

ANTI-DOPING COMMISSION

June 10th 2007

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**To the Delegates
to the 2007 IDSF Annual General Meeting
Barcelona, Spain, June 09-10, 2007**

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2007 Annual Report of the IDSF Anti-Doping Director

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By Mr. J. de Mooy (the Netherlands),
IDSF Anti-Doping Director / Chair IDSF Anti-Doping Commission

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25 This year again I was honoured to serve you as Chair of the IDSF Anti-Doping Commission and as IDSF Anti-Doping Director.

The main topics of this report are:

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1. in-competition testing 2006;
2. out-of-competition testing 2006;
3. issuance of TUE's;
4. modification of the IDSF Anti-Doping Code and the World Anti-Doping Code;
- 35 5. obligations of the IDSF members under the anti-doping rules;
6. education and information.



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1. In-competition testing

40 The performance of in-competition-testing in IDSF competitions continued at a limited scale.

In 2006 IDSF performed controls in the following IDSF competitions:

- IDSF Grand Slam Standard, Stuttgart, Germany, August 19th 2006
- 45 --- IDSF Grand Slam Latin, Stuttgart, Germany, August 17th 2005
- IDSF World Championships Latin, Karlsruhe, Germany, September 30th 2006
- IDSF World Championships Standard, Aarhus, Denmark, November 25th 2006
- 50 --- no tests performed in the senior competitions
- no tests performed in the 10-dance competitions
- no tests performed in the Formation competitions

55 In total 25 athletes (13 male and 12 female) have been tested in 2006 in IDSF competitions. Two rule violations (adverse analytical findings, AAF) have to be reported:

- Edita Daniute from Lithuania tested positive on sibutramine, a forbidden stimulant, in the IDSF Grand Slam Standard at Stuttgart, Germany, in August 2006. The IDSF DC sanctioned with 3 months suspension and disqualification of the results in the GOC Grand Slam. Daniute filed an urgent Request for a stay with the Court of Arbitration for Sport (CAS) at Lausanne in order to participate in the World Championships Standard at Aarhus Denmark, which request was granted, as well as an Appeal with CAS. Right now the Appeal is still not finally decided.
- 65 --- Ivan Novikov from Russia evaded the tests at the GOC Stuttgart; the IDSF DC is handling this rule violation.

The nationalities of the athletes tested in 2006 are:

- Denmark : 4 athletes;
- 70 China : 2 athletes;
- Germany : 2 athletes;
- Italy : 3 athletes;
- Latvia : 2 athletes;
- Lithuania : 5 athletes;
- 75 Netherlands: 1 athlete;
- Poland : 2 athlete;
- Russia : 3 athletes, and
- Slovenia : 1 athlete.



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80 The cooperation of most of the athlete is good (especially the top ranked couples), however we see a tendency that some athletes do have a negative and patronizing attitude towards the anti-doping controls and the testing officials.

85 Providing proper identification papers by the athletes in the control rooms has improved to an acceptable level.

Testing by the IDSF members

90 *IDSF members do have the obligation to report anti-doping activities and testing, including the results, to the IDSF Anti-Doping Commission. Not reporting the activities and testing in the national competitions and championships is an anti-doping rule violation by that member.*

95 Please note: as from January 2008 the member's obligations will be increased. See also the attached "*Obligations of the IDSF members under the anti-Doping rules*".

Last year we received testing information **from 5 members only**:

100 --- WRRRC: during the World Championships at Schaffhausen, Switzerland, 4 athletes have been tested; all tests reported negative.

--- JAPAN: 18 athletes have been tested in national competitions; all tests reported negative.

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--- GERMANY: 48 tests performed in national competitions and championships. One test reported positive: Simone Segatori (3rd place) tested positive on finasteride, a forbidden masking agent, but also used against male hair loss, in the German Championships Standard, November 2006. The Disciplinary Commission (Sportgericht) of the German member Decided the case and sanctioned Segatori with a 3 months suspension and disqualification of the results in the Championships. All other tests negative.

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115 --- NETHERLANDS: 30 tests performed in national competitions and championships of which one tested positive. The case was handled by the Presidium of the Dutch member. The athlete was sanctioned with a reprimand for not timely applying for a TUE.

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120 --- USA: 4 tests performed in the national championships August 2006; all tests negative.

All tests and test results have been published on the IDSF website.

125 **2. Out-of-competition testing (OCT)**

130 OCT by WADA/IDSF is only applicable to top ranked athletes in each sport, national as well as international. Therefore different testing pools are composed, national as well as international. The National Anti-Doping Organizations in each country deal with the national testingpool and the national top ranked athletes. IDSF deals with the international top ranked DanceSport athletes only.

135 The National Anti-Doping Organizations in each country do have an own responsibility and authorization in this respect. You, as a member of your National Olympic Committee, must realize that your National Anti-Doping Authority can and will have his own policies that you have to adhere to. So far we have no information that one of the NADO's of the Member countries has selected DanceSport athletes in a national OCT pool.

140 As known by you, OCT is done by WADA and paid for by WADA so far. **In the very near future (before the end of 2008) IDSF will have to organize its own OCT at its own costs.**

145 IDSF and its athletes have to provide detailed whereabouts information to WADA as an obligation under the WADC and the IDSF Anti-Doping Code.

In 2006 WADA performed 6 OC tests in DanceSport:
 --- UK, May 2006, 2 tests (Ferrugia/Koehler)
 --- Slovenia, August 2006, 2 tests, (Plohl/Lachvinovich)
 150 --- Italy, October 2006, 2 tests, (DiFilippo/Melnikova).
 All test results are reported negative.

155 Submittal of the whereabouts information by the IDSF athletes improved reasonable, however for a few of them The danger is that WADA will perform OCT anyway on the inaccurate information provided by an athlete and that athlete is not available at the given location. The result will be a missed test and reported as such.

Not providing *correct and detailed* whereabouts information is a violation of the athlete's duties according to the IDSF Anti-Doping Code.



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Please inform your athletes that they are fully responsible and accountable to provide full and correct whereabouts information when selected in the OCT pool. Any missed test due to incorrect whereabouts information must and will be sanctioned.

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3. Issuance of TUE's

170 One of the principles of anti-doping policies is to keep the sport healthy. However, anti-doping policies are not meant to exclude people from sport because they are ill or have a medical condition.

175 Therefore the IDSF Code and WADC includes a system of Therapeutic Use Exemptions (TUE's), i.e. the use of certain forbidden substances by athletes, who need those substances for health reasons, without being sanctioned.

180 Only the National Anti-Doping Organization in each country (for national competing athletes only) or the International Federations (for international competing athletes) do have the authority to issue Certificates.

A prescription of the athlete's family doctor or specialist is not valid.

185 Within IDSF the Anti-Doping Commission is evaluating the TUE Applications for international athletes. 4 medical doctors of 4 nationalities (German, Canada, Thailand and the Netherlands) are member of the IDSF Anti-Doping Commission and evaluate the TUE applications.

The IDSF Anti-Doping Director issues the TUE Certificate when the application is correct and approved by at least 2 medical doctors of the Commission.

190 The IDSF TUE Procedure, applicable standard forms and relevant information are published on the IDSF website in June 2004.

195 **Without a valid TUE Certificate, the use of forbidden substances (medicines, food supplements) in sport is not allowed and no excuse will be accepted in Anti-Doping controls when a forbidden substance is found.**

A special warning must be given to your athlete's not to use any food supplement unless such supplement is absolutely clean.



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200 In 2006 the IDSF Anti-Doping Commission issued in total 7 TUE Certificates by following nationalities:

--- Hungary : 1 certificate
 --- Japan : 1 certificate
 205 --- Netherlands : 3 certificates
 --- Norway : 1 certificate
 --- Switzerland : 1 certificate

210 Op top of these numbers the respective NADO's issued 9 TUE Certificates to DanceSport athletes of following nationalities:

--- Finland : 1 certificate
 --- Germany : 1 certificate
 --- Hungary : 1 certificate
 215 --- Netherlands : 6 certificates

220 I view off the number of athletes competing in DanceSport it's worrying that it seems that a large number of athletes, using medicines, don't have a valid TUE Certificate and are therefore in danger when they are selected for anti-doping controls.

225 **We kindly request all IDSF members once more to inform the athletes about these procedures to avoid unnecessary Anti-Doping rule violations due to the use of prescribed medicines without a valid TUE Certificate and/or food supplements.**

230 ***4. Modification of the IDSF Anti-Doping Code and the World Anti-Doping Code***

For 2007 we modified the IDSF Anti-Doping Code as approved and accepted by your AGM 2006. The revised Code is published on the IDSF website in December 2006 together with the List of Prohibited substances 2007.

235 For the AGM 2007 we propose a minor change only as introduced in the AGM documents under Motions of the Presidium, as follows:

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Art. 5: Sanctions

X. Ineligibility: Commencement, Status and Reinstatement

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2. No person who has been declared Ineligible may, during the periode of Ineligibility, participate in any capacity in a competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any Signatory or Signatory's member organization, including IDSF and its members. In addition

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NEW

2. No person who has been declared Ineligible may, during the periode of Ineligibility, participate in any capacity in a competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized **and/or** organized **or otherwise by IDSF and its members or any Signatory or Signatory's member organizations.** In addition

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255 Reason: clarification of the text.

Presently the World Anti-Doping Code (WADC) is being revised by WADA, consulting all Stakeholders. This process started at the middle of 2006 and will be completed in November 2007. In November 2007 the revised WADC will be signed during a conference at Madrid.

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A few of the major changes have been discussed during a symposium of International Federations held at the initiative of WADA in Lausanne, Switzerland, March 27-28, 2007. The Anti-Doping Director represented IDSF at this symposium. About 80 IF-representatives were present; among those all major IF's like FIFA, UEFA, UCI, IPC, GAISF, FIS, ITF, etc.

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The revised WADC will become in force on December 31st 2008. WADA will monitor from time to time the progress made by the IF's.

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On December 31st 2008 all IF's must be Code compliant.



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275 We will implement the changes of the WADC 2007 as required in the IDSF
Anti-Doping Code and present this revised IDSF Anti-Doping Code to your
AGM 2008 for approval and acceptance.

280 ***The status of WADC Compliance of all IF's at the end of December
2008 must be reported by WADA to IOC. IOC will then review the
recognition of the various IF's, and all related consequences,
accordingly.***

**This includes also testing by the IDSF members in national
competitions and championships.**

285 For now I will introduce already a few of the major changes for your
information:

290 --- more authority for the internal Disciplinary Counsels of the IF's to apply
nuances in sanctioning in case of a rule violation because much more
forbidden substances will be headed under "specified" substances. This we
expect will also mean that more Decisions of a DC will be subject to CAS
Appeals (more costs for the IDSF);

295 --- all IF's **must** plan, implement, evaluate and monitor information and
education programs for a doping free sport, especially by their members,
starting also with young people in school and sports clubs, parents, officials,
coaches etc., in accordance with the principles as consistent with the
UNESCO Convention 2006. *This topic will become a major issue the coming
years;*

300 --- IF's and its members must implement professional Codes of Conduct and
Good Practise and Ethics for athlete support personnel such as adjudicators,
trainers, coaches, parents, etc.

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5. Obligations of IDSF-members under the Anti-Doping rules

310 Once more we like to draw your attention to the obligations of the IDSF
members as a result of IDSF' s obligations under the WADC for if WADA
reports the implementation status of IDSF under the WADC this will include
also the status of the duties and activities of the IDSF members.

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315 In order to review the status of IDSF and its members under the WADC I will firstly list the duties to adhere to.

Article 5 sub 5 of the IDSF statutes read: *It is a condition of membership of the IDSF that the policies, Rules, Statutes and programs of the member comply with the World Anti-Doping Code (WADC).*

320 The foregoing results in the following obligations for IDSF members:

1. Each and every IDSF member must adapt and implement Anti-Doping policies and rules conform to the WADC and the IDSF ADC.
- 325 2. All members are obliged to enforce the IDSF ADC within their own jurisdiction.
- 330 3. All members must inform and educate its athletes, athlete support personnel (trainers, adjudicators, medical and para-medicals) and other officials about the requirements of the IDSF ADC by handing out a copy of the IDSF ADC and providing information and education about policies.
- 335 4. Any member that nominates a participant to any IDSF granted competition is to ensure that such participant is deemed to have recognized the IDSF ADC (participant means any athlete, adjudicator, coach, trainer, official, medical or para-medical, or any person working with or treating athletes). Members will only nominate a participant to any IDSF granted competition that has signed the Forms of consent.
- 340 5. Each and every IDSF member must ensure and require as a condition of membership and participation in the member's national competitions, that athletes, coaches/trainers, adjudicators and other participants and athlete support personnel recognize and be bound by the Anti-Doping rules.
- 345 6. Require from their athletes to be available for OCT and provide accurate whereabouts information.
- 350 7. Organize and conduct Anti-Doping controls at the members national competitions and championships.
8. Result management and sanctioning of Anti-Doping rule violations and provide such information to the IDSF Anti-Doping Commission.

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- 355 9. Take appropriate actions to discourage non-compliance with the WADC and the Code.
10. Withhold funding and support to members, athletes, coaches/trainers and other athlete support personnel that are not in compliance with the WADC and the Code.
- 360 11. Provide education and information programs and provide information to the IDSF Anti-Doping Commission about such activities.
12. Authorize and facilitate independent observers from WADA and IDSF.
- 365 IDSF has the obligation under the WADC to monitor its member's efforts and progress in this respect.
We therefore plan sometime later this year to start again from time to time to issue Questionnaires to you as IDSF members to answer questions and provide information to us about the situation in your country. Under the WADC IDSF will also have to check your procedures and actual performances if necessary. It is the duty of each IDSF member under the *IDSF Statutes* to reply to such requests without unreasonable delay.
- 375 From our previous reports and presentations to your AGM's we hope it will be clear to you all that the information requested by IDSF from its members is necessary to do the Anti-Doping work correctly. The Anti-Doping work is, as you all know, so vital for IDSF's recognition by the IOC and the membership of the GAISF and IWGA.
- 380 IDSF cannot accept the suggestion that it will not perform Anti-Doping controls in some countries because its Anti-Doping Commission does not have the required and requested information from that country/member.
- 385 At the 2002, 2003 and 2004 IDSF Annual General Meetings, former President Baumann and the IDSF Presidium have emphasized that cooperation with the Anti-Doping Commission's work is necessary as a part of your membership in IDSF.
- 390 IDSF, and you as members, must work very close together in order to work out afore mentioned obligations and be compliant with the World Anti-Doping Code.

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Anti-Doping Controls in National Competitions

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One of the duties of the IDSF members under the WADC and the IDSF Anti-Doping Code is to implement a system that Anti-Doping controls will be conducted and performed in competitions at national level.

400 This means at your national competitions and championships.

Your Federation has to develop your own Anti-Doping regulations in accordance with your national laws and the IDSF Code, establish a national testing pool for your national and international competing athletes and conduct and perform Anti-Doping controls.

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According to the information received by us so far only 5 IDSF members performed testing in their own competitions in 2006.

WADA and IOC will not accept this situation much longer.

410 We, you and IDSF, will have to improve this situation in the very near future.

If your Federation is a member of your NOC, your NOC can help you to overcome problems for testing in your own competitions because it is the duty of all NOC's under the WADC to introduce and conduct Anti-Doping controls within their jurisdiction. The NOC's and National Anti-Doping Organizations have to set-up national testing pools for each recognized sport. You are advised to try your hardest to include Dance Sport in your country in such a NOC testing pool.

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It can save you a lot of money and time.

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Binding athletes, coaches/trainer etc. to the Code

It's an obligation of IDSF (and therefore of its members) according to the WADC that all athletes and athlete support personnel must be knowledgeable of and be bound by the Anti-Doping rules and regulations. This means each and every person involved in DanceSport including coaches/trainers, adjudicators, organizers, as well as all other athlete support personnel.

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430 Also participants/competitors do have obligations under the WADC and the IDSF Anti-Doping Code.

Athletes have the responsibility:

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- 435 --- to be knowledgeable of Anti-Doping rules and comply with all applicable policies and regulations;
 --- to be available for and accept the sample collection, including OCT;
 --- to take responsibility for what they ingest and use in the context of anti-doping
 440 --- to inform medical personnel (including the family doctor) of their obligations under the Anti-Doping rules;
 --- complete and sign the Forms of Consent prior to enter a competition and provide proper identification papers to the organizer;

Athlete support personnel have the responsibility:

- 445 --- to be knowledgeable of anti-doping rules and comply with all applicable policies and regulations;
 --- to cooperate with the athletes testing programs;
 --- to use their influence on athletes values and behaviour to foster anti-doping attitudes.

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Trying to sanction people for violating the Anti-Doping rules has no legal power or force unless the offenders are legally bound to the rules and regulations, one way or another.

- 455 As we explained before legally we know three methods to bind persons to regulations and codes of an association:

460 1. *by membership*. The statutes and regulations of an association bind each member of that association. Membership constitutes a contract between the member and the association.

465 2. *by membership construction*. A member of a member is also bound providing the member includes provisions as such in its own statutes. For example: the members of the IDSF members are bound by the IDSF statutes and regulations when that particular IDSF member include the provision thereto in its own statutes.

470 3. *by contract*. This is the way IDSF has chosen by introduction of the Forms of Consent for Athletes and Adjudicators. In the future a Forms of Consent for trainers/coaches etc. must be introduced.

The best way by far is of course the membership binding. Only then we can talk about a *sport association structure*. However we know that not all athletes participating in the IDSF competitions (or the national competitions



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475 of the IDSF members) are members of their own national federation, the
 480 IDSF member of that country. In fact in practice many athletes have a
 commercial relation with a trainer/coach only. The trainer/coach only is
 (sometimes) a member of the national federation, member of IDSF. Some
 athletes have no membership binding at all with the IDSF member in his/her
 country.

In such occasions the only way to bind athletes and support personnel to the
 Code and IDSF regulations is a contract: the Forms of Consent. If no Forms
 of Consent are signed there might be no binding at all to the IDSF or your
 485 own regulations.

Another danger resulting from afore mentioned situation is that such a
 Federation, although member of IDSF and sometimes even member of it's
 national NOC, can not appeal legally on the freedom of association as stated
 490 in many constitutions and international treaties.

After all the athletes (competitors) are not member of the Federation and
 therefore the Federation offers services (Dance Sport competitions) to a free
 market! In this case the general laws of the country are applicable and
 superior to the regulations of the Federation.

495 One might find itself in a position that the courts in your country declare
 your competition rules in conflict with the law and therefore not legal at all.
 That's not a pleasant position.

**Also the organizers of the competitions, if not the IDSF member
 500 itself, must be bound to the statutes and Anti-Doping regulations.**

One way for the IDSF Member is to require the correct procedures in a
 written agreement with the Organizer, before licensing the IDSF competition
 to that organizer.

If such Organizer does not agree, he cannot organize IDSF tournament!

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We advise IDSF Member Federations to use such agreements with its
 organizers. You can ask the Chair of our Commission, or IDSF Legal
 Commissioner Jim Fraser (Canada), for help.

510 **After all: without a proper legal construction and administration
 each and every control is useless and of no value resulting for IDSF
 or its members in a violation of the WADC rules.**

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515 ***Result Management and statistics***

All duties and activities as mentioned above have to be recorded.

520 This means a huge administrative obligation for IDSF and for you as IDSF member. We, you and IDSF, will all have to work together very closely and spontaneously in order to fulfil your and our duties.

525 WADA developed a new Anti-Doping Administration and Management System (**ADAMS**), a web-based computerized system. I was given the opportunity to participate in a two-days training session in March 2007 at Lausanne, Switzerland. The system takes care of athlete administration, whereabouts information, TUE's, testing planning and reports, lab results, mission orders for testing, etc., etc. It's quite a work to insert the athlete's data's but once that is done a very helpful system. It can reduce the
 530 paperwork and filing systems tremendously. All organizations involved in anti-doping can be connected such as the athlete's, WADA, NADO's, IF's, testing officers, laboratories, etc.

535 ***6. Education and information***

540 As mentioned above the Education and Information duties will become a major topic the coming years under the WADC. This subject was also one of the major topics at the WADA IF Symposium in March 2007. Recently WADA even issued a draft Model Guidelines for International Federations on the subject, a cooperation project of the Council of Europe and WADA. Now the UNESCO accepted in October 2006 its Convention Against Doping in Sport its expected that the role of the Governments will increase seriously.

545 The Guide Lines foresee in five topics:

- analyses of the current situation;
- development of a long term global plan;
- development of an annual activity plan;
- development of activities and materials;
- 550 --- development of monitoring and evaluation processes.

Planning is essential for determining priorities, establishing and achieving goals and ensuring the best use of the limited resources.

555 A key will also be development of education materials, the target groups and the channels to deliver the messages.

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The primary goal of education and information is prevention.

560 The text of the WADC 2007 will include: *These programs should be directed at young people in school and sports clubs, parents, adult athletes, sport officials, coaches, medical personnel and the media; a large program indeed. These principles are consistent with the UNESCO Convention. We will need to develop programs together also consulting WADA.*

Attached to this report are:

565 --- obligations of IDSF under the Anti-Doping Rules
 --- obligations of athletes under the Anti-Doping Rules
 --- obligations of organizers under the Anti-Doping Rules, and
 --- obligations of IDSF members under the Anti-Doping Rules.

570 These documents are also published on the IDSF website.

Please have these documents translated in your national language and published to the athletes and athlete support personnel.

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To conclude:

580 As you know I am always available for questions from representatives of the IDSF Member Federations, athletes and from the Media.

580

I would like to thank the IDSF Presidium and the AGM Delegates for the privilege of serving IDSF as Chair of the IDSF Anti-Doping Commission and IDSF Anti-Doping Director again this past year.

585 **Kudos:** special thanks to my colleagues of the IDSF Anti-Doping Commission that did such good work over the past years.

All of which is submitted with respect.

590 Sincerely,

Ko de Mooy

595 **IDSF Anti-Doping Director/
 Chair IDSF Anti-Doping Commission**