

**DANIS UNVEILS  
ANTI-DOPING STRATEGY**

January 9, 1991

**OTTAWA** - The Minister of State for Youth, Fitness and Amateur Sport, the Honourable Marcel Danis today announced major steps in Canada's on-going fight against doping in sport. The Minister announced a significantly enhanced Canadian anti-doping campaign which will include a new anti-doping organization and legislative changes to improve the control of anabolic steroids.

Today's announcement is a further government response to the Commission of Inquiry Into the Use of Drugs and Banned Practices Intended to Increase Athletic Performance (Dubin Inquiry). The government's First Phase response to the Dubin Report, last August, dealt with individuals named in the Report and a penalty framework.

"Consistent with the Dubin recommendations, I am addressing today the need for a broader array of tools to fight the doping problem in the form of a comprehensive Canadian anti-doping campaign. Most of the elements of this campaign will be implemented through a new organization," said Minister Danis.

This consolidated campaign builds on Canada's anti-doping efforts of the last several years which focused primarily on doping controls.

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The anti-doping organization will be an independent and non-profit body outside of government. It will be responsible for coordinating the development and implementation of policies and programs in the areas of athlete testing, research, coordination of appeals including arbitration and investigations into alleged drug use. In addition, the organization will be responsible for the development of extensive education programs for young athletes, coaches and other sport leaders. The new organization will assume its responsibilities on April 1st 1991.

The organization will coordinate the involvement of federal/provincial/territorial governments, sport bodies, educators, medical personnel and others in order to develop and implement significant new Canadian anti-doping measures and policies.

"The federal government is but one of the key players in Canada's amateur sport system. National Sport Organizations, athletes, trainers, coaches, sport officials and other levels of government also have a shared social responsibility for the ethical conduct of sport and anti-doping efforts in Canada," said the Minister.

The Minister noted that Federal/Provincial/Territorial Ministers of Sport support this approach, having agreed on a common set of principles for a Canadian anti-doping policy at their meeting on November 24, 1990.

"The problem of doping in sport is not going away. Today, we are putting measures in place to combat the problem in a more effective and coordinated way than ever before," added the Minister.

The Minister announced \$1.47 million for the enhanced anti-doping campaign in '91-92 and \$2.3 million thereafter. This is in addition to \$1 million in existing resources applied to anti-doping efforts.

Consistent with Justice Dubin's recommendation for stricter controls on the supply and distribution of anabolic steroids, the Minister also indicated that the government plans to include anabolic steroids under the proposed new Psychoactive Substance Control Act which is under development. This will ensure a greater level of control and corresponding penalties related to these drugs. Until such time as the new legislation is in place, Health and Welfare Canada will be initiating the process to reclassify anabolic steroids from Schedule F of the Food and Drug Regulations to Schedule G of the Food and Drugs Act, making them subject to a similarly strict control regime. New offences for the production, trafficking, possession for the purpose of trafficking and import/export of steroids other than for medical purposes will apply.

In providing this Phase II response to the Dubin Report, the government has supported and acted upon in whole or in part 62 of the 70 Dubin recommendations. The Minister thanked members of the Parliamentary Sub-committee on Fitness and Amateur Sport and other stakeholders for their input in the Phase II consultations.

As far as the balance of the recommendations in the Dubin report dealing with broader sport policy issues are concerned, the Minister indicated that the government would review these questions as part of a third and final phase response. This review will deal with the purpose and place of sport in society, the underlying values and ethics that should shape its conduct, the roles and responsibilities of the national sport governing bodies, and the federal government's future role in sport policy and programs. The third phase review and consultations will be coordinated by former senior public servant Mr. Cal Best. Mr. Best will provide a report to the Minister following the Phase III review.

Attachments:   Appendix A - Minister's Statement  
                  Appendix B - The Canadian Anti-doping Campaign  
                  Appendix C - Drug Reclassification  
                  Appendix D - Federal/Provincial/Territorial  
                                  Conference of Ministers  
                  Appendix E - Doping Trilateral  
                  Appendix F - Current International Scene  
                  Appendix G - Phase III Consultation

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(Également disponible en français)

## **MAJOR ELEMENTS OF THE CAMPAIGN**

### **1. The Anti-doping Campaign**

The Campaign approach recognizes that doping and the problem of abuse of doping substances can not be solved strictly by organizations in the national sport community. Governmental and non-governmental, sport and non-sport bodies must be involved in a co-ordinated fashion.

The Campaign involves the creation of a new anti-doping organization, athlete testing (scheduled and no notice), measures to enhance personal and professional responsibility, education, co-ordination of appeals including arbitration, penalties and sanctions, investigation of doping infractions and allegations, research, laboratory services, international advocacy, federal-provincial co-operation, national-provincial sport collaboration, cooperation with customs and civil authorities.

### **2. Anti-Doping Organization**

A single centralized organization with the sole mandate to co-ordinate all anti-doping programs in Canada will be established. Responsibility for the policy development, implementation and co-ordination of the major elements of the Canadian anti-doping campaign will be vested with this new Organization. The Organization will be incorporated under Part II of the Canada Corporations Act and be governed by a small Board of Directors.

A broadly-based Co-ordinating Committee comprising diverse interested parties will co-ordinate the anti-doping campaign and provide strategic advice.

The federal government is the primary funding agent of the Organization. Shared contributions at appropriate levels from other funding partners will also be sought.

In practice, the Anti-doping Organization's authority will flow from its expertise and dedicated capacity to design and deliver effective anti-doping programs. The Organization will act independently of day-to-day influence by any single constituency, including the federal government, National Sport Organizations (NSOs), etc.

### **3. Drug classification and control**

In response to recommendations #20 and #22 of the Dubin Commission Report, steroids will be subject to stricter regulatory controls. Production, trafficking, possession for the purpose of trafficking and import/export of steroids for non-medical purposes will be subject to criminal offences.

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**APPENDIX A**

**Statement by**

**the Honourable Marcel Danis  
Minister of State for Youth,  
Fitness and Amateur Sport**

**Phase Two Response to the Report  
of the  
Commission of Inquiry Into the Use of  
Drugs and Banned Practices Intended to  
Increase Athletic Performance**

**Ottawa, Canada**

**Wednesday, January 9, 1991**

**Check Against Delivery**

When I released the federal government's First Phase response to the Dubin Report on August 9th, I indicated that, following consultations with affected and interested Canadians, and after receiving input from the Parliamentary Sub-committee on Fitness and Amateur Sport, I would be giving a more comprehensive response to the Report.

One need only read recent media reports to know that the problem of doping in sport is not going away. In fact, 29 Canadian athletes have had doping violations since the Seoul Olympics--more than the total number of violations between the introduction of Sport Canada's anti-doping policy in 1983 and the 1988 Summer Olympics. This is not to say that nothing has happened on the anti-doping front since Seoul. In fact, a lot has happened. We had the Dubin Inquiry which exposed the extent of the problem as never before. And now we're ready to continue to push forward.

Today, as part of the 2nd Phase response, I am pleased to announce major steps in Canada's ongoing fight against doping in sport.

Consistent with the Dubin Report, I am announcing the creation of a new anti-doping organization. Until recently, the emphasis of our anti-doping campaign has been on doping control, namely the testing of athletes during competition. But we need a broader array of tools to combat doping in sport in the form of a new, consolidated, comprehensive, consistent, coordinated Canadian anti-doping campaign. Most of the elements of this campaign will be implemented through this organization. The anti-doping organization will be an independent and non-profit body outside of government. This organization will be responsible for research, testing, coordination of appeals including arbitration, investigations into alleged drug use and extensive education programs (in conjunction with the Commission for Fair Play) for young athletes, coaches and other sport leaders.

The organization will coordinate the involvement of federal/provincial/territorial governments, sport bodies, educators, medical personnel and others in order to develop and implement significant new Canadian anti-doping measures and policies.

We expect the organization to begin its work on April 1st 1991. In the meantime, a small working committee will prepare for the start-up of the Organization. I am pleased to indicate that Dr. Andrew Pipe, the current head of the Sport Medicine Council of Canada's anti-doping advisory group, has agreed to accept the chairmanship of the new organization.

\$1.47 million will be directed towards this enhanced anti-doping campaign in '91-92 and \$2.3 million thereafter. This is in addition to \$1 million in existing resources applied to anti-doping efforts.

We believe this is a prudent investment in view of the need for a strong ethical norm for the conduct of sport. We also recognize that the federal government is but one of the key players in the sport system and that NSOs, athletes, trainers, coaches, sport officials and other levels of government also have a shared social responsibility for sport and its ethical conduct and as such we expect them to undertake their respective roles in this coordinated campaign.

Consistent with Justice Dubin's recommendation for stricter controls on the supply and distribution of steroids and consistent with his finding that these substances constitute a health risk to users, I am therefore today announcing that the federal government will include anabolic steroids under the proposed new Psychoactive Substance Control Act which is under development. This will ensure a greater level of control and corresponding penalties related to these drugs. Until such time as the new legislation is in place, Health and Welfare Canada will be initiating the process to reclassify anabolic steroids from Schedule F of the Food and Drug Regulations to Schedule G of the Food and Drugs Act, making them subject to a similarly strict control regime. New offenses for the production, trafficking, possession for the purpose of trafficking and import/export of steroids other than for medical purposes will apply.

I am pleased to report that at our meeting on November 24, 1990 in Victoria, Federal/Provincial/Territorial Ministers of Sport agreed on a common set of principles for a Canadian anti-doping policy. Today's announcement build's logically on this.

It's clear from my announcement today that we are taking strong action against the problem of drugs in sport, but we need continued vigilance.

As I mentioned at the outset, a lot of attention is being focused on the anti-doping front, especially on the international stage. This might leave the impression that Canada is alone in the fight against the scourge of drugs in sport. Nothing could be further from the truth. Firstly, Nordic countries have been pioneers in the fight against doping in sport with their no-notice, out-of-competition testing agreement. Australia had its own version of the Dubin Inquiry and has introduced some tough legislation. In the wake of some stunning allegations of drug use in sport, the Germans have launched an inquiry. In the Soviet Union, this important issue is now being openly discussed. And just last month, Canada signed a trilateral anti-doping in sport agreement with the governments of Australia and the U.K. All of this is to say that we in Canada are not fighting a lone battle.

With the steps announced today, the federal government has now supported and acted upon in whole or in part 62 of the 70 recommendations contained in the Dubin Report, but more has to be done.

I'd like to take this opportunity to thank all those interested parties and stakeholders for their constructive suggestions in the Phase Two consultations which have led to today's announcement. In addition, I want to acknowledge the Parliamentary Sub-committee on Fitness and Amateur Sport for their recent report on the future of amateur sport in Canada. As we move into the next phase of the Dubin response, that report will be considered along with other important studies on sport, such as the Task Force 2000 report and many of the other suggestions and comments I have and will continue to receive.

As far as the balance of the recommendations in the Dubin report dealing with broader sport policy issues are concerned, I indicated that the government would review these questions as part of a third and final phase response. This review will deal with the purpose and place of sport in society, the underlying values and ethics that should shape its conduct, the roles and responsibilities of the national sport governing bodies, and the federal government's future role in sport policy and programs. The third phase review and consultations will be coordinated by former senior public servant, Mr. Cal Best, and will incorporate a variety of components including: the 1988 Task Force Report "Toward 2000"; the recent report of the Parliamentary Sub-Committee on Fitness and Amateur Sport; a consultation process with the National Sport Organizations; federal/provincial/territorial discussions, etc. Mr. Best will provide a report to me following the third phase review.

I thank you and would be pleased to respond as much as I can to any questions you might have.

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## **APPENDIX B - THE CANADIAN ANTI-DOPING CAMPAIGN**

What is proposed for the future is that a consolidated, co-ordinated and comprehensive approach be taken to the problem of doping in Canadian sport. This would reflect the fact that doping is not strictly a problem at the national level, nor one confined exclusively to high performance athletes. Rather, the new campaign approach would recognize that doping exists in varying degrees in all levels of sport.

The campaign approach as well would recognize that doping and the problem of abuse of doping substances can not be solved strictly by organizations in the national sport community. Governmental and non-governmental, sport and non-sport bodies must be involved in a co-ordinated fashion.

While the Dubin Report emphasized the ethical basis of the doping problem in sport, the campaign would not focus single-mindedly on this dimension. Strategies for anti-doping measures will be a combination of deterrence, prevention and control measures. The thematic basis for the campaign will incorporate legal, ethical, personal responsibility and health dimensions, tailored as appropriate to specific target populations.

The campaign will be distinctively Canadian in nature. It will recognize the real and perceived importance of this issue for Canadians, and will not be influenced by the lack of intensity on anti-doping matters in other countries and in the international environment generally. The federal government and Canadian sport bodies will, however, be encouraged and supported to be more active in the international domain. In the case of the federal government, current work on international agreements will continue. In the case of sport bodies, intensification of their lobbying efforts within their respective International Federations will be supported.

The campaign approach has already been successful in the federal\provincial\territorial arena, as evidenced through the development of a joint national policy on doping by the two levels of government. Work will commence shortly on collaborative implementation measures.

## **Major Elements of the Campaign**

### **1. Canadian Anti-doping Organization**

A single centralized organization with the sole mandate to co-ordinate all anti-doping programs in Canada will be established. Responsibility for the policy development, implementation and co-ordination of the major elements of the Canadian anti-doping campaign will be vested with this new Organization. The Organization will be incorporated under Part II of the Canada Corporations Act. It will be governed by a small Board of Directors and a Chairman.

The federal government is the primary funding agent of the Organization. Initially, the policy and functional orientation of the Organization will be developed pursuant to the terms and conditions of an annually negotiated agreement. Ongoing support will therefore be conditional on whether the terms and conditions of the agreement are met. A key element of these terms and conditions will be the requirement for the Organization to seek out other funding partners.

In practice, the Anti-doping Organization's authority will flow from its expertise and dedicated capacity to design and deliver effective anti-doping programs. The Organization will act independently of day-to-day influence by any single constituency, including the federal government, National Sport Organizations (NSOs), etc.

The Organization will have the responsibility of assisting individual NSOs in the design and implementation of reasonable anti-doping measures. NSOs will be required to submit annual plans and report on the progress on their anti-doping programs to the Anti-doping Organization. The Organization will also advise the government regularly on the actions of individual NSOs and, where appropriate, might recommend that federal funding be withdrawn.

### **2. Co-ordination and leadership**

A broadly-based Co-ordinating Committee convened by the Organization and comprising the diverse interested parties will provide the strategic direction and policy development and coordination for the Anti-doping Campaign. Numerous constituencies represented on the Committee would include expertise from the federal and provincial governments, the NSOs, the scientific, medical, legal, regulatory, educational fields, etc.

Most of the policies and strategies recommended by the Co-ordinating Committee and adopted by the Board of Directors will be implemented by the Organization. However, some elements of the campaign such as international and federal-provincial co-operation will be implemented by other partners involved in the campaign, such as government authorities. Individual NSOs would be expected to provide appropriate leadership in the Anti-doping Campaign for their respective sports in the various program areas.

### **3. Testing**

An expanded program of athlete testing will be undertaken, with a major focus on no-notice testing of athletes outside of competition. Currently there are approximately 2,000 tests being conducted annually, of which approximately 40% are unannounced. With the creation of the new Organization, up to 3,000 tests could be conducted with the major proportion conducted on a no-notice basis. The new Organization will work with NSOs on athlete testing programs, but will make the final determination as to the pattern of athlete testing in Canada.

### **4. Investigations**

In order to determine whether others beyond athletes are involved in doping, the Organization along with NSOs will undertake reviews of specific doping incidents, and investigations of suspicious circumstances to determine the extent of doping and those involved and the circumstances and conditions that may be contributing to use and to recommend follow-up actions.

### **5. Appeals and Arbitration**

The full range of procedural rights will be incorporated into the Canadian testing program. Positive test results will be open to challenge at several levels, through mechanisms which will be co-ordinated by the Anti-doping Organization. Independent arbitration mechanisms will be created to handle appeals for both funding and eligibility penalties.

### **6. Research**

Research into the extent of doping in Canada and its causes, as well as into new doping practices and means to detect and deter such practices will be undertaken on an on-going basis.

### **7. National Sport Organization Policies and Plans**

As has been the case in the past, individual NSOs will be required to develop policies and prepare detailed anti-doping plans.

Provision of advice for the development of these plans, approval of them, and assistance with their implementation will be the role of the new Anti-doping Organization.

### **8. Education**

The anti-doping organization will work closely with a variety of national and provincial organizations, including the Fair Play Commission and the provincial governments, on the development and delivery of comprehensive anti-doping education programs which will be tailored to particular target populations.

## **9. International Advocacy**

On a sport-specific and generalized basis, Canada, at both the governmental and individual NSO levels, will continue to play a significant role in the international domain. Agreements with other countries for testing of athletes, and urging the international governing bodies of sport to strengthen their anti-doping practices and policies will be the major activities in this area.

## **10. Legislation**

New offences under federal legislation will ensure better control over the distribution and availability of anabolic steroids. The Government plans to include anabolic steroids under the proposed new Psychoactive Substance Control Act which is under development. Until such time as the new legislation is in place, Health and Welfare Canada will be initiating the process of reclassifying anabolic steroids from Schedule F of the Food and Drug Regulations to Schedule G of the Food and Drugs Act.

## **11. Laboratory Services**

In view of the anticipated increase in the number of tests undertaken in Canada, a new contract will be negotiated with the IOC-accredited laboratory in Canada for the provision of sample analysis and research services essential to the Canadian anti-doping campaign.

## **12. Co-operation with Customs and Civil Authorities**

The federal government will work closely with appropriate government departments and authorities to ensure full co-operation in such areas as control of illicit importation and distribution of banned drugs and will facilitate linkages to these authorities by the new Anti-doping Organization.

## **13. Federal-Provincial Co-operation**

The federal government will work closely with the provinces and territories, along with the new Anti-doping Organization, to ensure a fully-integrated program of anti-doping measures throughout Canada. The Ministers responsible for sport at the provincial-territorial and federal level recently adopted a Canadian Anti-doping Policy and guidelines for inter-governmental co-operation.

#### **14. Penalties and Sanctions**

The federal government has expressed its intention to establish a common penalty framework which is to take effect by December 31, 1991. Efforts aimed at establishing this common set of penalties for doping infractions to be applied across the Canadian sport system will continue. Those subject to penalty will include coaches, medical practitioners and other support personnel as well as athletes. Penalties will include both eligibility to participate in activities sanctioned by the formal sport organizations, as well as entitlement to direct government funding.

#### **15. Federal Government's Ongoing Responsibilities**

The federal government will maintain a small anti-doping capacity within Fitness and Amateur Sport to liaise with other government authorities who are assisting with the campaign (e.g. Health and Welfare, RCMP, Customs, Justice, External Affairs) to undertake its responsibilities for interprovincial and international liaison, and to monitor progress on the Anti-doping Campaign.

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## **APPENDIX C - DRUG RECLASSIFICATION**

In response to Recommendations #20 and #22 of the Dubin Commission Report, which was tabled in the House on June 27, 1990, androgenic-anabolic steroids will be subject to legislative controls. New offences for import, export and trafficking of these substances will be introduced. The regulatory proposals are not intended to affect anabolic steroids implants suitable only for veterinary or agricultural use (agricultural implants).

The proposal includes regulation of the import, export, manufacture and distribution of all products containing these steroids except agricultural implants. Only licensed dealers will be permitted to import, export or distribute products containing these steroids products. In addition, such products will only be available from a veterinarian, a medical practitioner on prescription or a pharmacist on the prescription of a veterinarian or a medical practitioner. Licensed Dealers, pharmacists, veterinarian and medical practitioners will be required to maintain records and provide reports upon request. The distribution of agricultural implants will not be affected by the proposal.

The Government plans to include anabolic steroids under the proposed new Psychoactive Substance Control Act which is under development. This will ensure a greater level of control and corresponding penalties related to drugs. Until such time as the new legislation is in place, Health and Welfare Canada will be initiating the process to reclassify anabolic steroids from Schedule F of the Food and Drug Regulations to Schedule G of the Food and Drugs Act, making them subject to a similar strict control regime.

### **Penalties under Schedule G**

Under Schedule G of the Food and Drugs Act, production of substance, trafficking in substance, possession for the purpose of trafficking, importing and exporting will result in penalties of up to 18 months imprisonment for a summary conviction and up to 10 years on indictment. (Summary conviction and indictment signify alternative judicial processes relating to the seriousness of the offence committed.)

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**APPENDIX D - FEDERAL\PROVINCIAL\TERRITORIAL CONFERENCE OF  
MINISTERS RESPONSIBLE FOR SPORT, FITNESS AND  
RECREATION - November 24, 1990**

At a recently held meeting of Ministers responsible for Sport, Fitness and Recreation, Ministers approved the scope, goals and a set of guiding principles (see attached) of a Canadian Anti-Doping Policy, and selected areas for Federal\Provincial\Territorial coordination.

There was consensus on the need for the development of a common penalty structure, in consultation with Canadian sport organizations and reflecting the Dubin Report's urging that new penalties should be more severe than current sanctions.

The Ministers agreed to expedite the development of an appeal process.

They noted the increasing concern over doping, or the abuse of banned drugs in sport by athletes at all levels of athletic pursuit, and acknowledged the need for co-operation among the partners in sport, recreation, health, education, and including professional sport organizations, to address the problem of doping in sport.

## **Guiding Principles of a Canadian Anti-doping Strategy**

The following statements reflect the thrust and commitment of federal, provincial and territorial government departments responsible for sport to a policy on anti-doping in Canada.

1. A Canadian anti-doping policy will be jointly developed by Federal-Provincial/Territorial governments in consultation with their constituents and be based upon common principles, which will form the basis of individual policies developed by each jurisdiction to compliment the orientation and priorities of the national policy.
2. Fair competition is a fundamental premise of sport.
3. There is unequivocal support for the health and welfare of the athletes, and opposition to any actions not in the best interests of the individual athlete.
4. There is unequivocal opposition to the use, encouragement or provision for use, of banned drugs or unfair physiological manipulation to enhance athletic performance.
5. All parties will use consistent terminology in their individual anti-doping policies.
6. A consistent definition of-doping will be utilized and the same list of prohibited classes of drugs and banned methods will be used.
7. It is essential to encourage and promote awareness and education of athletes, support personnel and the general public to the values and ethics of sport and the physical and mental health of athletes.
8. Conditions, expectations or regulations for athletes, support personnel and sport organizations must be established with reason and fairness, and consistent with international requirements where possible and deemed necessary.
9. Due process and consistent protocol must be established for dope testing and for determining doping violations, and the laws of Canada and the Provinces/Territories and the rights of the individual must be respected.
10. Sanctions for athletes, support personnel and sport organizations must be established with reason and fairness, and harmonized with international sanctions where possible or appropriate but, in the event harmonization is not possible, national harmonization would take precedence over conformity with international standards.
11. Best available current information on regulations, controls and penalties must be maintained to ensure anti-doping policy remains harmonized with current developments.



**APPENDIX E - DOPING TRILATERAL BETWEEN AUSTRALIA, CANADA,  
AND THE UNITED KINGDOM - December 19, 1990**

1. The Governments of Australia, Canada and the United Kingdom have underscored their commitment to combat unethical doping in sport by signing a Memorandum of Understanding Concerning the Reciprocal Development and Enforcement of Measures against Doping in Sport. The Agreement is based on the principles outlined in the International Olympic Charter Against Doping in Sport and its operational annexes which call for a commonly accepted international antidoping policy that is harmonized and consistent and also for the negotiation of international agreements, both between governments and between sport organizations, that work toward this end.
2. The Agreement represents a new and unique approach to international cooperation in the campaign against doping as it is primarily based on the conviction that international cooperation at combating drugs should be based on openness and trust between nations working together to a common purpose.
3. By developing this agreement Canada is continuing its international leadership role and is responding directly to Recommendation 6 of the Dubin Report which recommends government to government multi-lateral and bilateral anti-doping agreements.
4. The agreement calls on participating governments to draw up and thereafter implement a realistic programme of action in the areas of:
  - a) freer and continuous exchange of information and experience on a range of relevant anti-doping subjects like education programmes and research projects;
  - b) the mutual assessment and evaluation of each others anti-doping programmes against a commonly agreed and accepted standard;
  - c) arrangements for athletes training in each other's countries to be tested either at the request of the home nation or on the initiative of the host nation;
  - d) the creation and maintenance of an effective coordination procedure for recording all elements of this self-assessment exercise annually and the provision of free access by participating states to this information.
5. The agreement became effective December 19, 1990, and will last for five years. It will involve officials of the department or national agency responsible for doping control in each country who will report on an annual basis to the Ministers of Sport.

6. The agencies responsible for the implementation of the agreement in the three countries are:

**Australia:**                   **The Australian Sports Drug Agency**  
**The Department of the Arts, Sport, the Environment, Tourism and Territories**

**Canada:**                   **The Sports Medicine Council of Canada (the newly created Anti-doping Organization will later assume responsibilities for this Agreement)**  
**Fitness and Amateur Sport**

**United Kingdom:**       **The Sports Council**  
**The Department of Education and Science**

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## **APPENDIX F - CURRENT INTERNATIONAL SCENE**

1. The Nordic Countries (Finland, Denmark, Sweden, Norway and Iceland) commenced doping controls in 1984 and their national confederations of sport established a joint convention to determine common provisions, rules, penalties and procedures in 1985. With tough common standards, the convention lays the foundation for cooperation including control across national boundaries.
2. The Council of Europe (25 member states) adopted an Anti-doping Convention in 1989 which provides a common backdrop for each country's specific policy. It commits the governments of the signatory states to ensure that anti-doping controls are carried out consistently and in a harmonized fashion. To date, 7 countries have ratified the convention and a further 11 have signed pending ratification.
3. The Swedish Government is to introduce a bill on the trafficking and possession of anabolic steroids to its Parliament shortly as part of a tightening of already strict anti-doping regulations (which are in conformity with the Nordic Convention mentioned above).
4. France passed an anti-doping law in late 1989 which is currently having its implementing decrees established. A national anti-doping commission has been created and is advising on the draft decrees, substances and penalties. Once the decrees are finalized, the French Parliament will ratify the law and its implementation.
5. The Government of the Netherlands has created and funded a new anti-doping centre to be responsible for providing Dutch sport bodies with information, advice on procedures, documentation, etc. and to study the legal and ethical aspects of doping.
6. The Australian Government has recently enacted anti-doping legislation and established a national agency to oversee the development of national policy, testing, penalties, research, and the provision of information.
7. The Hungarian Government is preparing new legislation based on the European Anti-doping Convention to be introduced in 1991.
8. The United Kingdom has undertaken two inquiries into drug abuse by athletes in particular sports, and has secured additional funding to step up the national program of testing and education. An inter-ministerial group on drug abuse has been established to study the possibility of strengthening the law on the possession of, or dealing in, anabolic steroids.
9. An independent Commission has been established by the German sport authorities to investigate allegations of widespread drug abuse by athletes from the former East Germany.

10. **The United States recently amended its Controlled Substances Act to further restrict the use of steroids and amended the Food, Drug and Cosmetic Act to restrict the distribution of human growth hormone which is chemically distinct from steroids.**
  11. **The International Olympic Committee continues to accredit laboratories, promote a common penalty framework among international sport federations and promote the adoption and application of the International Olympic Charter Against Doping in Sport.**
  12. **The International Olympic Charter Against Doping in Sport has been endorsed by the Association of Summer Olympic Sport Federations, supported for national adoption by UNESCO, endorsed by the 25 European Ministers responsible for Sport, supported by the Ministers of Sport of Commonwealth Countries meeting at the time of the Auckland Commonwealth Games, endorsed by Ministers of Youth and Sport of Francophone Countries and considered for adoption by the Supreme Council for Sport in Africa.**
  13. **As part of the ongoing international campaign, the Third World Conference on Anti-doping in Sport will be held in Norway in September 1991. This continues an initiative launched by Canada in 1988 who hosted the first conference of this kind.**
  14. **The international sport federations are expanding their activities in the field of anti-doping. For example, the International Amateur Athletic Federation, the International Weightlifting Federation and the International Rowing Federation are conducting no-notice doping controls at the world level both in and out of competition.**
  15. **National Olympic Committees of the USA and the USSR have entered into an anti-doping bilateral agreement and have invited other National Olympic Committees to join as co-signatories.**
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## **APPENDIX G - PHASE 3 REVIEW OF DUBIN REPORT RECOMMENDATIONS**

**The Federal Government's final review of the remaining questions raised in the Dubin Report (the Phase 3 response), in many respects will address the most fundamental and significant questions, namely:**

- the purpose and place of sport in our society
- the values and ethics that should shape and underpin its future conduct
- the roles and responsibilities of the national sport governing bodies and
- the role and approach of the federal government in the support of sport development in Canada

**This phase of review will include several studies and consultations, among them:**

1. A review of the values and ethics of sport - as Canadians and athletic participants believe they should be;
2. A study on the status of the athlete - the social, financial, athletic and health status of the athlete striving for excellence - now and as we desire it;
3. The role of the national sport body - its mandate and "social contract" with the Canadian public including its social responsibility in areas such as female opportunity, disabled sport, bilingualism services etc. and the relationship with the federal government;
4. A review between federal and provincial governments of the share of responsibility in Canadian sport development;
5. A review of the relationship of sport to our cultural and national identity, given the important role that sport plays in the lives of Canadians and the meanings we attach to it;
6. A consideration of the importance of a broad based array of physical activity and sport opportunities for personal development and "active living";
7. An examination of the goals and priorities for our sport system and areas for improvement. In this regard, we would examine notable recent studies such as the 1988 Task Force Report "Toward 2000: Building Canada's Sport System" and the recently released Parliamentary Sub-Committee report "Amateur Sport: Future Challenges" among others;
8. An examination and reshaping as necessary of the role, mechanism and approach of the federal government toward sport and physical activity.

This Phase 3 review will be coordinated by a three member "Task Group" led by a distinguished former federal public servant Mr. Cal Best. Mr. Best has extensive experience in federal program management, as well as international experience as a High Commissioner. Mr. Best will coordinate the various studies, consultations and workshops needed to address the complex questions raised, and will then integrate the results and provide recommendations in a report to the Minister on the future approach to Sport.

**BEST, James Calbert**

Mr. Best has had a long and distinguished public service career serving as the first National President of the Civil Service Association of Canada (1957-66). His duties with the department of Employment and Immigration have included roles as Assistant Deputy Minister (1970-73) and Executive Director of the Canadian Employment and Immigration Commission (1977-85). In 1985 he was appointed Canadian High Commissioner to Trinidad and Tobago where he served until 1988. He retired from the Public Service following this posting.

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## **APPENDIX H - RELATIONSHIP BETWEEN THE CANADIAN ANTI-DOPING ORGANIZATION AND THE NATIONAL SPORT ORGANIZATIONS**

### **I. General**

The new Canadian Anti-doping Organization will be an arms length, independent, non-profit body, situated outside of government. It will be responsible for co-ordinating the development and implementation of policies and programs for anti-doping in the areas of testing, research, education and appeals/arbitrations.

This Organization will co-ordinate the input from essential stakeholders such as NSOs, educational experts, medical and scientific groups and governments, in order to develop and implement significant new Canadian anti-doping measures.

Policy expectation for this Organization will be based initially on the current FAS Anti-doping Policy (1985) and upon the principles contained in the Federal/Provincial/Territorial governments' Canadian Anti-doping Policy.

The Organization will have the responsibility of assisting the individual NSOs with the design and implementation of appropriate anti-doping measures. NSOs will be required to submit annual plans and policies for anti-doping, and to report on the progress of these plans.

### **II. Anti-doping Program Elements**

The specific anti-doping program elements of the Organization will be those as outlined in the International Olympic Charter (Against Doping in Sport) Annex 3 - Model National Program. The protocols for program elements such as laboratory accreditation, analysis techniques, banned and restricted list, doping control collection procedures etc. will be conducted by internationally established standards. Generic Canadian models for anti-doping education programs and legal procedures including appeals and investigations will be developed from which sport specific adaptation can be made.

The relationship between the Canadian Anti-doping Organization and the individual NSOs will be based on co-operative interaction with the authority or lead role varying slightly within each of the program elements.

To further illustrate this relationship the following represents the basic roles of the Organization and the NSO across four (4) example program areas: testing, research, appeals/investigations and education.

**2.1) Testing**

- o international protocol for collection and analysis
- o NSO to submit their requirements for testing with Organization to have final authority

**2.2) Research**

- o NSO, among other agencies, to submit their request for research initiatives with Organization to have final authority on initiative

**2.3) Appeals/Investigations**

- o generic protocols established by the Organization based on legal requirements and standards
- o Organization to manage due process mechanisms in co-operation with NSO
- o some NSO initiated appeals/investigations conducted independent of Organization

**2.4) Education**

- o generic educational programs and materials to be developed by Organization with input from NSOs and others
- o NSOs to tailor anti-doping education programs with co-operation from Organization
- o implementation of educational programs by both Organization and NSOs as is appropriate

**III. Remaining CADO role related issues for further review and development**

- 3.1) NSO and other sport organizations' financial contribution to anti-doping
  - 3.2) refinement of select parts of the appeals and investigations aspects of anti-doping
  - 3.3) anti-doping education programs (design and implementation)
  - 3.4) international strategies of NSOs for anti-doping
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**APPENDIX I - FEDERAL GOVERNMENT CONSULTATION ON PHASE II OF THE DUBIN REPORT - DOPING RELATED MATTERS**

The federal government has conducted broad based consultation with numerous Canadian sport organizations in its preparations to respond to the doping related matters of the Dubin Report.

1. **Discussion Paper Prepared for Consultation on the Dubin Report, Doping Related Matters, prepared by the Government of Canada, Fitness and Amateur Sport**
  - o In September, 1990 the government released a Discussion Paper to various agencies within the Canadian sport community, to be used as the basis for consultations concerning the doping related matters of the Dubin Report. Associations and/or individuals were invited to submit written responses to this document by October 31, 1990. (To date, we have received seven (7) such responses).
2. **Consultations with National Sport Organizations and other Sport Agencies**
  - o During the period of September 26 - October 5, 1990, five half-day consultation sessions were conducted involving 66 representatives from 31 National Sport Organizations.
  - o On October 11, the Minister met with representatives from 10 National sport organizations to review the Discussion Paper.
  - o On October 12, senior FAS staff presented a roll-up of the Phase I and II consultations at the AGM of the Sport Federation of Canada.
  - o On October 15, senior FAS staff presented a roll-up of the Phase I and II consultations to NSO representatives at the CSFAC allowing for discussion and feedback.
  - o On November 1, senior FAS staff met for one day with 13 representatives from various National Sport Organizations and Sport Agencies including the COA, SMCC, CIAU and CCAA. This session dealt with the principles of management and governance of the Canadian anti-doping campaign.
  - o Individual meetings were held between FAS officials and the Coaching Association of Canada, the Sport Medicine Council of Canada and the Fair Play Commission.

**3. Consultation with other Federal Government Departments**

FAS has held formal discussions with representatives from NHW (Bureau of Dangerous Drugs), Justice Department, RCMP, Customs and Excise and DND concerning federal government co-ordination and co-operation in anti-doping.

**4. Federal/Provincial/Territorial Government Discussions**

Numerous discussions with provincial and territorial governments culminated in the approval of a document entitled "Guiding Principles of a Canadian Anti-doping Strategy." This agreement was signed on November 24 in Victoria at the Federal/Provincial/Territorial Sport Ministers Conference.

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