



International
Paralympic
Committee

Reinstatement criteria - Russian Paralympic Committee (RPC)

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International Paralympic Committee

Adenauerallee 212-214 Tel. +49 228 2097-200
53113 Bonn, Germany Fax +49 228 2097-209

www.paralympic.org
info@paralympic.org

Reinstatement criteria for the Russian Paralympic Committee

A. Background

1. Following the publication of the report by Professor Richard McLaren on 18 July 2016 (the **McLaren Report**), on 7 August 2016 the IPC Governing Board (in its capacity as the global governing body of the Paralympic Movement and the organiser of the Paralympic and Winter Paralympic Games) decided unanimously to suspend the Russian Paralympic Committee (**RPC**) from membership due to its inability to fulfil its IPC membership obligations, in particular its obligation to comply with the World Anti-Doping Code (to which it is also a signatory) and the IPC Anti-Doping Code. Further information on the IPC's decision can be found at www.paralympic.org/russian-paralympic-committee-suspension.
2. In order to assist the RPC in bringing about the significant changes needed, the IPC (in coordination with WADA and others) has now produced these reinstatement criteria, identifying the core, high-level requirements that the RPC must meet in order to be reinstated as a member of the IPC. The reinstatement criteria are further supported by underlying verification criteria, which set out certain specific matters that need to be rectified.
3. The IPC has decided to appoint a taskforce (the **IPC Taskforce**) to assist the IPC in determining whether or not the reinstatement criteria and underlying verification criteria have been met. The terms of reference for the IPC Taskforce are set out at Appendix 1. The IPC Taskforce will comprise five individuals. Once named, the IPC Taskforce chair, in partnership with the IPC CEO, will work quickly to finalise the appointments of the four remaining members.
4. The IPC Governing Board will consider the reinstatement of the RPC (in full or in part) based on the recommendations of the IPC Taskforce, and pursuant to the IPC's Policy on Suspension of an IPC Member Organisation.
5. The IPC may amend this document (including the reinstatement criteria and verification 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.

B. Reinstatement criteria

6. The RPC 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:

- 6.1 The RPC is compliant with all of the requirements of the World Anti-Doping Program (including, in particular, the World Anti-Doping Code) and the IPC Anti-Doping Code that are applicable to a National Paralympic Committee.
- 6.2 The RPC, IPC, International Federations that are members of the IPC, and RUSADA (once RUSADA has been declared Code-compliant again) are all able to carry out their respective anti-doping activities in Russia and in relation to Russian Para athletes and athlete support personnel effectively and without external interference (as part of this, the RPC will need to adequately address the findings of the McLaren Report).
- 6.3 As a result, the participation in IPC-sanctioned competitions (e.g., Paralympic Games, World Championships, Regional Championships/Games, Grands Prix, World Cups, and other IPC-approved events) of Para athletes and athlete support personnel under the RPC's jurisdiction will not jeopardise the integrity of those competitions.

C. Verification criteria

7. The RPC must demonstrate (by its own efforts and also by securing the support and assistance of other relevant parties, as necessary) that the following verification criteria have been met, and can reasonably be expected to continue to be met moving forward:

RPC coordination committee

8. The RPC must, at its cost, establish an RPC coordination committee of suitably qualified representatives who are ready, willing and able to ensure that the RPC satisfies the reinstatement criteria and verification criteria. The RPC must ensure that the RPC coordination committee is allocated the resources required to achieve this objective.
9. The RPC coordination committee must meet regularly, and must provide regular progress reports to the IPC Taskforce (in English) and meet with the IPC Taskforce as the IPC Taskforce deems necessary. Unless otherwise agreed by the IPC Taskforce, meetings between the RPC coordination committee and the IPC Taskforce will take place in a city outside of Russia.

RPC governance and structure

10. The RPC must provide the IPC Taskforce with details (including the name, background, qualifications and responsibilities) of each RPC staff member, director, officer,

board/committee member, coach and athlete support personnel, along with confirmation that each such individual has never been involved in any anti-doping rule violation and is not implicated in the doping schemes identified by Professor McLaren.

11. Where any person contracted in any way to the RPC, or holding an RPC office, directorship, committee position or other role, is found to have committed an anti-doping rule violation, the RPC must terminate its relationship with that person immediately. Nor will the RPC collaborate or have any involvement with individuals named in the McLaren Report (or in any subsequent report(s) by Professor McLaren) as being implicated in the doping schemes identified.
12. The RPC will not appoint any Russian government official to its governing board, executive committee, or in any other role. In addition, Russian government officials will not be eligible for nomination to the RPC governing board, executive committee or any other RPC formal standing committee positions.
13. The RPC must carry out a full review of its compliance with its own constitution. The RPC must provide the IPC with a report on this compliance assessment, and a copy of the current version of its constitution (in English).

Establishing a strong anti-doping culture among RPC officials, athletes and athlete support personnel

14. The RPC must demonstrate to the satisfaction of the IPC Taskforce that:
 - 14.1 The requirements of the World Anti-Doping Program and the IPC Anti-Doping Code have been validly and properly incorporated into the RPC's rules.
 - 14.2 All officials, coaches, athletes, athlete support personnel and other persons coming under the RPC's jurisdiction have confirmed their understanding of those requirements, have acknowledged and agreed that they are bound to comply with them, and have submitted to the jurisdiction of the relevant hearing panel(s) to hear and determine charges that they have committed anti-doping rule violations (in the case of athletes representing Russia, by signing a written declaration).
 - 14.3 There are effective mechanisms in place to ensure the proper enforcement of any consequences imposed in respect of anti-doping rule violations, including respect for any periods of ineligibility.
15. The RPC must establish appropriate and effective mechanisms to allow athletes and others to report behaviour that may be in breach of anti-doping rules. In particular:

- 15.1 The RPC must actively promote an open environment that encourages whistleblowing.
 - 15.2 The RPC must establish a reporting 'hotline' in a form satisfactory to the IPC Taskforce, with monthly summary reports of all incoming matters to be provided to the IPC Taskforce (in English).
 - 15.3 Where the RPC learns of information suggesting or relating in any way to an apparent anti-doping rule violation by a person under its jurisdiction, it must immediately report such information in full to the IPC Taskforce.
16. The RPC must arrange for mandatory anti-doping education for all RPC staff, coaches, athletes, athlete support personnel and other persons coming under the RPC's jurisdiction, the content of which must be agreed with WADA and the IPC Taskforce. Such education must include:
 - 16.1 Sessions led/supervised by external experts approved by WADA and the IPC Taskforce.
 - 16.2 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 IPC Taskforce).
 - 16.3 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). The RPC also must establish mechanisms to ensure that individuals who claim to have undertaken such certification have in fact done so (e.g., through supervised assessments).
 17. The RPC must ensure the systematic publication of all decisions imposing sanctions on persons under its jurisdiction in respect of anti-doping rule violations, in accordance with the applicable anti-doping rules.
 18. The RPC must publicly distance itself from all political/propaganda-type statements issued by Russian authorities, and reinforce its good faith commitment to obtaining the reinstatement of its membership of the IPC for the benefit of the athletes and others that it represents.

Testing and results management

19. By no later than 15 December 2016 (and thereafter from time to time on request by the IPC), the RPC must provide to the IPC Taskforce a list of Russian athletes who the RPC would wish to put forward for participation in IPC-sanctioned competitions, were the RPC to be reinstated (**National List**). The RPC may amend that list from time to time, and also may be required to prioritise athletes on the National List (for example, giving priority to the Paralympic and Paralympic Winter Games), in particular taking into account the available capacity for testing.
20. The IPC will include certain Russian athletes from this National List in its International Registered Testing Pool (**IRTP**). The RPC must procure that all athletes on the National List who are not included in the IPC's IRTP are included in the National Registered Testing Pool (**NRTP**) administered by RUSADA (or by such other WADA-approved entity standing in for RUSADA pending its reinstatement) and/or in the Registered Testing Pool of their respective International Federation. The RPC must cooperate with and provide support to the IPC/RUSADA/such other entity, including:
 - 20.1 Confirming in its rules the right of RUSADA/such other entity to test any athlete under its jurisdiction at any time.
 - 20.2 Assisting as required in the implementation of the test distribution plan, including providing a calendar of events taking place in the relevant period; providing athlete information and access to athletes; and providing such other financial, logistical and other assistance as may be required to facilitate the conduct of in-competition and out-of-competition testing of its athletes by RUSADA/such other entity.
 - 20.3 Assisting as required in the implementation of the IRTP and NRTP, including in relation to notification and induction of athletes, enforcement of athletes' obligations to provide personal details and whereabouts information, and to make themselves available at such whereabouts for testing.
21. The RPC and the Russian athletes included in the IRTP, NRTP and other Registered Testing Pools must ensure that testing can be conducted without any hindrance, delay, obstruction or interference.
22. Once the RPC has been reinstated to IPC membership, and so is permitted to enter athletes in IPC-sanctioned competitions (including the Paralympic and Paralympic Winter Games), until further notice a Russian athlete will nevertheless only be entitled to participate in such a competition if: (a) he/she has been in the IRTP, NRTP or International

Federation Registered Testing Pool for at least the six months immediately preceding the event, and (b) during that period he/she has undergone at least two tests (tests carried out for purposes of the Athlete Biological Passport programme will not be considered for the purpose of this provision), all of which must have been conducted in strict compliance with applicable International Standards and analysed at a WADA-accredited laboratory outside of Russia with full menu analysis. For the avoidance of doubt, such tests must comprise two separate missions and be carried out on different days (e.g. the collection of a urine and blood sample at the same time would count as only one 'test' for these purposes). The RPC must ensure that all athletes and National Federations to whom this requirement may be relevant receive effective and timely written notice of this provision.¹

23. The RPC must procure that the IPC receives official English translations of full case decisions for all athletes falling under the jurisdiction of the RPC, without delay.

24. The RPC must:

24.1 Ensure permanent authorisation for the timely shipment of samples (urine and blood) out of Russia, without interference or breach of the chain of custody.

24.2 Procure working permits/visas for international doping control officers/blood collection officers, on a timely basis.

24.3 Procure free and unrestricted access to athletes for anti-doping testing, including (without limitation) the issuing of all necessary permits required to access 'closed cities' in order to collect samples at no-advance notice from athletes located there.

D. **Budget**

25. All costs of complying with, and demonstrating compliance with, the reinstatement criteria and verification criteria will be borne by the RPC.

26. As a condition of any future reinstatement, the RPC must reimburse the IPC for all of the costs incurred by the IPC in assessing compliance with the reinstatement criteria and verification criteria, including (without limitation) the travel, accommodation, legal and other costs incurred by or on behalf of the IPC Taskforce.

¹ Paragraph 22, in full, will be valid for a period of time to be determined by the IPC Taskforce, which shall be, as a minimum, no less than three years from 31 December of the year of the reinstatement of the RPC.

27. The RPC will also be required to contribute to the IPC budget for anti-doping operations as follows:

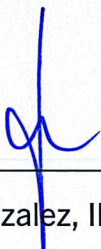
27.1 The RPC must fully and effectively indemnify and keep indemnified the IPC, on demand, in respect of any and all costs arising out of any testing, sample transfer, sample analysis, forensic and other analysis, and results management associated with the investigation and/or prosecution of anti-doping rule violations concerning Russian Para athletes allegedly involved in the doping schemes identified by Professor McLaren.

27.2 The RPC will make the following contribution to the significant costs resulting from the increased testing required in relation to Russian athletes under the IPC's jurisdiction:

- (a) The full costs arising out of the increased testing carried out/to be carried out on Russian athletes between 18 July 2016 (the date of publication of the McLaren Report) and 31 December 2016, to be advised by the IPC and payable by no later than 31 December 2016.
- (b) Starting from 1 January 2017, the sum of €250,000 per calendar year during the period of the RPC's suspension, payable by 31 January in each year. In addition, the sum of €125,000 per calendar year for three calendar years following 31 December of the year of reinstatement, payable by 31 January in each year.

28. In respect of the requirements identified in paragraphs 25 – 27, above, the RPC is required to establish an escrow account by 31 December 2016 with Deutsche Bank, Bonn Germany, managed as fiduciary by the IPC, that contains an initial balance of no less than €500,000, payable on account to the IPC. At no time must the balance of the escrow account fall under €250,000. All fees for the escrow account will be borne by the RPC. At the end of calendar year three following reinstatement of the RPC, as identified in paragraph 27.2 (b) above, the escrow account will be dissolved, under the condition that all payments due by the RPC to the IPC have been settled, and any remainder will be reimbursed to the RPC.

Bonn, 21 November 2016



Xavier Gonzalez, IPC CEO

Appendix 1

IPC Taskforce terms of reference

Mandate

1. The IPC Taskforce is mandated to take all such steps as it deems necessary to make its determination as to whether the reinstatement criteria have been met and can reasonably be expected to continue to be met moving forward, including (without limitation):
 - (a) Communicating with the RPC concerning the reinstatement criteria and verification criteria that the IPC has identified in consultation with WADA.
 - (b) Establishing appropriate monitoring and evaluation mechanisms for its ongoing assessment of the RPC's progress towards compliance with the reinstatement criteria and verification criteria.
 - (c) Once compliance with the reinstatement criteria and verification criteria has been achieved, monitoring and evaluating the RPC's ongoing compliance for such a period as deemed necessary by the IPC Taskforce in conjunction with the IPC CEO, in order to provide assurance that the RPC's compliance will persist after the reinstatement of the RPC's membership of the IPC. This includes confirming that the necessary structures have been established, and observing such structures in practice over a sufficient period of time to ensure that they are and will remain effective moving forward.
 - (d) Coordinating and meeting as necessary with representatives of relevant third parties, including (but not limited to) WADA, RUSADA, the Ministry for Sport, the Independent Public Anti-Doping Commission and the McLaren investigation team. Any meetings will, where appropriate, be coordinated with WADA to avoid the duplication of efforts and to ensure consistency in approach.
 - (e) Interviewing RPC employees, representatives and others as necessary in order to understand historical practices and to determine the meaningfulness of proposed and actual reforms.
2. The chair of the IPC Taskforce will provide progress reports at IPC Governing Board meetings (beginning with the meeting currently scheduled for January 2017), and also to the IPC CEO on any significant developments that occur between such meetings.

3. If and when the IPC Taskforce concludes that, in its opinion, the RPC has demonstrated (by its own efforts but also by securing the support and assistance of other relevant parties, as necessary) that the reinstatement criteria and verification criteria have been met, and reasonably can be expected to continue to be met moving forward, the chair of the IPC Taskforce will submit a written report to that effect to the IPC Governing Board, via the IPC CEO (the **Final Report**):
 - (a) The Final Report will contain any recommendations that the IPC Taskforce considers appropriate for adequately ensuring the ongoing satisfaction of the reinstatement criteria.
 - (b) Any member of the IPC Taskforce who dissents from the conclusion will be entitled to have such dissent recorded in the Final Report, together with the supporting reasons for the dissent.
 - (c) The Final Report will be published on the IPC website (with the exception of any confidential and/or sensitive information that the chair decides should be redacted prior to publication).

Organisation

4. The IPC Taskforce is free to organise its activities as it deems appropriate. In particular, it may hold in person or teleconference meetings, as the chair deems appropriate.
5. The work of the IPC Taskforce (including all communications with the IPC Taskforce) will be carried out in English. Any documents that are not in English must be provided along with a translation into English, at the expense of the RPC.
6. The IPC Taskforce will make decisions unanimously or by majority vote, with each member of the IPC Taskforce having one vote (i.e., five votes in total). In the event of a deadlock (e.g., due to an absence or an abstention), the chair will have the deciding vote. In the event that the chair is in the minority on any vote, he will have the right to dissent and/or to resign from the IPC Taskforce, as he sees fit.
7. Should any member of the IPC Taskforce step down or otherwise become unavailable before the submission of the Final Report, the IPC Taskforce chair and the IPC CEO will decide together whether that member should be replaced and, if so, by whom. If the relevant member is the chair, then the IPC CEO will decide how to proceed, in consultation with the remaining members of the IPC Taskforce.

8. The IPC will supply the administration and operational resources required by the IPC Taskforce to carry out its work. Mike Peters, the IPC's Chief of Staff, will serve as the IPC's primary point of contact for the IPC Taskforce. The IPC will engage legal counsel to provide legal advice to the IPC Taskforce, and also will make its staff available to the IPC Taskforce as reasonably necessary.
9. Each member of the IPC Taskforce will be bound by and required to comply with the IPC Code of Ethics, and further will be required to complete a conflict of interest declaration.
10. The IPC Taskforce will make any public statements (including comments to the media) only through the chair, and after consultation with the IPC CEO.

Term

11. The IPC Taskforce will commence its work on or around 12 December 2016. There is no fixed deadline for completion of the IPC Taskforce's mandate. Instead, it is to strive to complete that mandate as quickly as is reasonably practicable. In no circumstances, however, is that objective to be allowed to compromise the integrity of its conclusions and recommendations.
12. The mandate of the IPC Taskforce will end once it has delivered the Final Report (unless the IPC CEO decides otherwise).

Amendments/matters not otherwise addressed

13. These terms of reference may be amended by the IPC CEO, as necessary and in consultation with the IPC Taskforce chair.
14. Any matter arising that is not addressed in these terms of reference will be determined by the IPC CEO, in consultation with the IPC Taskforce chair.