



TO: Para snow sports family

FROM: Xavier Gonzalez, IPC CEO

(by email)

Bonn, 24 October 2017

### **MEMO: Limited interim measure for Russian Para athletes competing in snow sports**

The IPC recently has received several enquiries from its members and their Para athletes competing in IPC snow sports regarding the participation of Russian “neutral” Para athletes in upcoming competitions. The purpose of this memo is to address these questions.

#### Background

The IPC suspended the Russian Paralympic Committee (RPC) on 7 August 2016 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 a signatory) and the IPC Anti-Doping Code.

Following this suspension, the IPC published a set of [reinstatement criteria](#) that identified each of the separate requirements that the RPC needed to meet to have its suspension lifted. In addition, the IPC Governing Board (GB) appointed an IPC Taskforce to assist the RPC and IPC in assessing the RPC’s progress toward meeting these reinstatement criteria. The IPC Taskforce presents a formal report for each of the IPC GB meetings (see [here](#) for details).

The IPC Taskforce is headed by independent chairperson Andy Parkinson, the Chief Executive of British Rowing. Prior to British Rowing, Mr Parkinson served as Chief Executive of UK Anti-Doping (UKAD). He is joined by Mr Shin Asakawa, Chief Executive of the Japan Anti-Doping Agency (JADA); Mr Akaash Maharaj, Chief Executive of the Global Organisation of Parliamentarians Against Corruption; Ms Sarah Fussek, FIS Anti-Doping Co-ordinator; and Dr Peter Van de Vliet, the IPC’s Scientific and Medical Director. Ms Liz Riley, Barrister at Bird & Bird LLP in London, serves as legal counsel to the IPC Taskforce.

#### Limited interim measure

On 6 September 2017, the IPC GB decided to maintain the suspension of the RPC, with a further review due in December 2017. However, in light of the significant progress made by the RPC and the testing programme now in place, the GB adopted a *limited interim measure*



(LIM) allowing Russian Para athletes to compete as “neutrals” in qualification events across four snow sports for the PyeongChang 2018 Paralympic Winter Games (see [here](#) for the details of this decision).

This LIM is intended to preserve the ability of the RPC to enter its qualified Para athletes into the PyeongChang 2018 Paralympic Winter Games, should the RPC have its suspension lifted in time (see [here](#) for the terms of the LIM). The IPC also hopes this decision will further encourage the RPC, and importantly the Russian authorities, to meet the remaining reinstatement criteria as soon as possible.

The winter World Para Sports where Russian Para athletes will be allowed to compete as neutrals are alpine skiing, biathlon, cross-country skiing and snowboard.

#### Conditions of participation

In addition to the terms of the LIM, any Russian Para athlete wishing to participate as a neutral in qualification events for PyeongChang 2018 must also meet several [conditions of participation](#), which were determined by the IPC.

Among these conditions of participation is the need to be licensed, eligible and in compliance with the anti-doping testing requirements that were set out in reinstatement criterion 22(b).

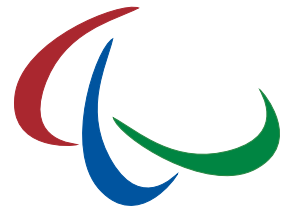
In addition, all provisions in the respective sport/competition rules and regulations that are applicable to athletes/support personnel will apply equally to neutral athletes/support personnel.

Under no circumstances will officials, members or other representatives of Russian Ministries or the RPC Governing Board be permitted to attend such events in any capacity, including as support personnel, and no accreditation will be granted to any such persons.

#### Result management for individual anti-doping rule violations

Result management for individual anti-doping rule violation cases arising out of data from the “McLaren Reports” is a process governed by the World Anti-Doping Code and the IPC Anti-Doping Code. Those investigations are ongoing, and the IPC will comment only in the circumstances provided for in the World Anti-Doping Code and IPC Anti-Doping Code.

In general terms, however, it may be helpful to know that the potential cases coming out of the “McLaren Reports” are, for the most part, different to standard doping cases. In a typical doping case, the IPC receives a report from an accredited laboratory that indicates an adverse analytical finding (AAF – a 'positive' test). This report serves as the basis for the IPC to initiate and prosecute a case against a Para athlete. In contrast, the potential cases arising out of the “McLaren Reports” are focused on anti-doping rule violations other than a positive test e.g. 'use' or 'tampering'. With such cases, the evidence required to prosecute a case is



different, and the evidence-gathering process can involve considerable time and resources. As with any other doping case, Para athletes are permitted under the World Anti-Doping Code and IPC Anti-Doping Code to participate in competitions except where they are provisionally or finally suspended. The IPC is doing its best to conclude these investigations as comprehensively and quickly as possible, keeping in mind the relevant timelines for the 2018 PyeongChang Paralympic Winter Games.

#### Member responsibilities

While the IPC recognises that different IPC members (and their Para athletes) may hold vastly different views on the RPC's suspension and the LIM, the IPC wishes to respectfully remind all members that both decisions represent formal decisions taken by the IPC GB. This fact is a rather important one, as each IPC member is required under the [Rights and Obligations of IPC Members bylaw](#) to, "*respect and abide by...any other decisions taken by the IPC Governing Board...*". Therefore, a member's failure to respect these GB decisions (e.g., by obstructing Russian Para athletes' participation in qualifying events), may result in disciplinary action(s) being taken against that member.

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