

July, 2002.

**To the delegates of the 2002 IDSF Annual General Meeting,
held at Singapore, August 4th, 2002.**

Report of the IDSF Anti-doping Commission.

By: Mr. J. de Mooy, Chairman IDSF Anti-doping Commission.

I am pleased to provide this report to you as new Chair of the IDSF Anti-doping Commission.

After the untimely death of the former Chair of our commission, Prof. Dr. Herbert Fenn, I was asked by the Presidium to take over his work as Chair of this commission since I worked already closely together with Professor Fenn in this Commission. I soon found out how much work he actually was doing in this commission. I'm glad to continue the job in full respect to Herbert Fenn.

In order to avoid a lengthy introduction at the forum discussions on Saturday, August 3rd I will, besides a report on our activities, also provide some background information in this report on the difficult issue of anti-doping policy and control.

Governments.

Governments of many countries stimulate and financially support healthy sport by their citizens. Those governments recognize that active sport increases the health and well being of their citizens. They recognize also that top sport increases citizens' participation in sport in general. No such government will support the illicit use of drugs in general or especially the use of drugs in sport (doping). Governments therefore generally support the fight against doping in sports.

On the one side, in general the governments refrain from binding national or international laws and rulings in matters of sports since in most of the countries the basic "civil right of freedom of association" exists. This right includes the right to make one's own rules within such associations. In order to make competitions on an international level possible, regulation by the international sports federations is required, so that world uniformity in a certain sport is assured.

On the other side, the various governments of the European Union ("EU") member states ratified ***EU The Anti-doping Convention***, Strasbourg, France, 16 November 1989. The basis of this convention is the idea of healthy and fair sport. Use of forbidden drugs or substances is in breach of the EU-regulation on "Health and medicinal products". The European Parliament issued in 1994 a draft resolution on "Sport and Doping".

On the international level see also: United Nations Educational, Scientific and Cultural Organization (UNESCO), 2e Conference MINEPS II, ***Fight against doping***, Moscow 1988; ***International Anti-doping Charter*** of the First Permanent World Conference on Anti-doping in Sport, Canada, 1988; World Health Organization (WHO), ***Programme on Substance Abuse***, 1990, and ***Drug Abuse and Sport***, 1993.

Since most of the financial support in sports and sports-accommodations in many key countries is basically coming from governments or their institutes, it must be clear that they can and will make rulings as conditions for such financial supporting. Even NOC's usually cannot operate without the financial support from their governments. This indeed is a very strong weapon in the hands of governments!

This is the basic political setting in which all sport federations have to operate and prepare their policies on anti-doping, including IDSF.

Sports federations.

The national and international sports federations have the obligation to guarantee fair play in sports and guarantee the fairness of competitions. In order to fulfil this obligation, most have developed rules and regulations, among those the competition rules, in which the use of doping is forbidden. Use of doping in sport is fraud. Fraud must be detected and punished. No serious sports federation can afford such practices.

The leading party in the fight against doping by the sports federations is the IOC. In the beginning this was done by taking over the results of the First Permanent World Conference on Anti Doping in Sports as a basic and build further on this document (1988). In 1989 the GAISF harmonized the various anti-doping rules of affiliated sport federations at their convention at Budapest. The cooperation between IOC and GAISF resulted finally in the ***Olympic Movement Anti-doping Code***, whose preamble states "... *the Olympic Movement duty is to protect the health of athletes and to ensure respect for sport ethics ...*". Development of anti-doping policies and execution of doping controls is since then a condition of IOC membership.

How we proceed.

So, the two principal parties in the fight against doping in sport are the Sport Federations headed and influenced by the IOC, and many influential governments.

Since November 1999 these two parties have been working together in their fight against doping in sports in the *World Anti Doping Agency* (WADA). WADA intends to write one World Anti Doping Code for all sports in 2004. Doping controls and sanctioning of offences will then probably become uniform throughout the world. Twice a year WADA holds two-days conferences to work towards these goals, in which conferences most of the international and national sport federations take part (this year I represented the IDSF) as well as governments and various specialists in the field of doping such as specialized physicians.

Anti-doping policy and doping control by IDSF.

Since IDSF is a recognized member of IOC, the IOC asked us IDSF to present our anti-doping rules and regulations. The deadline for this presentation was November 15th, 2000. Prof Fenn, his assistant Mr. Grischka Petri and Legal Commissioner/ Presidium Member Mr. James Fraser developed the draft ***Code*** which was presented on time to IOC by the President of IDSF, Mr Baumann. The Code was accepted by your AGM at Lausanne.

We believe IDSF's principal initial task in implementing the **Code** is to educate and inform administrators and officials of the IDSF-members, trainers/coaches and athletes.

On one side, we face the IOC/WADA officials. They are forced by the various governments and the public to enforce a strong anti-doping policy (see above). The Memorandum of Mr. Richard Pound dated October 24th, 2001 and the recent appointments of several officials leave no doubt that they will be tough on NOC's and their athletes.

On the other side, we deal with the IDSF Members. Their presidiums and officials are focused especially on Dance Sport as such (which can only be correct) and the interests of their own members and affiliates. Doping control is not a major issue for many or most IDSF Members.

Performance of controls. Performance of doping controls can be separated in two parts:
(i) In-competition controls, and
(ii) Out-of-competition controls. Out-of-competition controls will be done by WADA.

*1. In-competition controls. Scope (art. 3,II, IDSF **Anti-doping Code**).*

Rule 5 competitions: all world championships, continental and sub-continental championships, world ranking tournaments, international invitation competitions, formation teams, world cups and continental cups, international team matches, open competitions, are subject to doping controls as appointed by the IDSF Anti-doping Representative. According to the **Code**, the responsibility for performing doping controls can and will be transferred and assigned to the member who has been granted the organization of the event by IDSF. This means that each and every member who has been granted the organization of an IDSF competition must be fully prepared and equipped to perform doping controls, including the required infrastructures. For the infrastructures I here refer to the Questionnaire issued to you all. This information is extremely important to IDSF in order to perform doping controls in a proper way. Please note that in accordance with the **Code** (art. 3,II,2) IDSF is also authorized to conduct doping controls on the national championships of the members. So, please be prepared.

2. Out-of-competition controls. In the future a list is to be prepared by all members yearly of their international athletes, including home addresses, training centres, etc., in order to enable WADA to perform out-of-competition controls.

3. Doping controls by the members. In order to perform doping controls during their national and/or semi-international competitions, the members must develop their own anti-doping codes and regulations. See also art. 3,II,2 of the **Code**, Conditions of Membership. If necessary IDSF will be of assistance.

General. Doping control in sport is based on internal regulations and bylaws of each federation, national or international. But by developing and accepting national codes by a federations, the job is by far not done. Doping control is an inter-association matter, including controlling of the athletes and sanctioning of offenders. Where an anti-doping law exists in the criminal laws or other laws and regulations of a country, then only the governmental authorities such as police or authorized civil servants may control adherence to these rules. Federations then have nothing to do with this. In the same way the authorities have nothing to do with the internal regulations in

this field by the federations nor the control to the adherence of such rules and sanctioning of offenders. The federations themselves must do this!

Apart from any eventual legislation and/or ruling by your various governments, you as a member of IDSF must develop your own sound and valid anti-doping regulations based on your statutes and bylaws. You must initiate and conduct doping controls and sanction offenders in accordance with international legal standards.

IDSF Forum, august 3, 2002, Singapore.

I realize that this report, by far, will not answer all your questions on the matter. I therefore advise you to attend the Forum on Saturday the 3rd at Singapore. I will try to answer all your questions as far as possible during that Forum.

Activities of our Commission in the past year.

a) developing a work- and implementation program. Not only our own activities and administration procedures had to be developed but also the information sources and activities by the IDSF Members. As far as the role of the members is concerned you will be approached by memorandum when required;

*b) finalizing the discussions about final changes of the IDSF **Anti-doping Code**.* Proposed changes are attached to this report. By the time we issued to you the original **Code** for approval and acceptance at the 2001 AGM at Lausanne, we realized that not all discussions were finalized. Due to the importance of a timely presentation to IOC we felt we could finalize the outstanding discussions this year, which we did. Most of the changes are of a minor textual nature or to complete the **Code** system. One important new feature is the introduction of a "Disciplinary Committee" (DC) as an independent organ of IDSF. The DC will, as a fully independent organ of IDSF, handle all disciplinary proceedings against offenders of the **Code**. We are of the opinion that in this way we can guarantee a fully independent administration of justice within IDSF to international legal standards. In order to do so, not only the **Code** but also the **Statutes** have to be changed;

c) discussion of the information program. The information and education program should have an unifying theme, i.e. communication of the core ideas and values. For the time being we are able, with permission, to provide to you at this AGM a booklet published by the Canadian Centre for Ethics in Sport (CCES) at Ottawa, Ontario, (one of the two national anti-doping organizations appointed to assist WADA), called "*Helping Athletes to Compete Drug-free*". Information and education is a very important matter for us all. Information and education is one of the most important tools to help our athletes to stay "clean" since we believe that the great majority of our athletes intend to compete drug-free. You, as members of IDSF, have a very important obligation to your athletes. We, as IDSF, will help you in this task as far as we can. Information and education is to be provided to athletes, especially youths, trainers/coaches, administrators and sport officials.

d) issuance of the questionnaire to the members. The questionnaire, issued to you all, contains a lot of questions, which are important to us in order to get a picture of your situation and to be able to help you where necessary. The nomination of an Anti-doping Coordinator by each and every member, in order to create a network of anti-doping administrators within IDSF, is particularly important to solve the problems quickly when they occur.

Activities on our Commission's agenda.

- a) summarizing the information from the questionnaire;
- b) developing the structure and working procedures of the Disciplinary Committee;
- c) finalising the information program for members and athletes;
- d) implementing in competition anti-doping tests on a short notice;
- e) set up a coordinating and supervisory team.

All of which is submitted with respect.

J. de Mooy, Chair IDSF Anti-doping Commission.

Attn: Statutes and Code changes as proposed.