

IAAF TASKFORCE REPORT TO COUNCIL MEETING OF 23 SEPTEMBER 2019

1. I am pleased to present this report on the progress made since the June meeting of Council in relation to RusAF's reinstatement to membership of the IAAF.¹ You should have copies of the report in front of you; I will only read out the highlights.

Engagement with RusAF since the Council's June 2019 meeting

2. Since June 2019, the Taskforce has continued to receive regular updates from RusAF on its anti-doping efforts, and further information was provided when Jon Taylor and I met with RusAF President Dmitry Shlyakhtin in Oslo in August 2019. There have been the following developments:

2.1 RusAF conducted a survey of more than 300 coaches at the national championships in July 2019, to understand their present views and attitudes towards the anti-doping effort, and what support they are looking for from RusAF in respect of anti-doping. RusAF also conducted anti-doping education of athletes and coaches at various camps and competitions, sometimes in combination with RUSADA.

2.2 Following Reuters' allegations in June that two banned coaches (Mokhnev and Volkov) and one banned doctor (Portugalov) were still involved in preparing athletes for competition, while Viktor Chegin was still somehow involved with the sports training centre in Saransk that used to bear his name, on 14 June 2019 the Athletics Integrity Unit (AIU) announced that it had charged and provisionally suspended Russian 400m runner Artyom Denmukhametov for prohibited association with the banned coach Vladimir Kazarin, and it was subsequently reported in the Russian media that Mr Kazarin had admitted continuing to coach RusAF athletes in breach of his ban. RUSADA subsequently confirmed that Mr Kazarin had made this admission to RUSADA as part of its investigation into the activities of banned coaches in Russian track & field.

¹ As a reminder, RusAF (fka ARAF) was suspended from membership of the IAAF in November 2015, after a WADA Commission concluded there was a systemic and deeply-rooted culture of doping in Russian athletics. Council decided that, in order to be reinstated to membership, RusAF must demonstrate that it meets the following **Reinstatement Conditions**: (i) it complies in full with the World Anti-Doping Code and IAAF Anti-Doping Rules; (ii) the IAAF and RUSADA (the Russian national anti-doping organisation) are and will be 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. A number of specific **Verification Criteria** were identified that have to be met as part of this task.

In April 2017, Council approved a **Roadmap** proposed by the Taskforce that identified six specific conditions to be met in order for the Taskforce to consider recommending RusAF's reinstatement. And in 2018 Council added a further requirement, relating to the LIMS data provided by WADA to the IAAF in December 2017.

All of these requirements are designed to ensure that RusAF establishes a culture of zero tolerance towards doping in Russian athletics, and that RusAF, RUSADA, and the public authorities in Russia, working in cooperation, create an anti-doping infrastructure that is effective in detecting and deterring cheats, so that RusAF and its athletes can start participating again in international competitions without jeopardising the integrity of those competitions.

2.3 I wrote to the Russian Minister of Sport, Pavel Kolobkov, asking for his assistance in addressing this recurrent problem. Minister Kolobkov was quoted in the media warning that local athletics federations would lose their accreditations if they worked with banned coaches; and he convened a meeting with representatives of RusAF, RUSADA, and the Russian Olympic Committee to develop an action plan, including providing various reminders to RusAF athletes of their obligation not to work with banned coaches. In addition, Ministry of Sport officials reportedly met with the ministers of sport for the regions of Mordovia, Sverdlovsk, and Kursk to secure their active assistance in ensuring that the bans on Russian track & field coaches were enforced, following which Mr Chegin's contract with the Saransk training centre was terminated. Meanwhile, RusAF President Dmitry Shlyakhtin had meetings with the heads of the RusAF member federations for the same regions, where he warned them that their membership of RusAF may be suspended if banned coaches continued to work in their respective regions.

2.4 RUSADA reports that there are currently 448 RusAF athletes in the RUSADA testing pool, i.e., who are required to provide RUSADA with information about their whereabouts when they are out of competition so they can be located for testing. RUSADA tested 824 RusAF athletes a total of 2,581 times from 1 January to 16 September 2019. RUSADA reports it has uncovered 67 suspected anti-doping rule violations by RusAF athletes in 2019. It is also investigating 39 RusAF athletes for allegedly using banned treatment from a doctor at a sports academy in Chuvashia.

3. In the meantime, Russian athletes who have been granted 'Authorised Neutral Athlete' status by the Doping Review Board have continued to compete in international competitions. A Russian team participated in the European Games in Minsk in June 2019, and 30 athletes have been permitted to participate as authorised neutral athletes in the World Championships in Doha.

Outstanding reinstatement conditions

4. Payment of Costs (Verification Criterion 7.2):

4.1 RusAF is required to reimburse all of the costs incurred by the IAAF prior to and after the reinstatement of RusAF as a result of the need to impose, enforce and assess compliance with the Reinstatement Conditions and the Verification Criteria.

4.2 As I reported in June, RusAF has signed a contract to pay all relevant costs on a quarterly basis moving forward. On 1 August 2019, the IAAF invoiced RusAF in the amount of \$187,039 for the costs incurred in the quarter ending 30 June 2019. RusAF paid that invoice on 25 August 2019. To date, therefore, this condition is satisfied.

5. Provision of LIMS data (Roadmap condition no. 7, added in 2018):

5.1 A further condition of reinstatement is that the AIU must confirm it is satisfied that:

- (a) it has been given the information it requires to identify all of the RusAF athletes who provided the 1800 samples in the period 2012 to August 2015 that are referenced in the LIMS database that WADA provided to the AIU in late 2017;

- (b) it has received all of the analytical data produced by the Moscow anti-doping laboratory when it analysed those samples;
- (c) any samples that the AIU considers need to be re-analysed (and that are still in the possession of the Moscow lab) have been sent to a WADA-accredited laboratory for re-analysis;
- (d) these data and samples are authentic and have not been tampered with;
and
- (e) the AIU therefore has everything in the possession of the Moscow lab that it needs to determine whether any of the RusAF athletes whose samples were included in the LIMS database has a case to answer for breach of the IAAF Anti-Doping Rules and/or the RusAF Anti-Doping Rules.

5.2 In April 2019 WADA obtained 2,262 samples previously stored in the Moscow laboratory, including 475 samples requested by the AIU. WADA has agreed to hold the samples collected from RusAF athletes to the AIU's order, and will transfer them to a WADA-accredited laboratory for re-analysis upon request by the AIU. In addition, at the AIU's request, WADA also secured an undertaking from the Russian authorities to retain for the next 24 months certain further samples stored at the laboratory that are not currently of interest, and to produce them upon demand for re-analysis if subsequently requested by WADA or the AIU. To date, therefore, requirement (c) above is satisfied.

5.3 In January 2019, WADA obtained forensic copies of relevant data from the Moscow laboratory (approximately 24 terabytes in total). Starting in June 2019, it passed all such data relating to track & field athletes to the AIU for analysis, amounting to 110,000 files (several hundred gigabytes of data). The AIU has advised that it is still in the process of analysing that data, but it has already identified numerous discrepancies between the copy of the LIMS database that an informant provided to WADA in 2015 and the copy of the LIMS database that WADA took at the Moscow lab in January 2019. In addition, some of the underlying raw data and PDFs presenting those data (the chromatograms) in visual hard copy form either are not present or are present only in altered form. Importantly, the AIU advises that these discrepancies are not random: in many cases, they relate to positive findings that appear in the LIMS database copy provided by the informant (including the 'disappearing positives' referenced in the McLaren report) but do not appear in the 2019 copy of the database (or in the underlying raw data and PDFs). As a result, the AIU has advised that it is not able to confirm that the data provided by the Russian authorities to WADA in January 2019 are authentic and have not been tampered with, and therefore currently the AIU does not have everything it needs to determine whether any of the RusAF athletes in the LIMS database has a case to answer for violation of the anti-doping rules. The Taskforce's view is that the ongoing situation is detrimental to the sport of Athletics as it impacts on AIU's ability to prosecute cases which in turn is unfair to clean athletes. The AIU is now working with WADA to determine the cause of the discrepancies it has identified.

5.4 WADA is conducting similar authentication analysis in relation to the rest of the Moscow analytical data provided to it in January 2019 (relating to other sports). The AIU has been advised that WADA has found very similar discrepancies in those data, including in the LIMS database itself and in the underlying raw data and PDFs, and that as a result WADA has now opened a formal non-compliance procedure against RUSADA, sending them a copy of the report from WADA's independent experts, and seeking an explanation for the apparent

failure to provide the required data in complete and authentic form, as detailed in that report. That procedure is being conducted on a fast-track basis. The Russian authorities have been given a deadline to provide their comments and answer specific questions, and a further report will be provided to the WADA Executive Committee at its meeting in November 2019. A copy of the WADA's statement on RUSADA's Code Compliance as of 23 September 2019 is attached.

5.5 The Taskforce has also been advised that multiple athletes with entries in the LIMS database sought entry to this year's World Championships as Authorised Neutral Athletes but were not approved pending on-going investigation. This demonstrates that LIMS-related matters have, and will continue to have, a significant impact on the integrity of competitions in Athletics until such matters are finally resolved.

5.6 Accordingly, at this stage it is absolutely clear that this condition has not been met. It should be possible to provide a more detailed report to Council on this issue in November.

6. Assurance that RusAF officials will comply with the World Anti-Doping Code moving forward (Verification Criterion 6.1):

6.1 In my June report, I noted that the AIU was investigating allegations that senior RusAF officials were complicit in an elite Russian athlete's provision of fabricated medical records in an effort to avoid being suspended for a whereabouts violation. I met with the AIU on Friday 13 September 2019, and they advised me that (a) the athlete in question (high jumper Danil Lysenko) has admitted that the documents he provided were indeed fabricated; (b) in his first interview, Mr Lysenko alleged that senior RusAF officials conspired with him to obtain and provide those documents to the AIU; (c) although he subsequently recanted that allegation, it is obviously a serious one that the AIU has had to investigate thoroughly.

6.2 The focus of AIU's investigation is now therefore on whether RusAF was involved in any way in the fabrication of evidence in the documents provided by Mr Lysenko, including the falsified medical documents, allegations that RusAF continue to deny. The AIU has not yet concluded its investigation but it expects to be able to do so in time to determine if any charges against RusAF officials are warranted prior to Council's meeting in November.

6.3 In the view of the Taskforce, while the AIU's findings remain pending it clearly cannot be said that this reinstatement condition has been met. Moreover, regardless of whether the AIU ultimately finds that RusAF was involved in the fabrication of medical documents, the Taskforce is concerned by RusAF's apparent failure to have any internal processes in place to check the veracity of the documents in this case before they were submitted to the AIU. This calls into direct question the scope and effectiveness of the measures that RusAF claims to have implemented to establish a strong anti-doping culture among its officials, athletes and athlete support personnel.

7. Effective enforcement of anti-doping bans (Verification Criterion 5.12) **and creation of a strong anti-doping culture among RusAF athletes and athlete support personnel** (Verification Criterion 6):

7.1 The Taskforce has taken note of the measures reportedly taken by RusAF and the Russian authorities to ensure that banned coaches are no longer able to train RusAF athletes. However, it remains to be seen whether these further measures will solve this very

serious recurring problem. Until proper assurance is obtained on this point, the Taskforce's view is that these reinstatement conditions have not been met.

Conclusion & Recommendation

8. In summary the Taskforce concludes that:

a. there is a recurring problem of athletes and local athletic federations working with banned coaches which undermines creation of any strong anti-doping culture. It is premature to tell if the reported measures taken by RusAF will work, therefore the associated reinstatement conditions have not been met;

b. because of the early indications from the analysis of the data are that there are discrepancies between the LIMS databases which appear to be not random, and that AIU has not confirmed the data is authentic and untampered, this reinstatement condition has not been met; and

c. given what has been reported in the Danil Lysenko case concerning the alleged involvement of senior RusAF's officials, and the fact that the AIU's investigation to establish whether or not RUSAF is implicated in the fabricated documents is still underway, it clearly cannot be said that this reinstatement condition (Verification Criterion 6.1) has been met.

9. Given the above, the Taskforce remains unable to recommend the reinstatement of RusAF's membership of the IAAF at this time. It wishes it could report differently, but it is clear from the above that the reinstatement condition relating to the LIMS data has not yet been met (so that at the moment it is not possible for all current and former Russian athletes in the LIMS database to be charged or cleared). And it is also clear that it cannot properly be said at this stage that the reinstatement conditions have been met relating to assurance of Code compliance by RusAF officials and relating to effective enforcement of anti-doping bans/zero tolerance for doping culture among Russian athletes. Accordingly, it is impossible to say that Russia can be re-admitted to international competition without jeopardising the integrity of that competition.

10. **Therefore, the Taskforce RECOMMENDS that Council resolves (a) not to reinstate RusAF at this time, and (b) to propose to Congress that it not reinstate RusAF but instead it continue the suspension of RusAF's membership until Council decides that all of the reinstatement conditions established by Council from time to time have been met.**

Rune Andersen, Taskforce Chair
23 September 2019

Appendix

Code Compliance: RUSADA

The ExCo received an update from the Chair of the independent Compliance Review Committee (CRC) concerning compliance of the Russian Anti-Doping Agency (RUSADA) with the Code.

The ExCo was informed that good progress was being made by WADA's Intelligence and Investigations Department (I&I) in analyzing the data retrieved from the Moscow Laboratory in January 2019. To date, 47 cases have already been identified and evidentiary packages sent to the relevant International Federations (IFs) as per the process outlined by WADA in July, and several disciplinary proceedings have been commenced by the IFs based on that evidence.

The ExCo was also informed that further investigation, by WADA I&I and independent experts in digital forensics, of the inconsistencies in the Moscow Laboratory data outlined in WADA's press release dated 2 July 2019 had led WADA to open a formal compliance procedure against RUSADA on 17 September 2019. Ensuring the authenticity of the Moscow Laboratory Information Management System (LIMS) and underlying raw data was one of the critical conditions imposed by the ExCo for RUSADA to maintain its compliance with the Code when the ExCo decided to reinstate RUSADA as Code-compliant in September 2018.

The ExCo was advised that WADA had decided to pursue the compliance procedure against RUSADA on a fast-track basis, in accordance with Article 9.5 of the International Standard for Code Compliance by Signatories (ISCCS). RUSADA and the Russian Ministry of Sport have been provided with copies of the reports of WADA I&I and the independent forensic experts that detail the inconsistencies in question and have been given three weeks to provide their comments, together with answers to a list of specific questions.

Once that response has been received and analyzed, WADA I&I and the independent forensic experts will report back to the CRC, so that the CRC is in a position to decide whether to bring a formal recommendation to the ExCo. No fixed timeline can be set for this, as due process must be respected, but the ExCo was assured that WADA is pursuing the matter robustly and as quickly as practicable.

In the meantime, the process of using the remaining data from the Moscow Laboratory and other forms of evidence to bring more cheats to justice continues. The aforementioned 47 cases are unaffected and contained no inconsistencies in the data.