

## IAAF TASKFORCE: INTERIM REPORT TO IAAF COUNCIL, 17 JUNE 2016

1. On behalf of the Taskforce, I am pleased to present this report to the IAAF Council on the progress that the Russian Athletics Federation ('**RusAF**') has made to date in satisfying the conditions for reinstatement set out in the Taskforce's Terms of Reference.
2. As a reminder, the 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 satisfy a number of specified '**Verification Criteria**', and must demonstrate that the following Reinstatement Conditions "*have been met, and can reasonably be expected to continue to be met moving forward*":
  - 1st, that RUSAF complies in full with the World Anti-Doping Code and IAAF Anti-Doping Rules;
  - 2nd, that the IAAF and RUSADA (the Russian NADO) are able to conduct their anti-doping programmes in Russia (in particular, drug-testing) effectively and without interference; and
  - 3<sup>rd</sup>, that as a result, the reintegration of Russian athletes into international competitions will not jeopardise the integrity of those competitions.

In short, RusAF must show that there is now a culture of zero tolerance towards doping in Russian athletics, and that RusAF, RUSADA, 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.

3. As a result of the enormous efforts and professionalism of Mr Aleshin of the Russian Olympic Committee, RusAF president Mr Shlyakhtin, and their colleagues, there has been significant progress towards satisfaction of the Verification Criteria to date. In particular:
  - 3.1 RusAF has replaced all members of the old ARAF Council with new members, replaced the old committees and commissions, made all new RusAF staff sign anti-doping declarations, and introduced a new contract to be signed by all national team athletes and coaches, acknowledging their anti-doping obligations.
  - 3.2 A domestic hearing panel ruled that race-walking coach Viktor Chegin was complicit in the many anti-doping rule violations committed by athletes under his charge, and so banned him for life from participation in the sport.

- 3.3 RusAF signed an agreement with the Federal Drug Control Service, committing to mutual cooperation in the prevention of illegal trafficking in substances and methods that are banned in sport.
  - 3.4 RusAF decided to change its rules so that appeals from domestic decisions involving Russian athletes will be heard not by a domestic appeal panel but rather by the Court of Arbitration for Sport in Switzerland.
  - 3.5 RusAF and the ROC decided to change their selection policy so that athletes with a serious anti-doping rule violation on their record will not be selected for the Olympics.
  - 3.6 Mr Aleshin secured the support of the Russian Government for a bill that would amend the Russian Criminal Code to impose criminal liability on athlete support personnel who induce athletes to dope, with potential penalties to include fines and even periods of imprisonment. The State Parliament of the Russian Federation voted to adopt the amendments on 15 June 2016.
  - 3.7 The Ministry of Sport announced just last week that anti-doping classes will be introduced into the curriculum in schools and sports academies, teaching students to *"reject any encouragement to cheat to achieve sporting success"*.
4. Nevertheless, the Taskforce is clear that several important Verification Criteria have still not yet been fully satisfied:
    - 4.1 Verification Criterion No. 5 requires that Russian athletes be accessible for no notice testing by international DCOs commissioned by the IAAF or by UK Anti-Doping (for RUSADA). While this has happened in some cases, there remain various serious issues with such testing, including certain issues outlined in the 'Update on the status of Russia testing' report issued by WADA on 15 June 2016. As just one example, four athletes in the national squad regularly stay in 'closed cities' that cannot be accessed without first obtaining a special permit from the Ministry of Sport. To date, the Ministry has not provided such permits, which has prevented proper testing of these athletes.
    - 4.2 In order to ensure that the past problems are fully understood and all those who are part of the previous culture of doping are rooted out, Verification Criterion No. 4.3 requires RusAF to interview (a) all of its athletes and support personnel who were accused of wrongdoing in the WADA Independent Commission Report (to get their response to the allegations) or who had an active working relationship with Dr Portugalov, Mr Melnikov or Mr Chegin (to establish their knowledge of any doping activities); (b) the 120 athletes and 2 coaches found to have committed a doping violation in the last five years (to see where they got the prohibited substances from and who else (if anyone) was complicit in their violations); and (c) all athletes selected for the Russian national team in the past five years (to establish their knowledge of any

doping activities). RusAF has completed many of these interviews, but there are still many more that have not yet been conducted. Once RusAF has completed them, it needs to report to the Taskforce on what it has learned, and then agree with the Taskforce on what follow-up action is required. Until then, it has not satisfied Verification Criterion 4.3.

4.3 Verification Criterion No. 6 requires RusAF to establish a strong anti-doping culture among its officials, athletes and athlete support personnel. However:

4.3.1 Elite Russian coaches and athletes still do not appear to understand or to be willing to acknowledge the nature and extent of the doping problem in their sport:

- a. After Mr Chegin's life-ban for multiple doping offences was announced in March 2016, a number of other coaches and athletes asserted publicly that his ban was politically motivated and asked President Putin to intercede to *"restore the good name of a real professional and a true patriot"*.
- b. Former Olympic champion Yuriy Burzakovskiy is now the head coach of the Russian national team, and is said to lead *"a new generation"* of clean Russian athletes. However, Mr Burzakovskiy, and fellow Olympic champion Yelena Isinbaeva, have both publicly dismissed the contents of the WADA Independent Commission's report as *"groundless"*, even though in interviews with the Taskforce it emerged that neither of them has ever actually read that report. In addition, in his interview with the Taskforce, Mr Borzakovskiy insisted that there is no particular doping problem in Russian athletics, and dismissed EPO findings and adverse passport findings made in respect of Russian athletes on the basis that the analytical methods that produced those findings are *"unreliable"*.
- c. In May 2016, the Taskforce interviewed several athletes who had previously admitted anti-doping rule violations and accepted lengthy bans and disqualification of their results. Those athletes nevertheless insisted to the Taskforce that they had not committed any violations, and denied that there was a culture of doping in Russian athletics. Only one of them was prepared to admit that she had doped.
- d. The transcripts that RusAF has provided of interviews it has conducted show that other national team athletes almost all adopted the same position. There was only one moment of candour, when one banned athlete stated: *"I can only say that doing sports at such level is just not possible without any pharmacological assistance. Just impossible"*.

- e. Re-testing of Beijing 2008 samples uncovered eleven adverse analytical findings for Russian track & field athletes, and re-testing of London 2012 samples uncovered another five. One of the athletes in question, former 400m Olympic medallist Tatyana Firova, stated in interview last week: *"A normal person can take banned substances if they want to, so why can't athletes take them as well? How else can we achieve high results?"*

4.3.2 Consistent with this attitude, there remains a clear lack of respect for the anti-doping rules:

- a. Historically RusAF has not had any contractual relationship with the vast majority of Russian athletics coaches; instead those coaches are employed by the federal or regional governments and/or by publicly or privately funded clubs. Whether for this or some other reason, currently RusAF appears incapable of enforcing doping bans imposed on Russian coaches.
- b. The Council will recall that an ARD documentary broadcast in March 2016 showed that Mr Melnikov (a former national team coach who featured prominently in the WADA Independent Commission's report) was still coaching athletes and was still listed as their coach on official entry lists at RusAF competitions, despite being provisionally suspended since August 2015.
- c. RusAF insisted that that would be remedied and would not happen again. However, another ARD documentary, broadcast on 8 June 2016, featured material suggesting that Mr Viktor Chegin was continuing to coach elite race-walkers in April 2016, even though he was provisionally suspended in August 2015 and banned for life in February 2016, and even though RusAF specifically notified its athletes in February 2016 that all interaction with him was forbidden.
- d. The 8 June ARD documentary also showed that another coach that RusAF said it had warned off for offering to supply prohibited substances to athletes (Mr Yuri Gordeev) is still apparently coaching athletes, in Kislovodsk.
- e. These and other incidents suggest that Russian athletes and coaches do not feel they need to respect doping bans, even when the eyes of the world are upon them. Although RusAF is taking various measures to try to remedy this situation, at present the Taskforce does not know whether or when those measures will be effective.

- 4.4 Verification Criterion No. 6.2 requires RusAF to actively promote an open environment that encourages whistle-blowing. However, RusAF, the ROC and the Ministry of Sport have adopted at best a highly ambivalent attitude towards key whistle-blower Yuliya Stepanova and her husband Vitaly Stepanov. Just last week, a spokesman for President Putin referred to Yuliya as a "Judas". Perhaps as a result of that treatment, to date in most of the athlete interviews it has conducted, RusAF has been met with blanket denials of any wrongdoing, and/or silence about how the violations occurred and who was complicit. The Taskforce has encountered the same approach from athletes it has interviewed. For example, one young athlete specifically stated that he would never blow the whistle on anything he saw, because it was not his place to do that. There has been no meaningful whistle-blowing from Russian athletes.
- 4.5 At its March meeting, the IAAF Council agreed with the Taskforce that, in accordance with the requirements of the World Anti-Doping Code and the UNESCO Anti-Doping Convention, RusAF must show it has the full support and cooperation of the public authorities in Russia in its fight against doping in Russian athletics. Unfortunately it has not been able to meet this requirement either.
- 4.5.1 In particular, the Council was clear that it expected the Ministry of Sport to secure the assistance of the Russian criminal authorities for the investigation being conducted by the French authorities into the conspiracy between former officials of the IAAF and ARAF to cover up Russian ABP cases before the 2012 Olympics. The Ministry of Sport subsequently provided the Taskforce with a letter from the Russian criminal authorities, indicating that they would execute two formal requests for evidence received from the French authorities. However, the Russian criminal authorities then advised the French authorities that they were conducting their own investigation into the alleged conspiracy, and that as a result they were unable to execute either of the French requests for evidence. They have not responded to subsequent correspondence from the French authorities. As a result, to date, no evidence at all has been sent to the French authorities to assist them in their current investigation.
- 4.5.2 On 8 June, the Russian authorities announced that they had initiated their own criminal case against certain (unnamed) ARAF officials for "*abuse of power*" in 2013, and insisted that only they have competence to investigate activities taking place in Russia (although they might permit foreign representatives to be present during the investigation, provided they submit valid requests). The Taskforce takes no encouragement from this response, since it was the same Russian criminal authorities who reportedly investigated the allegations of wrongdoing set out in the WADA Independent Commission's report and concluded there was no evidence to support

them (and then refused to provide a copy of their report to the Taskforce).

4.5.3 In fact, the problem may be even more fundamental than just a lack of cooperation. Minister Mutko and his colleagues at the Ministry of Sport (which funds RUSADA and the Moscow anti-doping laboratory) have assured the Taskforce that the Ministry has had no involvement in previous doping in Russian sport, and in fact fully and strongly supports the anti-doping effort. However:

- a. In May the New York Times published detailed allegations by Dr Grigory Rodchenkov, the former head of the Moscow anti-doping laboratory, that he was instructed by Ministry of Sport officials to give athletes steroids prior to the Sochi Olympics, and that the FSB (the Russian federal security service) worked out an undetectable way of opening the urine sample bottles, so enabling Rodchenkov to prevent detection of the doping scheme by swapping clean samples for dirty samples at Sochi. The Taskforce understands that Rodchenkov alleges the same scheme was also implemented for the IAAF World Championships in Moscow in August 2013.
- b. While the Russian Ministry has strenuously denied these allegations, the New York Times obviously decided there was sufficient basis to publish them, and Rodchenkov is confident enough to invite re-testing of stored samples from Sochi and Moscow to confirm what he has alleged. Furthermore, the Taskforce understands from Professor Richard McLaren (the independent person appointed by WADA to lead a team investigating the allegations in the New York Times article, and related matters) that there is supporting evidence.
- c. Professor McLaren has also advised the Taskforce of his *"preliminary finding"* that there is *"sufficient corroborated evidence to confirm ... a mandatory state-directed manipulation of laboratory analytical results operating within the Moscow-accredited laboratory from at least 2011 forward including the period of the IAAF World Championships in 2013"*, whereby the Ministry of Sport advised the laboratory which of its adverse findings it could report to WADA, and which it had to cover up. This is consistent with an allegation made in the ARD documentary of 8 June that the Ministry of Sport directed the Moscow laboratory to cover up a 2014 adverse analytical finding in respect of a footballer's sample.
- d. Professor McLaren is due to report his final conclusions to WADA on 15 July 2016.

5. To sum up:

- 5.1 The deep-seated culture of tolerance (or worse) for doping that got RusAF suspended in the first place appears not to have changed materially to date. The head coach of the Russian athletics team and many of the athletes on that team appear unwilling to acknowledge the nature and extent of the doping problem in Russian athletics; and certain athletes and coaches appear willing to ignore the doping rules.
- 5.2 A strong and effective anti-doping infrastructure capable of detecting and deterring doping has still not yet been created. Efforts to test athletes in Russia have continued to encounter serious obstacles and difficulties; RusAF appears incapable of enforcing all doping bans; and RUSADA is reportedly at least 18-24 months away from returning to full operational compliance with the World Anti-Doping Code.
- 5.3 There are detailed allegations, which are already partly substantiated, that the Ministry of Sport, far from supporting the anti-doping effort, has in fact orchestrated systematic doping and the covering up of adverse analytical findings.
- 5.4 A number of other important Verification Criteria have also not been met.

In such circumstances, the Taskforce is very clear that the Reinstatement Conditions have not been satisfied and in particular that RusAF's athletes cannot credibly return to international competition without undermining the confidence of their competitors and the public in the integrity of that competition.

6. The Taskforce has considered the consequences of a decision not to reinstate RusAF, and has obtained legal advice. In particular, it has noted Minister Mutko's argument that RusAF should be reinstated because *"clean Russian athletes should not be punished for the actions of others"*. It comments as follows:

- 6.1 There can only be confidence that sport is reasonably clean in countries where there is an engrained and longstanding culture of zero tolerance for doping, and where the public and sports authorities have combined to build a strong anti-doping infrastructure that is effective in deterring and detecting cheats.
- 6.2 By their failures to date, the Russian authorities have denied that benefit to their athletes. That does not mean that all Russian athletes are doping; but it does mean that none of the assurances that a strong anti-doping culture and a strong and effective anti-doping infrastructure provides are present in Russia at this time.
- 6.3 In fact, without casting aspersions on any individual athlete, where the culture is so compromised and the infrastructure is so lacking, unfortunately there can be no presumption that any athlete coming from that system is

"clean". In particular, a record of negative tests is no guarantee of anything. For example, the Council will recall the letter sent by fourteen "clean" Russian athletes in November 2015, asking the Council not to punish them for the sins of others. Two of the signatories to that letter (Anna Chicherova and Maria Abakumova) are among the Russian track & field athletes whose samples from the 2008 or 2012 Olympics have recently re-tested positive for banned substances.

- 6.4 At a time when many athletes and members of the public are losing confidence in the effectiveness of the anti-doping movement, the IAAF must send a clear and unequivocal message that it is prepared to do absolutely everything necessary to protect the integrity of its sport, and that it will require its member federations to do the same, without compromise, even if that means excluding a member federation (and its athletes and other representatives) until the member is ready, willing and able to discharge its anti-doping responsibilities clearly and unequivocally. Only then can other athletes, and the public and other stakeholders in the sport, be assured that the IAAF is prepared to do whatever it takes to protect fair competition and to ensure the playing-field is level for all.
- 6.5 If RusAF was reinstated so that Russian athletes can compete in International Competition, even though the prevailing doping culture has not yet been corrected, and the necessary anti-doping infrastructure has not yet been put in place, then not only would the IAAF lose the ability to force through real and lasting change in Russia. In addition, its claim to be ready to take the tough decisions that are necessary to protect the integrity of the sport would lose any credibility.
- 6.6 Undoubtedly, non-reinstatement of RusAF would mean that some clean Russian athletes will miss out on Rio. But while that is unfortunate, it is nothing compared to the injustice that so many athletes have suffered in the past in being cheated out of medals, prize money and glory by their Russian competitors, and that so many more could suffer in the future if this opportunity to solve the problem is wasted. In short, this is the price that has to be paid for the failure of the Russian authorities to fix the problem before now, and the Russian authorities alone are to blame for that. As the WADA Independent Commission report stated: *"The root cause of any non-participation is ... the unacceptable conduct of those responsible for the situation giving rise to the IC investigation and Report. It is they who must assume the responsibility for their actions. The unacceptable conduct can easily be solved by those responsible, who must assume their responsibilities to protect the clean athletes, and thereby enable the clean athletes to participate once again"*.



7. As a result, the Taskforce believes that it is absolutely necessary and proportionate, and therefore not "unfair", to maintain RusAF's suspension even though as a result the athletes in its flawed system will not be eligible for International Competitions. In fact, the Taskforce suggests that it is strange that other persons affiliated with RusAF (not athletes) have been permitted to remain active in international affairs. It recommends this position be reviewed as soon as possible by the IAAF Council.
8. The Taskforce does consider, however, that if there are individual athletes who can clearly and convincingly show that they are not tainted by the Russian system because they have been outside the country, and subject to other, effective anti-doping systems, including effective drug-testing, then there should be a process through which they can apply for permission to compete in International Competitions, not for Russia but as a neutral athlete. The advice is that this would strengthen the IAAF's legal position as well. Therefore, the Taskforce is separately proposing a rule change to that effect.
9. **For all of the reasons set out above, the Taskforce unanimously recommends that RUSAF not be reinstated to membership of the IAAF at this stage.**
10. Assuming that recommendation is accepted, the Taskforce will continue to carry out its mandate of overseeing RusAF's (hopefully intensified) efforts to meet the Verification Criteria and the Reinstatement Conditions.

Rune Andersen, Taskforce Chair  
17 June 2016

### **Appendix: List of Taskforce Meetings**

To date, Taskforce members and/or counsel have met with the following parties:

- 22.12.15 Representatives of 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).

## **TASKFORCE RECOMMENDATION**

The Taskforce recommends that the Council exercises its powers under Article 11(c) of the Constitution to adopt the amendments set out below to the IAAF Competition Rules 2016-2017, with immediate effect.

Rune Andersen, Taskforce Chairman  
17 June 2016

### **IAAF COMPETITION RULES 2016-2017**

#### **DEFINITIONS**

##### *Neutral Athlete*

As specified in Rule 22.1A, an athlete who is granted special eligibility by the Council to compete in one or more International Events in an individual capacity and who satisfies at all relevant times any conditions to such eligibility specified by the Council. All provisions in the Rules and Regulations that are applicable to athletes shall apply equally to Neutral Athletes, unless expressly stated otherwise; and any coach, trainer, manager, Athlete Representative, agent, team staff, official, medical or para-medical personnel, parent or any other Person employed by or working with a Neutral Athlete participating in an International Competition shall be an Athlete Support Personnel for purposes of these Rules.

#### **CHAPTER ONE: INTERNATIONAL COMPETITIONS**

##### **RULE 4 Requirements to Compete in International Competitions**

1. No athlete may take part in an International Competition unless he:
  - (a) is a member of a Club affiliated to a Member; or
  - (b) is himself affiliated to a Member; or
  - (c) has otherwise agreed to abide by the rules of a Member; **or**
  - (d) **has been granted special eligibility by the Council to compete in that International Competition as a Neutral Athlete, and has satisfied any conditions to such eligibility specified by the Council; and**
  - (e) for international Competitions at which the IAAF is responsible for doping control (see Rule 35.7), has signed an agreement in a form set by the IAAF by which he agrees to be bound by the Rules and Regulations (as amended from time to time) and to submit all disputes he may have with the IAAF or a Member to arbitration only in accordance with these Rules, accepting not to refer any such disputes to any Court or authority which is not provided for in these Rules.
2. Members may require that no athlete or Club affiliated to the Member may take part in an international Competition in a foreign Country or territory without the Member's written

approval. In such a case, no Member hosting a competition shall allow any foreign athlete or Club of the Member in question to take part without evidence of such permit certifying that the athlete or Club is eligible and permitted to compete in the Country or territory concerned. Members shall notify the IAAF of all such permit requirements. To facilitate compliance with this Rule, the IAAF shall maintain on its website a list of Members with such requirements. **This Rule does not apply to Neutral Athletes.**

3. No athlete affiliated to a National Federation may be affiliated to another Member without previous authorisation from his National Federation of origin, if the Rules of that Federation require such authorisation. Even then, the National Federation of the Country or territory in which the athlete is residing cannot enter any athlete's name for competitions in another Country or territory without previous authorisation from the National Federation of origin. In all cases under this Rule, the National Federation of the Country or territory in which the athlete is residing shall send a written request to the athlete's National Federation of origin, and the National Federation of origin shall send a written reply to that request within 30 days. Both of these communications shall be by a means that generates an acknowledgement of receipt. E-mail that includes a receipt function is acceptable for this purpose. If the response of the athlete's National Federation of origin is not received within the 30-day period, the authorisation shall be deemed to have been given. In the event of a negative response to a request for authorisation under this Rule, which response must be supported by reasons, the athlete or the National Federation of the Country or territory in which the athlete is residing may appeal against any such decision to the IAAF. The IAAF shall publish guidelines for the filing of an appeal under this Rule and these guidelines shall be available on the IAAF website. To facilitate compliance with this Rule, the IAAF shall maintain on its website a list of National Federations with such authorisation requirements.

*Note: Rule 4.3 concerns athletes aged 18 or over as at the 31st of December of the year in question. The Rule does not apply to athletes who are not Citizens of a Country or Territory or to political refugees or to Neutral Athletes.*

#### **RULE 5 Eligibility to Represent a Member**

1. In international Competitions held under Rules 1.1(a), (b), (c), (f) or (g), Members shall be represented only by athletes who are Citizens of the Country (or territory) which the affiliated Member represents and who comply with the eligibility requirements of this Rule 5.

...

6. **This Rule 5 does not apply to Neutral Athletes.**

#### **CHAPTER 2: ELIGIBILITY**

##### **RULE 20 Definition of Eligible Athlete**

An athlete is eligible to compete if he agrees to abide by the Rules and has not been declared ineligible.

##### **RULE 21 Restriction of Competition to Eligible Athletes**

1. Competition under these Rules is restricted to (i) athletes who are under the jurisdiction of a Member and who are eligible to compete under the Rules; and (ii) Neutral Athletes who satisfy the conditions of eligibility specified by the Council, including signing agreements on terms acceptable to the IAAF, in which they agree (among other things) to be bound by the Rules and Regulations (as amended from time to time) and to submit all disputes they may have with the IAAF or a Member to arbitration only in accordance with these Rules, accepting not to refer any such disputes to any Court or authority which is not provided for in these Rules.
2. In any competition under the Rules, the eligibility of an athlete competing shall be guaranteed by the Member to which the athlete is affiliated. This Rule does not apply to Neutral Athletes.
3. The eligibility rules of Members shall be strictly in conformity with those of the IAAF and no Member may pass, promulgate or retain in its constitution or regulations any eligibility rule or regulation which is in direct conflict with a Rule or Regulation. Where there is a conflict between the eligibility rules of the IAAF and the eligibility rules of a Member, the eligibility rules of the IAAF shall apply.

#### **RULE 22 Ineligibility for International and Domestic Competitions**

1. The following persons shall be ineligible for competitions, whether held under these Rules or the rules of an Area or a Member. Any athlete, athlete support personnel or other person:

- (a) whose National Federation is currently suspended by the IAAF. This does not apply to national competitions organised by the currently suspended Member for the Citizens of that Country or territory;
- (b) who has been provisionally suspended or declared ineligible under the rules of his National Federation from competing in competitions under the jurisdiction of that National Federation, in so far as such suspension or ineligibility is consistent with these Rules;
- (c) who is currently serving a period of provisional suspension from competition under these Rules;
- (d) who does not meet the eligibility requirements set out in Rule 141 or the Regulations thereunder;
- (e) who has been declared ineligible as a result of a breach of the Anti-Doping Rules in Chapter 3;
- (f) who has been suspended or banned by the ethics Commission for a violation of the Code of ethics, pursuant to the Statutes of the Ethics Commission;
- (g) who has been declared ineligible as a result of conduct specified in Rule 23.

- 1A. Notwithstanding Rule 22.1(a), upon application, the Council (or its delegate(s)) may exceptionally grant eligibility for some or all International Competitions, under conditions defined by the Council (or its delegate(s)), to an athlete whose National Federation is currently suspended by the IAAF, if (and only if) the athlete is able to demonstrate to the comfortable satisfaction of the Council that:

- (a) the suspension of the National Federation was not due in any way to its failure to protect and promote clean athletes, fair play, and the integrity and authenticity of the sport; or
- (b) if the suspension of the National Federation was due in any way to its failure to put in place adequate systems to protect and promote clean athletes, fair play, and the integrity and authenticity of the sport, (i) that failure does not affect or taint the athlete in any way, because he was subject to other, fully adequate, systems outside of the country of the National Federation for a sufficiently long period to provide substantial objective assurance of integrity; and (ii) in particular the athlete has for such period been subject to fully compliant drug-testing in- and out-of-competition equivalent in quality to the testing to which his competitors in the International Competition(s) in question are subject; or
- (c) that the athlete has made a truly exceptional contribution to the protection and promotion of clean athletes, fair play, and the integrity and authenticity of the sport.

The more important the International Competition in question, the more corroborating evidence the athlete must provide in order to be granted special eligibility under this Rule 22.1A. Where such eligibility is granted, the athlete shall not represent the suspended National Federation in the International Competition(s) in question, but rather shall compete in an individual capacity, as a 'Neutral Athlete'.

## **Taskforce Note relating to Yuliya Stepanova**

1. The Council asked the Taskforce to get legal and technical input on Yuliya Stepanova's request to be granted eligibility to compete in International Competitions as a neutral athlete, independently of any reinstatement of RusAF, and to report to the Council with a recommendation.
2. The Taskforce notes that:
  - 2.1 From 2007 to early 2012, Yuliya Stepanova took steroids and EPO. The IAAF charged her with blood-doping in January 2013, and she immediately accepted a two year ban, and served it in full, ending in January 2015.
  - 2.2 She has been out of Russia since October 2014 (shortly before ARD broadcast the evidence she had gathered of systemic cheating in Russian athletics), and has been subject to drug testing by the IAAF as a member of its Registered Testing Pool.
  - 2.3 From a technical perspective, she has met the qualifying standards for both the European Athletics Championships and the athletics competition at the 2016 Olympic Games.
  - 2.4 From a legal perspective, her request could be considered if Competition Rule 22.1(a) is amended to permit exemptions where an athlete has made a truly exceptional contribution to the fight against doping in sport.
  - 2.5 The Taskforce considers that Yuliya Stepanova has made a truly exceptional contribution to the fight against doping in sport. She took great personal risks in order to break open a doping culture that no one else on the inside was willing to expose, and no one on the outside was able to expose. That contribution has led to further investigations and disclosures. Without her contribution, the unique opportunity that now exists to fix the system would very likely not exist. Instead RUSADA and the Moscow laboratory would be continuing to operate in a compromised manner; coaches and doctors would be continuing to administer PEDs to their athletes; and those athletes would be continuing to compete in international competition with a wholly illicit advantage. Yuliya Stepanova has therefore struck a great blow for clean athletes everywhere.
  - 2.6 Whistle-blowing is vital to the fight against doping in sport. From a policy perspective, therefore, the Taskforce considers it extremely important to send a very strong message to athletes everywhere that such contributions are highly valued.
3. The Taskforce therefore unanimously recommends that the Council (1) amend Competition Rule 22.1(a) with immediate effect, to permit exemptions where an athlete has made a truly exceptional contribution to the fight against doping in sport; and (2) refer Yuliya Stepanova's application to an appropriate panel as soon as possible, with a recommendation that it consider that application favourably.

Rune Andersen, Taskforce Chair  
17 June 2016

