

## Report on the Anti-Doping Seminar 'Preventing doping in professional and grassroots sport through education and investigation', 25-25 January 2018, Sofia

The Anti-doping Seminar was organised by the Ministry of Youth and Sports of Bulgaria in cooperation with the Bulgarian Anti-doping Centre, co-funded by the European Commission through the Erasmus+ Programme of the European Union, under the Bulgarian Presidency of the Council of the EU 2018.

The topic of the seminar "Preventing doping in professional and grassroots sport through education and investigation" was explored by a wide range of high-level representatives from European Commission, the World Anti-Doping Agency (WADA), the Council of Europe (CoE), Interpol, iNADO, some EU member states, leading experts in the field. The event highlighted three main issues in the fight against doping in sport.

Krasen Krlev, Minister of Youth and Sports of Bulgaria, gave an opening speech and wished a further enhancement of the prestige of clean sport. Jens Nymand-Christensen, Deputy Director General for Education and Culture, European Commission, welcomed the participants of the seminar and called for creation of a culture of clean sport.

Over 170 national and international stakeholders were actively involved in the presentations and panel discussions led by the skilled moderators – *Liene Kozlovska*, Senior Project Manager, Anti-doping Convention, CoE, *Cliff Collins*, Programmes Director, EuropeActive and *Olivier Fontaine*, Policy Officer, Sport Unit, European Commission

### 1. General Data Protection Regulation

On 24 January, the first part of the session was dedicated to **Anti-doping & data protection**. *Bart van der Sloot* – Senior researcher at Tilburg Institute for Law, Technology and Society (TILT) has elaborated on the anti-doping laws and practices in the EU Member States in light of the General Data Protection Regulation that will enter into force in May 2018.

*'Member States are advised to ensure that the processing of personal data in the anti-doping context takes place only in so far this is necessary for compliance with a legal obligation, to which the controller is subject, or when processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller.'*

*Herman Ram* presented the approach in the Netherlands in relation to data-protection and anti-doping. He indicated the number of changes that were realized in the Netherlands, which, for example, would lead to the introduction of doping-related legislation (the Anti-Doping Policy Implementation Act) by the Ministry of Health, Welfare and Sport and that is expected to enter into force on January 1<sup>st</sup>, 2019. Mr. Ram explained further the 'hybrid model' that



reflects the way sport is organised in the Netherlands – ‘The legislation is meant to regulate anti-doping work, while preserving the present cooperation between Government and sport. In order to do that, the legislation will define anti-doping work as a governmental task, but actual realisation of anti-doping work will be left to the private sector (sport).’

***In general:** ‘A recent decision of the ECHR (application no. 48151/11) has confirmed that the whereabouts requirement does not violate the European Convention on Human Rights. The Court took the view that the public interest grounds, which made the whereabouts requirement necessary, were of particular importance and justified the restrictions imposed on their Article 8 rights. This confirms the legal solidity of anti-doping work in general, but it does not invalidate the **necessity of specific national measures.**’*

*Rafał Piechota*, Deputy Director, Office of the Minister, Ministry of Sport and Tourism of Poland, also contributed to the topic of Data protection and anti-doping by giving an update on the situation in Poland. He reviewed the separation of the legislation in Poland to 1) Separate piece of legislation on sport, and 2) Separate piece of legislation on anti-doping – The act of 21 April 2017 on combating doping in sport. Based on the EU regulation 2016/679, he specified two features that are of primary importance – consent given by the data protection’ subject (e. g. an athlete) and processing being necessary for the performance of a task carried out in the public interest if it is laid down by the EU law or the national law.

## 2. Prevention through Investigation

The second half of the session on 24 January was devoted to the investigative work, which contributes most to the input of exposing doping in professional sport. *Yves Rancon*, Deputy Head of Unit for public protection and promotion of health, prevention of doping in the French Ministry of Sport, has explained that the French Anti-Doping Agency (AFLD) has no specific police powers for investigations but this does not mean that the agency has no role in this fight. Because of its closeness with federations and athletes and its capacity to collect precious information, AFLD is the one obliged to request the help of other services to take preventing action and to be actively involved in the effective field operations with all the services concerned.

*Dr. Léa Réguer-Petit*, Deputy Head, Legal Department, AFLD, has shared excellent examples of successful operational work within the AFLD and in strong partnership with other organizations, such as the Central Office of Fight against Attacks towards the Environment and Public Health (OCLAESP), Customs administration, Police, Fraud control service, public health services, tax authority, labour inspection services, justice, etc.

In respect to investigation, the key to expose doping treats is ‘*Strong, efficient and “well-oiled” partnership between AFLD & OCLAESP & Customs*’.

*Clément de Maillard*, Project manager in Anti-Corruption & Financial Crimes Sub-Directorate at Interpol, introduced the main scope of Interpol work in the field of doping in sport. Interpol focused on Doping in sport, Doping-related crimes and Traffic in performance-enhancing drugs. Mr. Maillard explained that ‘*although doping is not a priority for Interpol and it is not*



*considered a crime, the Anti-doping society needs to be more active in order for them to be integrated and pushed to take bigger part in the fight against doping.’* Mr. Clément de Maillard quoted a few cooperated successful examples after Interpol has signed a Cooperation Agreement with the World Anti-Doping Agency in 2009.

*Mathieu Holz, Manager of Investigations and Intelligence in WADA, emphasized that ‘Cooperation with law enforcement is key to effectively dismantle doping networks with international connections’. He highlighted that testing alone was not always sufficient to identify top-level cheaters and indicated the importance of intelligence gathering. The whistleblower program called ‘Speak up’ was pointed as one of the best source of information, which encourages and incentivises speaking up, offering also confidentiality, protection and assurance.*

### **Highlights from the panel discussion:**

**Clément de Maillard, (Interpol):** *‘When you want to exchange information with law enforcement, you need to pay attention to the quality and relevancy of your information. It is very important to discuss in advance what they need, what they want and how you can work together.’*

**Dr. Lars Mortsiefer (NADA Germany):** *‘Anti-doping law with criminal offence can bring you as ADO to the next level’*

**Joseph de Pencier, (iNADO):** *‘Social media is a tremendous wealth of information. It is amazing what athletes will put on social media and, at the same time, they are complaining about how to file whereabouts information. Every NADO can do certain things to enhance its own capacity.’*

### **3. Prevention through Education**

The second day of the event stressed on Anti-doping education as a vital tool in creating the culture of clean athletes. Different models exist and different practices have been tested by the EU member states, but it is evident that more information sharing and more experience are needed.

*Rob Koehler, WADA Deputy Director General, presented ‘Anti-doping education and the development of an International standard for education and information’. He noticed that the majority of the Anti-doping organizations focused on detection through testing and investigations and spent limited time and budget on education. Yet, ‘is this the right model to reduce the prevalence of doping?’ A Social science research clearly indicated that more education is needed. Mr. Koehler summarised the main challenges that would hamper the development of an International standard for education and information. He described the main steps that the development of a draft Standard would move forward in the next couple of years.*



**'EDUCATION IS THE MOST POWERFUL WEAPON, WHICH YOU CAN USE TO CHANGE THE WORLD' – NELSON MANDELA**

The discussions in the following panel went over the role of anti-doping education, its evaluation and the future development of an educational standard for education and information.

*Jordan Jovchev* (Olympic medallist in Gymnastics, Gymnastics and Street Fitness Club President) shared his experience from the perspective of both an athlete and an educator. He emphasized on a recent project called 'Kids from the block' that is stressing on the importance of physical activity and peer-to-peer learning. The program encouraged and educated leaders (non-formal leaders in street fitness) because of their impact on young people who try to 'copy-paste' them. As an athlete, he stated that *'winning medal is important but it is also important to be educated because there are rules in sport as there are rules in life'*. He was grateful for the tremendous work that the Bulgarian Ministry of Youth and Sports has done to keep the presidents of the federations and their athletes very well-informed. He still believes that when a professional athletes' carrier is over, they have to pass their experience to the kids.

*Graeme Steel* (iNADO) focused on more practical issues concerning anti-doping education. He is convinced that things are changing to education and many of the organisations he is representing comply with the rules. However, simply providing information is not enough. Mr. Steel reminded that athletes were very rarely volunteering for an anti-doping education. *'It is the NADOs that need to be proactive and to make sure that the educator connects with them, know more about them (sport specificity, past and future championships, etc.), mix with them, alter the presentation to reflect to the group, and create allies within this group.'* Mr. Steel also emphasized on the importance of an evaluation questionnaire after each session. The NADOs should overcome the challenge of getting into the room coaches, parents and administrative officials, who also preserve of the integrity of sport and assist with the anti-doping work.

*Prof. Susan Backhouse* (Director of Research, Carnegie School of Sport) talked about the root cause of the problem looking into its social nature. She shared that the focus of certain bad choices should not be considered as individual decisions because athletes were most likely facilitated by their environment. Prof. Backhouse reminded that many athletes have witnessed small transgression but they were scared to share this information. She recommended to the anti-doping organisations to address those issues and signal the importance of preventing that kind of behaviour. From the perspective of the recreational sport, Prof. Backhouse underlined that we are living in the *'society of medicalization'*, a *'society of quick fix'*. As individuals, recreational athletes have the need to belong to a group and they feel good if the reward of changing their physical appearance is quick.

*Paulina Tomczyk*, General Secretary, EU Athletes, called for educating the athletes at national level. She stressed on delivering education to all athletes because if an athlete was not properly educated about the rules then it would remain the question about sanctioning that

athlete for a rule that he/she was not aware of. She highlighted that for athletes it was more important to inform them about the rules than to deliver them a value-based education.

*Mila Tafradzhieva*, Senior expert of the Bulgarian Anti-doping centre, has selected to share the best practices in her organisation. In particular, a project financed by the UNESCO Fund for elimination of doping in sport, titled '*Anti-doping education versus false self-affirmation*' that successfully achieved its objectives to increase the young athletes' knowledge and make students from eight sport schools and kids from four Orphan houses aware of the health hazards. Furthermore, she presented the cooperation work of national authorities on the National Strategy against doping in sport (2015-2024) in respect to the anti-doping education. The overview of 'Teaching Tutors' program in the Sport schools was recommended as a developing initiative for a broader communicating and disseminating anti-doping information among young athletes. Last but not least, Bulgarian anti-doping centre highlighted a new step in its educational programs by involving recreational sport in the future activities.

## Erasmus+ Projects

*Verica Mance*, Project manager of Fight against doping in recreational environment 'Just Sport'. The project will end in June 2018. Its main focus is on education of fitness coaches and fitness owners because doping is even bigger issue in recreational sports. She emphasized that recreational athletes tend to use various supplements without prior consultation and without knowing all the consequences. Mrs. Mance has presented some of the workshops' conclusions in Croatia: '*every one of the fitness coaches and fitness owners mentioned that this was the first event of such kind about the problem of doping, where there was a possibility to listen to experts and to be part of round table discussions.*' Olivier Fountain highlighted that Just Sport project addresses the problem and the necessity to educate, not just to inform.

*Dr. Vasilis Barkoukis*, Assistant Professor in the Department of Physical Education and Sport Sciences, Aristotle University of Thessaloniki, underlined that it could not be preceded with anti-doping education without having research evidence. The '*Safe you*' Erasmus+ project aims to identify the risk and protective factors for doping use, to assess young athletes using doping substances or being involved in recreational sport and have some experience with its implementation and to create an educational tool addressing doping in recreational sport. He has given a special value to the fact that '*technology is in young athletes' life*' and the creation of a user-friendly mobile application would help ADOs being more effective while delivering anti-doping education.

The Doping prevention through peer learning among youth – '*prePLAY*' Erasmus+ project was presented by *Dr. Nina Makuc* from the Slovenian Anti-Doping Organisation. She summarized the success story of creating anti-doping ambassadors who were educating young athletes about the importance of clean sport and dangers of doping with the method of peer-to-peer networking. The project impacted a large group because it was much easier for young athletes to get information from people who were more or less the same age as theirs. It was visible that young athletes were more perceptive and they were more willing to



ask questions, although the education might not have been on top level. Dr. Nina Makuc was pleased that 'prePLAY' project has been continuing to spread knowledge about anti-doping issues through its transnational network of young people.

The 'Forum for Anti-Doping in Recreational Sport' Erasmus+ project is a collaborative partnership in the field of sport and is aimed specifically to 'tackle cross-border threats to the integrity of sport' and to 'combat doping, notably in recreational environments'. *Cliff Collins* (EuropeActive) has presented the three main goals of the project outlining the reporting good practices of food and supplements for sportspeople, raising awareness of doping issues among stakeholders and providing a long-term common approach in the prevention of doping in recreational sport. He also has briefly overviewed the annual forum that would promote open discussion.

## Conclusions

**Rob Koehler (WADA):** *'Education is one of the strongest tools that we could use to change the landscape of fighting doping in sport. When you have empowered people, educated people, then you change. It happens in society, in culture and it will happen for doping in sport.'*

**Mr. Mathieu Holz, (WADA):** *'Cooperation with law enforcement is key to effectively dismantle doping networks with international connections'.*

