

## STRICTLY PRIVILEGED AND CONFIDENTIAL

### IAAF TASKFORCE: PROGRESS REPORT TO IAAF COUNCIL, 11 MARCH 2016

1. I am pleased to present this report to the IAAF Council on the progress that the Russian authorities have made to date in their efforts to satisfy the Reinstatement Conditions set by this Council.
2. The Taskforce (myself, Frank Fredericks, Geoff Gardner, Abby Hoffman and Anna Riccardi) has met in person once in Moscow in January and again in Monaco last night, and it has also communicated by teleconference and by email as necessary. The whole Taskforce met with the Russian representatives in Moscow on 11-12 January 2016, and Taskforce counsel Jon Taylor and I have met with them another three times, in Brussels on 22 December 2015, and in Moscow on 25-26 January and again on 15-16 February 2016. Jon and/or I have also had intelligence-gathering meetings or phone calls with other parties, in the US on 21 January and 22 February, in Germany on 29 January and 25 and 29 February, and in London on 18 February. Jon and I also met with the IAAF President in London on 5 February to give him a verbal progress report. And finally, as required by the Terms of Reference, I have coordinated closely with WADA, which is working to bring RUSADA (the national anti-doping agency) back into compliance with the World Anti-Doping Code.
3. The Russian delegation has been led by Mr Gennady Aleshin, the chair of the Interim Coordination Committee appointed by the Russian Olympic Committee to coordinate reinstatement efforts, together with Dimitri Shlyakhtin, who was elected as the new president of ARAF (now called RUSAF) on 16 January 2016. In addition, Natalia Zhelanova, an advisor to Minister Mutko, has represented the Russian Ministry of Sport, which funds RUSADA and the Moscow anti-doping laboratory. They are all very committed to getting RUSAF reinstated to IAAF membership as soon as possible and have worked very hard and very professionally towards that goal. The Taskforce has sought to assist them in that task, including going through the Terms of Reference and Verification Criteria in great detail to ensure that everyone is clear on what is required.
4. The Verification Criteria (appended to the Terms of Reference) are not the end in themselves but a means to the end, which is to determine whether the Reinstatement Conditions "have been met, and can reasonably be expected to continue to be met moving forward", namely: (i) full RUSAF compliance with the Code and IAAF Anti-Doping Rules; (ii) IAAF and RUSADA are able to conduct their anti-doping programmes in Russia (in particular, drug-testing) effectively and without interference; and (iii) as a result, the reintegration of Russian athletes into international competitions will not jeopardise the integrity of those competitions. In addressing these issues, the Taskforce has asked itself: (a) do the Russian authorities agree on the nature and scale of the problem identified in the WADA IC Report (i.e., 'a systemic culture of doping' whereby 'an open and accepted series of unethical practices and behaviours has become the norm'); and (b) are they serious about trying to fix that problem? If not, then no amount of 'box-ticking' will help.

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5. To date, the ROC ICC and RUSAF have made some significant progress towards meeting the Verification Criteria. For example:
  - 5.1 The previous governing council of the federation has been replaced in its entirety, and its statutes have been amended to strengthen the anti-doping commitments and obligations of both the federation and its regional members.
  - 5.2 Athlete support personnel implicated in the WADA Independent Commission's Report have been provisionally suspended pending the hearing of disciplinary charges, and formal decrees have been issued forbidding athletes from having any interaction with Dr Portugalov, Mr Melnikov or Mr Chegin, three of the worst offenders.
  - 5.3 Moving forward, RUSAF will now be a party to all contracts signed by coaches and other specialists, and those contracts will include specific and detailed anti-doping commitments, together with termination rights and financial penalties in case of breach.
  - 5.4 There are proposals before the State Duma to strengthen the existing anti-doping laws imposing criminal liability on athlete support personnel who encourage or facilitate doping, including increasing the potential penalties (to include possible periods of imprisonment).
6. However, several very substantial issues remain outstanding. For example:
  - 6.1 Several of the most important Verification Criteria have not yet been met. In particular:
    - (a) delays by RUSAF in providing definitive athlete lists have delayed IAAF testing of Russian athletes (VC para 5.2), while funding issues have delayed national-level testing in Russia (supervised by UK Anti-Doping, in place of RUSADA);
    - (b) RUSAF is yet to complete and report on interviews with all of the athletes and athlete support personnel specified in VC para 4.3, including seeking full disclosure from the 140 athletes/coaches found to have committed ADRVs of the details of their doping activities; and
    - (c) the attitude that has been adopted by the Russian authorities towards Vitaly Stepanov and Juliya Stepanova does not encourage whistleblowing (VC para 6.2) (as demonstrated by the lack of meaningful information obtained to date from interviewees).
  - 6.2 There does not seem to be uniform acceptance of the nature and scope of the problem (i.e., a culture that accepts doping), or uniform commitment to changing that culture for good. The ARD disclosure last Sunday of a banned

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coach (Mokhnev) still coaching athletes and a regional coach offering to supply steroids is deeply disturbing, especially if the documentary is correct that Mokhnev's name appeared on official results reports from recent national events (we are checking that). The strong antipathy shown in many quarters towards the whistle-blowers is also concerning; as are the revelations in the ARD documentary about the acting RUSADA Director-General (and, as an aside, WADA advises that progress towards real reform of RUSADA is slow). None of this is helped by Minister Mutko announcing that the Russian public prosecutor has found no evidence to support the WADA Independent Commission's allegations of state complicity in doping, yet failing upon request by the Taskforce and by WADA to produce a copy of the public prosecutors' report for examination.

- 6.3 Also troubling is the failure of the Russian criminal authorities to date to provide any of assistance requested of them by the French magistrate judge investigating the allegations of a criminal conspiracy to cover up Russian ABP cases. The Taskforce was given very specific assurances by the Ministry of Sport on 25-26 January that such cooperation would be immediately forthcoming, which turned out to be illusory. Yesterday a letter arrived saying the criminal authorities are 'executing' the request, so we will have to see what happens next. The Taskforce sees this point as critical. Our view is that the Reinstatement Conditions – echoing the World Anti-Doping Code (Art. 22.3) and the UN Anti-Doping Convention (Art 13) – require the Russian authorities to show that the cooperation between sports bodies and public authorities that is crucial to the fight against doping in sport is present in Russia, which means in turn they must secure the full support of the Russian public authorities for the French criminal investigation. We ask the Council to confirm and endorse that view.
7. That concludes the report on the progress that the Russian authorities have made to date towards meeting the Reinstatement Conditions. Based on what we have seen, **the Taskforce recommends that the Council takes note that, although progress has been made, further significant work is required to satisfy the Reinstatement Conditions, and so reinstatement of RUSAF to membership of the IAAF is not appropriate at this stage.**
8. Lastly, the Taskforce has discussed the letter that has been sent to the IAAF Council members seeking a ruling on Juliya Stepanova's eligibility for International Competitions. This issue impacts in various important ways on the work the Taskforce has been asked to do. **The Taskforce therefore recommends that it be given an opportunity to consider the issue further, including taking appropriate legal and technical advice, and come back to the Council with a recommendation, which it would anticipate being ready to do in around early May.**

Rune Andersen, Taskforce Chair  
For the Taskforce, 11 March 2016