satisfactory progress is not being made against the milestones and KPIs set out in the Reinstatement Plan.

- (1) Continued payment in full of the costs incurred by World Athletics in relation to the reinstatement process, in accordance with the Framework Agreement.
- (2) Satisfactory progress being made against the Reinstatement Plan, as reported by the Taskforce to Council at each of its subsequent meetings.

Rune Andersen, Taskforce Chair
18 March 2021