

IAAF TASKFORCE REPORT TO IAAF CONGRESS, 3 AUGUST 2017

1. On behalf of the Taskforce (myself, Geoff Gardner, Abby Hoffman, Anna Riccardi, and Rozle Prezelj), I am pleased to present this report to the IAAF Congress on the progress that the Russian Athletics Federation ('**RusAF**') has made to date in satisfying the conditions that the IAAF Council has set for the reinstatement of RusAF's membership of the IAAF.

Reinstatement Conditions

2. As a reminder, the IAAF Council suspended RusAF from membership in November 2015, after a WADA Independent Commission concluded there was a systemic and deeply-rooted culture of doping in Russian athletics. The Council decided that, in order to be reinstated to membership, RusAF must demonstrate that the following Reinstatement Conditions have been met, and can reasonably be expected to continue to be met moving forward, namely: (i) RusAF complies in full with the World Anti-Doping 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. The Council identified a number of specific '**Verification Criteria**' that would have to be met as part of this task. In summary, this all means that RusAF must show that it has established a culture of zero tolerance towards doping in Russian athletics, and that RusAF, RUSADA (the Russian national anti-doping organisation), and the public authorities in Russia, working in cooperation, have created an anti-doping infrastructure that is effective in detecting and deterring cheats, and therefore provides reasonable assurance and protection to clean athletes both inside and outside of Russia.

Progress since November 2015

3. Since the Taskforce's appointment in December 2015 to oversee RusAF's efforts to meet these requirements, Taskforce members have met with RusAF and the Russian authorities in person eleven times (seven times in Moscow), have met with various other interested parties (see Appendix for a full list of meetings), and have liaised closely with WADA (which is overseeing RUSADA's efforts to achieve reinstatement as a Code-compliant NADO) and the International Paralympic Committee (which is overseeing the Russian Paralympic Committee's efforts to achieve reinstatement as an IPC member). The Taskforce has submitted interim progress reports to the IAAF Council as follows:

3.1 In March 2016, we reported to Council that the Russian authorities had started work on the various requirements, and had made some progress, but that further significant work was required to satisfy all of the requirements, and therefore reinstatement of RusAF's IAAF membership was not yet appropriate.

3.2 In June 2016, we reported to Council that although many of the Verification Criteria had been satisfied, several important ones had not. We noted that the deep-seated culture of tolerance (or worse) for doping that got RusAF suspended in the first place appeared not to have changed materially to date; that a strong and effective anti-doping infrastructure capable of detecting and deterring doping had still not yet been created; RusAF had been unable to secure the assistance of the Russian criminal authorities for the investigation by the French criminal authorities into the alleged conspiracy between former officials of the IAAF and ARAF; and Professor Richard McLaren had reported that the Ministry of Sport and other public agencies in Russia, far from supporting the anti-doping effort, had in fact orchestrated systematic doping and the covering up of positive drug tests. In such circumstances, the Taskforce was clear that the Reinstatement Conditions had not been satisfied and in particular that RusAF's athletes could not credibly return to international

competition without undermining the confidence of their competitors and the public in the integrity of that competition. We therefore recommended, and the IAAF Council decided, that RusAF should not be reinstated to membership of the IAAF at that time.

3.3 In December 2016, we reported that RusAF and the Russian authorities had made further progress towards meeting the Verification Criteria, that the Taskforce was now focused in particular on (i) the official reaction to Professor McLaren's report, including in particular its findings of state complicity in a broad doping scheme; and (ii) the reinstatement of RUSADA as an independent, effective and fully operational NADO. The Taskforce therefore recommended that there be no change to RusAF's status at that time, but said that we would try to come to the next meeting with a clear roadmap for RusAF's reinstatement to membership of the IAAF.

3.4 In February 2017, the Taskforce presented that roadmap, identifying six 'milestones' that it considers need to be reached (i.e., conditions that need to be satisfied) before it will be able to consider recommending reinstatement of RusAF. The IAAF Council approved that roadmap.

3.5 In April 2017, we reported that very limited progress had been made by RusAF and the Russian authorities to meet the six milestones/conditions as of that date.

3.6 In June 2017, we reported to Council that material progress had been made towards reaching several of the milestones/conditions established by Council for reinstatement of RusAF to IAAF membership, but several important steps remained outstanding. We therefore recommended, and Council resolved, (i) to continue RusAF's suspension up to today's meeting of Congress, and (ii) to propose to this Congress that it resolve to continue RusAF's suspension until RusAF has satisfied all of the conditions that Council has said it must satisfy to cure its previous breaches of its membership obligations and so to justify reinstatement of its membership of the IAAF.

The current position

4. Going through each of the six milestones/conditions in the roadmap in turn, the current position is as follows:

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

Most of the Verification Criteria have now been completed (including satisfactory cooperation with the French criminal authorities), 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).

4.2 *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) must take place without any further adverse incidents or difficulties.*

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 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, the following arrangements have been put in place to secure access to so-called 'closed cities' to test athletes located there:

- 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.

4.3 *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 Russian 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.

4.4 *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 demonstrate 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 coming weeks. The Taskforce awaits that response, and will report on its adequacy (or otherwise) once it has received it and had a chance to review it.

4.5 *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 Sport Project, and were advised of the following encouraging developments:

- The Clean Sport Movement and the associated Rocket Sport 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.
- 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 Russian national team head coach Yuri Borzakovskiy would be leading a series of activities (including a social media campaign) in support of clean sport, supported by about eighty national team athletes, which have now started and are to continue for the whole of this season. Mr Vinogradov considered that this 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 whistle-blower 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.

4.6 *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.*

In late June 2017, WADA announced that (1) 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; (2) as a result, Elena Isinbaeva is stepping down as chair of the RUSADA Supervisory Board (she has since been replaced by Alexander Ivlev); (3) 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; (4) 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.

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

5. Based on the above, the Taskforce considers that material progress has been made towards reaching several of the conditions established by Council for reinstatement of RusAF to IAAF membership, but those conditions have not yet been met in full, and several important steps remain outstanding. For these reasons, **the Taskforce unanimously recommends 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 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.**

6. If that resolution is passed, the Taskforce will be happy to continue to carry out its mandate of overseeing RusAF's efforts to satisfy the outstanding requirements with as little further delay as possible.

Rune Andersen, Taskforce Chair, 21 July 2017

Appendix: List of Taskforce Meetings

To date, representatives of the Taskforce have met with the following parties:

- 22.12.15 Representatives of Russian Olympic Committee Interim Coordination Commission (ROC ICC), RusAF and Ministry of Sport (in Brussels).
- 11-12.01.16 Representatives of ROC ICC, RusAF and Ministry of Sport (in Moscow).
- 21.01.16 Vitaly Stepanov and Patrick Magyar (in New York).
- 25-26.01.16 Representatives of ROC ICC, RusAF and Ministry of Sport (in Moscow).
- 29.01.16 Hajo Seppelt (in Berlin).
- 11.02.16 First VP Renaud Van Ruymbeke, Premier Vice-Président chargé de l'instruction au Tribunal de Grande Instance de Paris (in Paris).
- 15-16.02.16 Representatives of ROC ICC, RusAF and Ministry of Sport (in Moscow).
- 25.02.16 Hans-Joerg Wirz and Patrick Magyar (in Zurich).
- 14.03.16 Richard Pound, WADA Independent Commission (in Lausanne).
David Howman and Rob Koehler of WADA (in Lausanne).
- 21-22.03.16 Representatives of ROC ICC, RusAF and Ministry of Sport (in Moscow).
- 11.04.16 Gunther Younger, WADA Independent Commission (in Munich).
- 14.04.16 Olivier Niggli of WADA (in Oslo).
- 23-24.04.16 Representatives of ROC ICC, RusAF and Ministry of Sport (in London).
- 25-27.05.16 Representatives of ROC ICC, RusAF and Ministry of Sport (in Moscow).
- 31.05.16 Hajo Seppelt (Lausanne).
- 01.06.16 First VP Renaud Van Ruymbeke, Premier Vice-Président chargé de l'instruction au Tribunal de Grande Instance de Paris (in Paris).
- 28.10.16 Representatives of RusAF and the Ministry of Sport (in Monaco).
- 30.11.16 Representatives of RusAF and the Ministry of Sport (in Nice).
- 23.01.17 Representatives of RusAF, the Ministry of Sport, the Investigative Committee, one of the RUSADA international experts, and Andrei Dmitriev (in Moscow).
- 13.06.17 Representatives of RusAF and the Ministry of Sport and the Rocket Sport Project (in Moscow).