

IAAF TASKFORCE REPORT TO IAAF COUNCIL, 28 JUNE 2017

1. IAAF Taskforce counsel Jon Taylor and I met with representatives of RusAF and the Russian Ministry of Sport in Moscow on 13 June 2017 to give RusAF an opportunity (in accordance with Article 15.9 of the IAAF Constitution) to make submissions as to whether its suspension from IAAF membership should or should not be continued. I am now providing this report to the IAAF Council of our findings from that meeting. I am doing so well in advance of the Council's next meeting (on 31 July 2017), because the IAAF Congress will meet on 3 August 2017, and I am advised that, in advance of the meeting of the IAAF Congress, the following needs to be done:

1.1 Having considered this report (and any comments made by RusAF on this report), Council should decide whether to suspend RusAF from IAAF membership until the next meeting of Congress, in accordance with Article 15.7(a) of the IAAF Constitution. (I understand that Council will consider the matter and make its decision this weekend).

1.2 If Council decides to suspend RusAF from IAAF membership until the next meeting of Congress, then that decision should be reported to Congress at its August meeting, in accordance with Article 15.12 of the IAAF Constitution, and Council should formally propose that Congress resolve, pursuant to Article 15.1(a) of the IAAF Constitution, to continue the suspension of RusAF's membership of the IAAF until all of the conditions fixed by Council for the cure of RusAF's breaches of the Objects of the IAAF and for the consequent reinstatement of RusAF's membership have been met.

1.3 In accordance with Article 15.4 of the IAAF Constitution, RusAF should be given notice of the grounds for such proposal at least one month before the meeting of Congress. This means that any decision by Council to propose that Congress continue the suspension of RusAF from IAAF membership needs to be notified to RusAF, with the grounds for that decision, by no later than 3 July 2017.

Progress since last Council meeting

2. At Council's meeting in February 2017, the Taskforce identified six 'milestones' (or conditions) that it considers need to be reached before it will be able to consider recommending provisional reinstatement of RusAF. At Council's meeting in April 2017, I reported on the progress that RusAF had made to that date against those milestones. Below I set out the milestones again in turn, and explain the progress that has been made towards reaching them since that April 2017 meeting:

2.1 *The first milestone (or condition) is that all outstanding Verification Criteria have been satisfied, and those Verification Criteria that are ongoing -- such as the requirement of full cooperation with the French criminal authorities -- continue to be satisfied moving forward.*

The Taskforce understands that the French criminal authorities visited Moscow in May 2017, where they were assisted by the Russian criminal authorities, and that they continue to be happy with the cooperation they are currently receiving from the Russian criminal authorities.

Most of the other Verification Criteria have also been completed, but a small number remain outstanding. In particular:

- A small number of disciplinary cases that were pending when RusAF was suspended from membership are still not yet resolved (VC 3.1).
- A few of the athletes mentioned in the original WADA Independent Commission report have still not yet been located for interview (VC 4.2). Similarly some of the athletes (and two coaches) who were banned for doping in the four years prior to RusAF's suspension have not yet been interviewed (VC 4.2).
- RusAF has not yet reported formally on steps taken in response to evidence that Mr Chegin and Mr Kazarin (both coaches who have been banned for life) were continuing to work with track and field athletes (VC 5.6).
- RusAF has not yet demonstrated to the satisfaction of the Taskforce that it has established a strong anti-doping culture within its sport (VC 6), or that it has created an open environment that encourages whistleblowing (VC 6.2).
- Details of how coaches' employment contracts will be amended to remove incentives to dope athletes have not yet been provided (VC 6.5).

2.2 *The second condition is that the testing of Russian athletes (including not only IAAF testing of IRTP athletes but also national-level testing by or on behalf of RUSADA) takes place without any further adverse incidents or difficulties.*

At the 13 June meeting, RusAF advised that as of 6 June 2017 there were 74 Russian track and field athletes in the IAAF's Registered Testing Pool and 113 in the National Registered Testing Pool, each of them giving full whereabouts information so that they can be located for testing. RusAF is hoping that by the end of the year there will be at least 150 Russian track and field athletes in the National Registered Testing Pool.

The Taskforce has not been advised of any problems arising since April 2017 in the testing of Russian track & field athletes by the IAAF's Athletics Integrity Unit or at national level under the supervision of UK Anti-Doping. And WADA has just confirmed that UK Anti-Doping has completed the training of a new cohort of RUSADA doping control officers, and WADA has authorised RUSADA to start planning and coordinating training using those DCOs, under the supervision of the WADA-appointed international experts and UK Anti-Doping. It is hoped this will lead to a significant increase in the amount of testing being conducted at national level starting in the near future.

The Athletics Integrity Unit has confirmed that it is now being given full access to ABP samples that have been screened at the Moscow lab, so that it can ship them to a foreign lab for further testing where it considers it appropriate to do so.

In addition, in relation to getting access to so-called 'closed cities' to test athletes located there:

- WADA advises that the Russian authorities have provided access passes (or are in the process of providing access passes) for DCOs from PWC and IDTM to access closed cities under the authority of the Ministry of Defence and RUSATOM (the Russian nuclear power agency) to test athletes located in those cities, and is working on securing access to further closed cities.

- The Russian authorities have agreed with WADA that if an athlete declares in his/her whereabouts filing that he/she will be in a closed city to which access has not yet been granted, RUSADA (or the relevant international federation, if the athlete is in an international registered testing pool) should declare a Filing Failure against that athlete, for failing to provide locations that DCOs may access to test him or her. Three Filing Failures or Missed Tests in one year constitutes an anti-doping rule violation, and therefore WADA considers this measure should provide a strong incentive to athletes to avoid being in closed cities that DCOs cannot access to test them.
- The Russian authorities have also agreed that RUSADA will monitor athletes who are not in a Registered Testing Pool, and will target test any of those athletes who are regularly locating themselves in closed cities that DCOs cannot access, or even move them into the National Registered Testing Pool so that they will be exposed to Filing Failures if they continue that practice.
- RusAF has advised that there is currently only one Russian track and field athlete in a Registered Testing Pool who lives in a closed city (to take care of her elderly parents). It has rented an apartment for her next to (but outside) the closed city, and has provided the address to RUSADA so that it can continue to test her. RusAF has also confirmed that it will actively monitor its athletes who are not in any Registered Testing Pool to see if any of them regularly go into closed cities that cannot be accessed by DCOs, and will work proactively to address any issues as soon as they arise.

Subject to seeing how well these arrangements work in practice, the Taskforce considers that in principle they may be sufficient to satisfy this condition.

2.3 *The third condition is that RusAF must deliver a written report that provides a rigorous root cause analysis of the legal and practical reasons why it has been unable to date to enforce the provisional suspensions imposed on Russian track & field coaches, and an explanation, supported by an independent legal opinion, of how in the future, whether through changes in the law, in contractual arrangements or otherwise, it will be able to enforce all suspensions (whether provisional or final) imposed on athletes and athlete support personnel under its jurisdiction in an effective and timely fashion.*

RusAF has not yet provided a written report that meets these requirements, but it has promised to do so now that this condition has been fully discussed with and explained to it. RusAF has advised that it has identified provisions in the Labor Code that enable it to ensure that coaches who are charged with doping offences and provisionally suspended can be suspended from employment as coaches of RusAF athletes pending determination of the charge. It has also confirmed that it understands the importance of ensuring that no RusAF coaches or athletes are working with Dr Portugalov, Mr Chegin, or any of the other coaches or athletes who are serving a doping ban, and has taken various steps aimed at achieving this.

2.4 *The fourth condition is that there must be an appropriate official response to the McLaren reports, specifically addressing Professor McLaren's findings that officials from the Ministry for Sport, the FSB, and the Centre for Sport Preparation were involved in the doping scheme, either by convincingly rebutting those findings or else by acknowledging and properly addressing them.*

The Russian Minister of Sport, Pavel Kolobkov, attended our meeting with RusAF in Moscow on 13 June 2017, and so we were able to explain to him directly how important it is that this requirement

is properly satisfied, in order to convince Council that the issues that led to RusAF's current problems have been properly acknowledged and addressed, and there will be no repetition of them. The Minister promised that the Russian authorities would respond to the findings in the McLaren reports in the next two to six weeks. The Taskforce awaits that response, and will report to Council on its adequacy (or otherwise) once it has received it and had a chance to review it.

2.5 *The fifth condition is that RusAF takes demonstrable objective and practical steps to cultivate the clean sport movement championed by Andrey Dmitriev and his colleagues, including having RusAF's leading officials, athletes and coaches speak in support of the movement, and providing financial and other practical assistance to the movement as appropriate.*

At the meeting in Moscow on 13 June 2017, we met with Mikhail Vinogradov, a key member of the Clean Sport Movement and the Rocket Science Project, and were advised of the following:

- The Clean Sport Movement and the associated Rocket Science Project were founded in October 2016. They are dedicated to proving to Russian track and field athletes that doping is bad for their health and that they can succeed without it. The current members are Evgeniy Pishcalov (former long-distance runner), Vasily Permitin (current long-distance runner, former Russian national team member for mountain running), Mikhail Vinogradov (science advisor), Sergei Litvinov (current Russian national champion, hammer throwing), Ilya Terentiev (current Russian under-23 national champion, hammer throwing), Stepan Kiselev (current Russian national champion, marathon), Rinas Akhmadeev (2016 Russian national champion, 5,000m), Yaroslav Rybakov (former world class high jumper), and Zhavaranak Ihar (former long-distance runner, current coach).
- To date, they have started developing a presence on social media in Russia, and have established a telephone line for people to provide information about doping in Russian track and field. In addition, RusAF has published an official letter supporting the movement, they have had a number of meetings to discuss how it can support the movement, and it is clear to him that RusAF's top officials are committed to changing the old culture of doping in Russian track & field. RusAF has also assisted the movement in getting support (including potentially financial support) from the Ministry of Sport, and the Russian Olympic Committee has also been supportive.
- Mr Vinogradov considers that the culture is slowly changing, as top officials (including RusAF officials) have been sending consistent messages that there is now a serious anti-doping attitude at the top of the sport. Whereas previously other athletes were laughing at the Clean Sport Movement, in his view that has stopped, because they have demonstrated that it is possible to achieve top results without doping. There is still work to be done, however, especially at regional level, where he considers that the reinstatement of RUSADA's activities will help a lot.
- RusAF advised that starting imminently, Russian national team head coach Yuri Borzakovskiy is going to lead a series of activities (including a social media campaign) in support of clean sport, supported by about eighty national team athletes, which will continue for the whole of this season. Mr Vinogradov was excited by this news, and considered that it could have a huge impact, because Mr Borzakovskiy is a national hero and everyone respects him and listens to him. RusAF agreed to try to get Elena Isinbaeva to join the campaign too, because she has similar influence.

- Mr Vinogradov said that moving forward, the Clean Sport Movement would like to find a way for athletes who are not in a Registered Testing Pool nevertheless to provide their whereabouts information and to get tested more often, to demonstrate that they are free of drugs.
- RusAF President Dimitri Shlyakhtin also indicated a desire to assist athlete and whistleblower Andrei Dmitriev, if he returns to Russia, to sort out his problems with the military draft board and to secure new employment that will enable him to continue with his training.

Again, the Taskforce is encouraged by these developments.

2.6 *The sixth and final condition is that WADA has determined that all of the conditions it has specified for the reinstatement of RUSADA as a truly autonomous, independent and properly-resourced national anti-doping organisation have been met, and on that basis has reinstated RUSADA as the official, Code-compliant NADO for Russia.*

WADA has just announced that:

- The RUSADA Statutes have been amended to specify that its Supervisory Board must be chaired and vice-chaired by independent members of the Board, and not by any member of the Board that was nominated by the Ministry of Sport, the Russian Olympic Committee, or the Russian Paralympic Committee.
- As a result, Elena Isinbaeva is stepping down as chair of the RUSADA Supervisory Board.
- RUSADA has adopted a new code of ethics, binding on all staff members as well as all members of its Supervisory Board, which contains clear conflict of interest provisions, including provisions that members of the Supervisory Board must act solely in the interests of RUSADA, and not in the interests of any body that nominated them.
- Acceptable solutions have been reached to the problems of access to so-called 'closed cities' for testing purposes and of access to ABP samples sent to the Moscow anti-doping laboratory (see above).

As a result, WADA has permitted RUSADA to begin planning and implementing drug-testing by its new cohort of DCOs, under the supervision of UK Anti-Doping and the international experts appointed by WADA (see above).

WADA has said: *'RUSADA ... remains non-compliant [with the World Anti-Doping Code] until such time as they meet the remaining reinstatement criteria ... outlined within an agreed roadmap. The roadmap includes a full audit by WADA of RUSADA's anti-doping operations, [which] is tentatively scheduled for September 2017'*. The Taskforce's understanding is that if that audit reveals no issues, and if all other criteria set out in the roadmap are completed (including addressing the McLaren findings), then the WADA Foundation Board may be asked to consider the reinstatement of RUSADA at its meeting in November 2017.

Recommended action/next steps

3. Based on the above, the Taskforce considers that since its last report to Council in April 2017, material progress has been made towards reaching several of the conditions established by Council for reinstatement of RusAF to IAAF membership. As detailed above, however, those conditions have not yet been met in full. Rather, several important steps remain outstanding.

4. For these reasons, **the Taskforce recommends that:**

- **Council resolves to suspend RusAF from IAAF membership until the August 2017 meeting of Congress, in accordance with Article 15.7(a) of the IAAF Constitution;**
- **Council further resolves to report that decision to Congress at its August meeting, in accordance with Article 15.12 of the IAAF Constitution, and to formally propose that Congress resolves, pursuant to Article 15.1(a) of the IAAF Constitution, to continue the suspension of RusAF's membership of the IAAF until all of the conditions set by Council for the cure of RusAF's breaches of the Objects of the IAAF and for the consequent reinstatement of RusAF's membership have been met; and**
- **Council's above decisions are notified to RusAF in writing before 3 July 2017, in accordance with Article 15.4 of the IAAF Constitution, so that it has notice of what Congress is being asked to decide at its meeting in August 2017.**

Rune Andersen, Taskforce Chair, 27 June 2017