

## **Russian Biathlon Union Reinstatement Criteria**

### **A. Genesis for the Working Group**

I. As a consequence of the substantial number of doping convictions in the recent past and in order to encourage the Russian Biathlon Union ("RBU")

- to become more active in the fight against doping,
- to assist in the discovery of any doping manipulations in Russia, and
- to enforce strict compliance with the applicable anti-doping rules and policies,

the Executive Board ("EB") decided at its Board Meeting 133 (9-10 December 2017) to relegate the RBU to provisional membership ("EB Decision"). As set out in the minutes from its meeting, the EB Decision is based on Art. 16.12 of the IBU Constitution and not Art. 6.7 of the Disciplinary Rules ("suspended by the EB"). The EB Decision further stipulated that it would review restitution of the RBU to full membership at a later date, but not before the end of the 2017/2018 competition season, subject to the following conditions:

- (a) "the IOC has lifted the suspension of the ROC;
- (b) no adverse analytical findings or other anti-doping rule violations (ADRVs) of Russian biathletes committed after 1 January 2017 have been reported;
- (c) the RBU fully cooperates with any investigation of any alleged ADRVs in the context of, and the involvement of officials in, the alleged doping conspiracy that was described by the IP Report, Dr. Rodchenkov's affidavits and the IOC Disciplinary Commission ("Schmid Commission") Report."

II. At the XIIIth Ordinary Congress in Porec, 5-9 September 2018, the Acting Secretary General first reported that the EB had decided to transfer the RBU's application for full membership to the Congress and make no further recommendations in this regard. Following this, Congress voted against the RBU's application for full IBU membership. Accordingly, the RBU remains a provisional member of the IBU.

III. At its Board Meeting 140 on 9 September 2018, the EB established a working group (James Carrabre, Franz Steinle, Clare Egan, Acting Secretary General) mandated "to come up with a proposal what RBU has to do to fulfill the requirements of a full membership".

### **B. RBU's Reinstatement Criteria**

I. The Working Group notes the conditions set out in the EB Decision which the RBU must meet in order to be reinstated as a full member.

II. Conditions (a) and (b) have been met.

- a. First, "the IOC has lifted the suspension of the ROC". In addition, since 20 September 2018, RUSADA has been declared compliant by WADA.

- b. Further, to our knowledge, no Anti-Doping Rule Violations have been committed by Russian biathletes since 1 January 2017.
- III. With regard to the third condition under (c): "*the RBU fully cooperates with any investigation of any alleged ADRVs...*" and taking into account the overriding interest expressed in the EB Decision to encourage the RBU to become more active in the fight against doping, the Working Group sets out the following criteria which the RBU must satisfy to regain full membership. The RBU must demonstrate (by its own efforts and also by securing the support and assistance of other relevant parties, as necessary) that the following reinstatement criteria have been met, and can reasonably be expected to continue to be met moving forward:
1. The RBU will pay for an out of competition test program on IBU level athletes carried out by the International Testing Agency ("ITA") for one year (01.11.2018 - 31.10.2019). The purpose of the ITA testing will be to verify no adverse analytical findings from RBU athletes and no suspicious passport data (> 99% abnormal on 2 or more of the 4 passport criteria). The timeline for implementation of the testing plan will be agreed between the IBU and the RBU. The proceeding regarding terms of the payment is as follows: IBU pays invoices issued by ITA, and then IBU issues the corresponding invoices to RBU.
  2. The RBU is required to reimburse the IBU all of the costs related to the McLaren investigation, including but not limited to all legal fees; the costs of the Russia-related cases that have been taken to CAS; extraordinary IBU EB meetings; and extraordinary Congress costs, if such meetings are convened only for deciding issues concerning the RBU or its athletes. All prize monies from the Glazyrina case as well as all costs related to pending and future cases arising from the LIMS and McLaren data must be paid to the IBU. Furthermore, all costs of complying with, and demonstrating compliance with, the reinstatement criteria will be borne by the RBU.
  3. The RBU will support and pay for a program that ensures athletes who move up in medal standings at World Cup or World Championships as a result of sanctions applied to the Russian athletes have a special medal presentation ceremony at the next appropriate World Championship to receive their awards in a manner that would have occurred had they not been initially deprived of that moment by RBU doped athletes. The IBU would likely have to hire extra staff to help coordinate all the medals that need to be re-issued and those costs should also be covered.
  4. The RBU will have a representative on the IBU Medical Committee. The process for appointing the representative will be specified by the IBU.
  5. Until 20 January 2019 the RBU should send to the IBU a plan (roadmap) of the implementation of the following article of the criteria as well as the information on conducting the Anti-Doping seminar in Tyumen during the period of 28.03. - 04.04.2019.

The RBU must work with RUSADA and the IBU/ITA to set up a Doping Prevention Program, including training and education of doctors and other medical personnel, the content of which must be agreed with the Reinstatement Working Group. The purpose of the education would be to educate doctors and other medical personnel on the WADA Code, dangers of doping, the IBU whistleblower policy, medication verification planning, doctor education, etc. As part of this prevention program, the RBU must participate in all IBU medical conferences. The first anti-doping education seminar has to be held not later at the National Championships 28.03.-04.04.2019 at Tyumen.

6. The RBU must arrange for mandatory anti-doping education for all RBU staff, coaches, athletes, athlete support personnel and other persons coming under the RBU's jurisdiction, the content of which must be agreed with WADA and the Reinstatement Working Group. Such education must include:
    - Sessions led/supervised by external experts approved by WADA and the Reinstatement Working Group.
    - A requirement for all athletes and their athlete support personnel to undergo continuous education as a condition of representing Russia (with details of such education to be provided to the Reinstatement Working Group.) All athletes must hold a certificate of anti-doping education provided by WADA/IBU/ITA.
    - A requirement for all coaches and athlete support personnel to obtain a WADA-approved anti-doping education certification (without which the individual will not be permitted to have any involvement with athletes/teams representing Russia at the international level).
    - RBU together with RUSADA should address WADA for approval of the online training program.
  7. The RBU must install an anti-doping officer within their organization to liaise with the IBU, WADA and the RBU to ensure that all criteria in this document are fulfilled. RBU should send information concerning the appointment of the person responsible for anti-doping work and contacts with the IBU, WADA and the RBU to the IBU.
  8. The RBU must help the IBU Independent Working Group gain access to the raw analytical data stored on the hard drives of the Moscow laboratory instruments that generated the summary findings recorded in the LIMS data, as it relates to any IBU athletes. In addition, the IBU working group must receive all other anti-doping related data including the EPO chromatograms stored in the Moscow laboratory or elsewhere. It is agreed that if the WADA receives the above mentioned data this criteria is fulfilled.
  9. The RBU must maintain compliance with all of the requirements of the WADA Code and the IBU Anti-Doping Rules.
  10. RUSADA must maintain compliance with all of the requirements of the WADA Code.
  11. All RBU athletes must be tested according to the test distribution plan outlined by the IBU/ITA without any Anti-Doping Rule violation.
  12. The RBU must co-operate with any investigation into whether previous ADRVs have been covered up. The RBU must also help to determine whether there is a case to answer in those situations. RBU, within its competence, is ready to provide any information to the IBU, which is relevant to the ongoing investigation.\*
- IV. The IBU may amend the reinstatement criteria from time to time as it sees fit, including in light of any further evidence or findings resulting from different investigations into doping in Russia.



**IBU**

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### **C. Reinstatement Working Group**

The RBU and the IBU will form a joint working group which will meet at least every two months to check progress and decide on the next steps.

\* Criteria as agreed between IBU and RBU in Moscow, 18 December 2018, and confirmed by the IBU Executive Board meeting 31 January 2019.