

# 2021 Annual Report

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## Preface

This is the third annual report from Doping Authority Netherlands. Until 2019, the work of the National Anti-Doping Organisation in our country was done by the Netherlands Anti-Doping Authority (the ADAN foundation). However, effective 2019, those tasks have been taken over by the independent administrative body (zbo) Doping Authority Netherlands. The then CEO of Doping Authority Netherlands, Herman Ram, was succeeded by current CEO Vincent Egbers on 1 September 2021.

The corona pandemic had a major impact on the work of Doping Authority Netherlands in 2021. It became very difficult to fulfil the authority's remit. However, the implementation of doping controls and educational activities did not come to a complete halt in the year under review. Nevertheless, the almost complete stoppage of sports competitions and the necessary corona measures announced by the government involved major restrictions until the end of the year. In addition, several employees were affected (personally or in their immediate circles) by the pandemic, and that further complicated operations. It was therefore possible to achieve the goals set for 2021 in part only.

We did manage, working with our partners, to conduct enough tests prior to the Olympic Games on the Dutch athletes who participated in the Games.

The Anti-Doping Policy Implementation Act (Wuab) lists the tasks of Doping Authority Netherlands. In Chapter 1, we report on how we have implemented our remit of '*providing information about doping*' (Wuab, Article 5(d)). Chapters 2, 4, and 8 describe various aspects of '*the implementation of the doping control process*' (Wuab, Article 5(b)). Chapter 3 contains information about '*the collection and investigation of information about possible violations of doping regulations*' (Wuab, Article 5(c)). The other chapters describe the implementation of a range of support tasks and processes needed to fulfil the statutory remit in a correct way.

As an independent administrative body, Doping Authority Netherlands is also covered by the Government Information (Public Access) Act (Wet openbaarheid bestuur (Wob)). One Wob requests was received in 2021.

Doping Authority Netherlands is also governed by the General Administrative Law Act (Algemene wet bestuursrecht, Awb) and the CEO of Doping Authority Netherlands made one decision about an objection in 2021. This decision was published (after anonymisation) on the corporate website of Doping Authority Netherlands.

Doping Authority Netherlands has its own Complaints Procedure in addition to the arrangements under the General Administrative Law Act (Awb). It was not used in 2021.

## **Chapter 1 Education**

### **GENERAL**

The educational policy of Doping Authority Netherlands makes a clear distinction between elite sports (organised sports) and fitness (sports organised on other lines). Elite sports are subject to doping regulations. Doping Authority Netherlands has the authority to conduct doping controls on the basis of these regulations. That is not the case in the fitness sector and so a different approach is required there. Furthermore, Doping Authority Netherlands is responsible for providing the general public with information.

### **IMPACT OF THE COVID PANDEMIC**

The COVID pandemic had a major impact on the implementation of the education policy again in 2021. The number of educational sessions and outreach events (stands at events) involving a physical presence was drastically reduced. A number of other activities were organised differently than usual (for example in hybrid ways or pre-recorded). The decline in the number of questions put to the Doping Information Line continued. And once again, it proved difficult to generate attention for the Be PROUD programme. On the other hand, the number of completed e-learning modules rose sharply, even by comparison with 2020. More web messages were written for True Strength during the lockdown.

### **ELITE SPORTS**

The objective for elite sports is: the prevention of inadvertent and deliberate anti-doping rule violations in Dutch sport.

The three main target groups in elite sports are:

- Elite athletes
- Support staff
- Sports associations

### **Implementation of the 2021 Code and International Standard for Education**

The International Standard for Education required all signatories to the Code to have an education plan in place by 1 January 2021. Signatories are required to develop, implement, monitor and evaluate education programmes on the basis of that plan. Doping Authority Netherlands had already largely established the National Education Programme in 2020 and work on the programme continued in 2021. In collaboration with the sports associations, the programme has now been almost fully implemented.

### **Elite athletes**

To prepare promising athletes within approximately eight years for competition at the global level, Doping Authority Netherlands developed the 'Doorlopende Leerlijn Schone Sport' (ongoing education module for clean sports) in collaboration

with the NOC\*NSF. This module describes the knowledge, skills and attitude needed for doping-free sports. It is a part of the National Education Programme.

#### *Education sessions in person*

Following up on that module, Doping Authority Netherlands has developed three different education modules for athletes: Bronze, Silver and Gold. Bronze was designed as the first module and it serves as an introduction to the topic of doping. Silver focuses more on practising skills such as checking medication and nutrition supplements. Finally, during the Gold programme, the athletes look at whereabouts and difficult doping dilemmas that they may encounter during their careers, such as suspicions that a teammate may be involved with doping or may be using approved medication purely and simply to perform better.

In 2021, Doping Authority Netherlands organised a total of 46 education sessions for a total of approximately 750 elite athletes. Seventeen sessions were organised online using Microsoft Teams or a similar program. The rest took place in person. This is more education sessions than last year, but fewer than in the years before the corona pandemic.

*Table 1.1: Overview of education sessions for elite athletes*

<b>Education module</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Bronze	53	33	43	9	15
Silver	18	17	26	8	21
Gold	2	2	2	2	3
Combination	18	32	22	12	7
<b>Total</b>	<b>91</b>	<b>84</b>	<b>83</b>	<b>31</b>	<b>46</b>

#### *E-learning platform*

Once again in 2021, it was not always possible to organise education sessions in person. Fortunately, the Doping Authority had already launched an [e-learning platform](#) in 2017. The Bronze, Silver, Gold and National Testing Pool modules were available for elite athletes on this platform. The Bronze, Silver and Gold modules tie in with the Bronze, Silver and Gold education sessions conducted in person. The National Testing Pool module is intended for elite athletes who have been included in the Registered Testing Pool (previously known as the National Testing Pool) of Doping Authority Netherlands. They must supply whereabouts information (overnight stay and residence data). With the advent of the new Code and the International Standard for Education, the content of the Bronze, Silver and Gold e-learning modules has been updated. The National Testing Pool e-learning module was discontinued effective 1 July. The content of this module has been included in the revised Gold e-learning module.

*Table 1.2 Overview of completed e-learning modules for elite athletes*

<b>Education module</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
Bronze	494	1,368	1,848	2,409	3,305
Silver	114	330	675	532	1,159

Gold	-	129	230	271	675
National Testing Pool	-	65	46	92	41
<b>Total</b>	<b>608</b>	<b>1,892</b>	<b>2,799</b>	<b>3,304</b>	<b>5,180</b>

At the end of an e-learning module, users of the e-learning platform are asked to rate the module on a scale of 1 to 10. The ratings for the e-learning modules were as follows: Bronze 8.0, Silver 7.7, Gold 7.6 and National Testing Pool 7.8.

The development of the e-learning platform continued in 2021. That included the redevelopment and rebuilding of the front end.

#### *Videos*

The existing videos were transferred to a Doping Authority Netherlands Vimeo account in 2021, from where they are displayed on the various websites and in the authority's different mobile applications.

#### *Doping Information App*

The Doping Information App has been with us since late 2013. The app works on iOS and Android. There is also a [responsive website](#). The Doping Information App allows athletes and support staff, among others, to check their medication and nutrition supplements, read the most important doping regulations and view the doping control procedure. The app was downloaded approximately 3,600 times in 2021 (2020: approximately 3,200 downloads). The total number of downloads was in the region of 40,000 at year-end 2021. The Doping Information App is updated continuously. The app is also constantly promoted, for example at education sessions, on a range of websites, in various articles, and on Z cards and posters.

#### *Be PROUD*

Be PROUD is an initiative of Doping Authority Netherlands and it focuses on affirming the right sporting values. The programme was established in collaboration with NOC\*NSF, elite athletes of the past and present, and trainers/coaches. It was launched in the summer of 2018. Athletes, family, coaches, medical staff, sports association staff and other sports enthusiasts are invited to support Be PROUD, either as supporters or ambassadors. Sports organisations also have the option of being partners. In this way, a large and powerful team is established that is proud of clean sports. The Be PROUD programme has its [own website](#) and social media accounts on [Instagram](#), [Facebook](#), [Twitter](#) and [YouTube](#).

At year-end 2021, Be PROUD had twelve [ambassadors](#): Eva Voortman (softball), Margriet Bergstra (judo), Rogier Hofman (hockey), Sophie Souwer (rowing), Steve Wijler (archery), Epke Zonderland (gymnastics), Jessica Schilder (athletics), Jetze Plat (handbiking/paratriathlon), Kai Verbij (speed skating), Madelein Meppelink (beach volleyball), Vince Rooi (baseball) and Ran Faber (korfbal).

The number of [affiliated organisations](#) (Be PROUD partners) has been 40 since year-end 2021. The number of supporters rose from 1,376 to 1,495. To promote Be PROUD, water bottles and vials of hand gel were handed out in 2021.

In 2021, Doping Authority Netherlands worked with BOOM Communicatie on the further development of Be PROUD. The focus was on strengthening the base. The action taken consisted of: a more concrete brand story (to be read on the website),

ambassador and partner plans, tool kits for ambassadors and partners, an advertising campaign during the Olympic and Paralympic Games to raise brand awareness, recording sessions for an ambassador video and introductory interviews with potential new ambassadors.

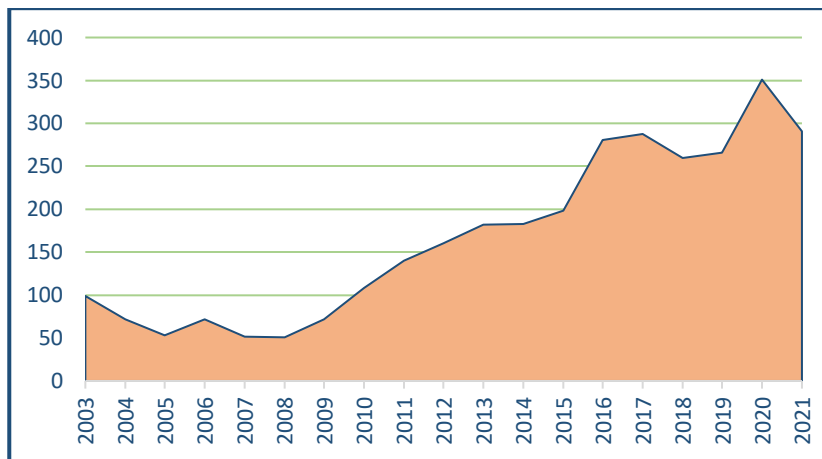
### Outreach Events

At outreach events, Doping Authority Netherlands is present with a stand at a sporting event in order to promote Be PROUD and to provide general information for large groups of elite athletes and support staff. One outreach event was organised in 2021 at the Martial Arts Congress (20 October). During this outreach event, 28 Be PROUD postcards were sent.

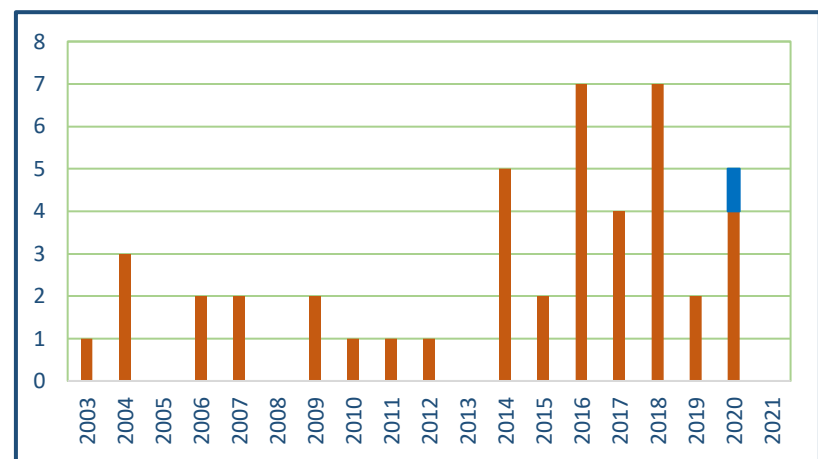
### Dutch Safeguards System for Nutrition Supplements in Elite Sport (NZVT)

Nutrition supplements can contain prohibited substances That is often not stated on the label. The use of nutrition supplements therefore constitutes a risk for elite athletes because it can lead to a positive result from a doping test. In response to this risk, the Doping Authority established the [Dutch Safeguards System for Nutrition Supplements in Elite Sport](#) (NZVT) in 2003. The system allows manufacturers of nutrition supplements to have batches of their supplements checked in exchange for payment. The 'clean' [product-batch combinations](#) are added to the NVZT database. The new NZVT system went into operation in 2021. The NPN and Doping Authority Netherlands will initially be taking on all the roles (manufacturer, LGC, NPN, Doping Authority and Wageningen Food Safety Research). Other organisations will gradually become involved in the new system at a later stage.

A total of 291 NZVT certificates were issued in 2021 (for 422 product-batch combinations). In total, on 31 December 2021, there were 1266 product-batch combinations on the [NZVT website](#), representing 350 products, 60 brands and 16 substantive categories. Seven batches were rejected because prohibited substances were found in them.



Number of approved certificates



Number of rejected batches

### Support staff

Alongside the focus on athletes, there has been rising interest in support staff in recent years. This group mainly includes the trainer-coaches, but also doctors, physiotherapists, dieticians, masseurs, soigneurs, psychologists and parents.

### Education sessions in person

A total of ten education sessions were organised for approximately 200 support staff in 2021: 120 trainer-coaches, and 80 medical/paramedical support staff (including doctors, physiotherapists and dieticians). Six education sessions were organised online using Microsoft Teams or a similar program. Five of the ten sessions were for trainer-coaches and five for other categories of support staff. The trainer-coach education sessions are based on the Ongoing Education Module for Clean Sports for trainers and coaches. Doping Authority Netherlands has developed three different basic education modules for this purpose: Trainer-Coach 3, Trainer-Coach 4 and Trainer-Coach 5 (also known as Master Coach). The modules tie in with the [Sport Qualification Structure](#). In 2021, all five education sessions for trainer-coaches were organised in this way. The five education sessions for other groups of support staff were for specific groups. Since early 2021, there has also been an Ongoing Education Module for Clean Sports for parents. This module consists of two levels: Parents Basic and Parents Advanced. No education sessions were organised specifically for parents in 2021.

Table 1.3 Overview of education sessions for support staff

Education module	2017	2018	2019	2020	2021
Trainer-Coach 3	3	6	3	1	3
Trainer-Coach 4	3	3	3	2	1
Trainer-Coach 5	2	5	4	-	-
Combination	-	1	1	1	1
Customised module	16	5	10	7	5
<b>Total</b>	<b>24</b>	<b>20</b>	<b>21</b>	<b>11</b>	<b>10</b>

### E-learning platform

Doping Authority Netherlands has also developed e-learning modules for support staff. With the advent of the new Code and International Standard for Education, the content of the *Trainer-Coach 3* and *Trainer-Coach 4* e-learning modules has been updated. There is no longer just one module for parents, but two: *Parents Basic* and *Parents Advanced*. In addition, the e-learning modules *Trainer-Coach 5* and *Sports Administrators and Officials* have been added to the programme. Support staff completed 1,447 more modules in 2021 than in 2020.

Table 1.4 Overview of e-learning modules completed by support staff

Education module	2018	2019	2020	2021
Trainer-Coach 3	145	108	294	884
Trainer-Coach 4	102	60	98	405
Trainer-Coach 5	-	-	-	293
Parents Basic	-	-	-	110
Parents Advanced	32	24	52	49
Medical and paramedical support staff	8	14	37	108

Sports administrators and officials	-	-	-	79
<b>Total</b>	<b>287</b>	<b>206</b>	<b>481</b>	<b>1,928</b>

The average user ratings for the e-learning modules were: *Trainer-Coach 3* 8.0, *Trainer-Coach 4* 8.0, *Trainer-Coach 5* 7.9, *Parents Basic* 8.1, *Parents Advanced* 8.3, *(Para)Medical Support Staff* 8.1 and *Sports Administrators and Officials* 8.4.

#### Sports associations

The sports associations are also an important target group for Doping Authority Netherlands. They are closest to the elite athletes and the support staff. Doping Authority Netherlands is in contact with the sports associations at all times.

#### *Meeting of sports associations*

The Support Clean Sports meeting (formerly known as the Association Meet/Together against Doping Meet) was organised for the twelfth time on 5 October 2021. There were 38 participants present in person. The meeting was attended online by 36 people. The participants represented sports associations, TeamNL centres and other elite sports organisations. The aim of the annual meeting is to catch up on developments in the field of anti-doping, primarily in the area of education. The average rating for the event from the participants was 7.6.

#### *Implementation discussions for the National Education Programme*

There have been discussions with the sports associations about the implementation of the National Education Programme. In 2021, there were 41 discussions with the 58 sports federations with doping regulations, during which the same number of implementation plans were drafted. Eleven discussions had already taken place in 2020, bringing the total at the end of 2021 to 52 of the 58 elite sports federations (90%). The sports associations received the figures on a quarterly basis relating to the number of education sessions in person and the number of e-learning modules completed by members of the sports association.

#### **Olympic and Paralympic Games**

It was agreed with NOC\*NSF that all athletes and support staff going to the Tokyo 2020 Olympic or Paralympic Games had to complete the following e-learning modules:

- Athletes: Bronze, Silver and Gold
- Technical support staff: Trainer-Coach 3, 4 and 5
- Medical and paramedical support staff: Medical and paramedical support staff

Any certificates obtained had to date back no more than two years prior to the opening of the Games. E-learning certificates from other anti-doping organisations, such as the International Federation or WADA, were (after review by Doping Authority Netherlands) almost always considered to be valid as well. In the end, 84% of athletes and 56% of coaches met the education requirement for the Olympic Games. In total, this was 71% of all people attending the Games. In the case of the Paralympic Games, 75% of athletes and 49% of support staff met the education requirement. This amounts to a total of 61%.

Agreements were also made with NOC\*NSF relating to the completion of e-learning modules by athletes and support staff who attended the Beijing 2022 Olympic or Paralympic Games.



## **Sport and Integrity Project**

The Sport and Integrity project is an NOC\*NSF project, in which Doping Authority Netherlands was to be responsible for some of the output relating to doping. The subsidy from the project came from the Ministry of Health, Welfare and Sport. Three actions from the 'doping' part of the project plan were implemented:

1. The development of education modules for integrity topics (such as match-fixing, intimidation and discrimination) in line with the modules already developed by Doping Authority Netherlands.
2. The development of a basic education module for sport & integrity (live in person, live digitally and e-learning) on the basis of the modules developed.
3. Development and pilot implementation of a train-the-trainer for 5-10 education officers from various organisations such as sports associations.

A project leader did this work under the supervision (and partly at the offices) of Doping Authority Netherlands. The project was completed in late 2021.

## **FITNESS**

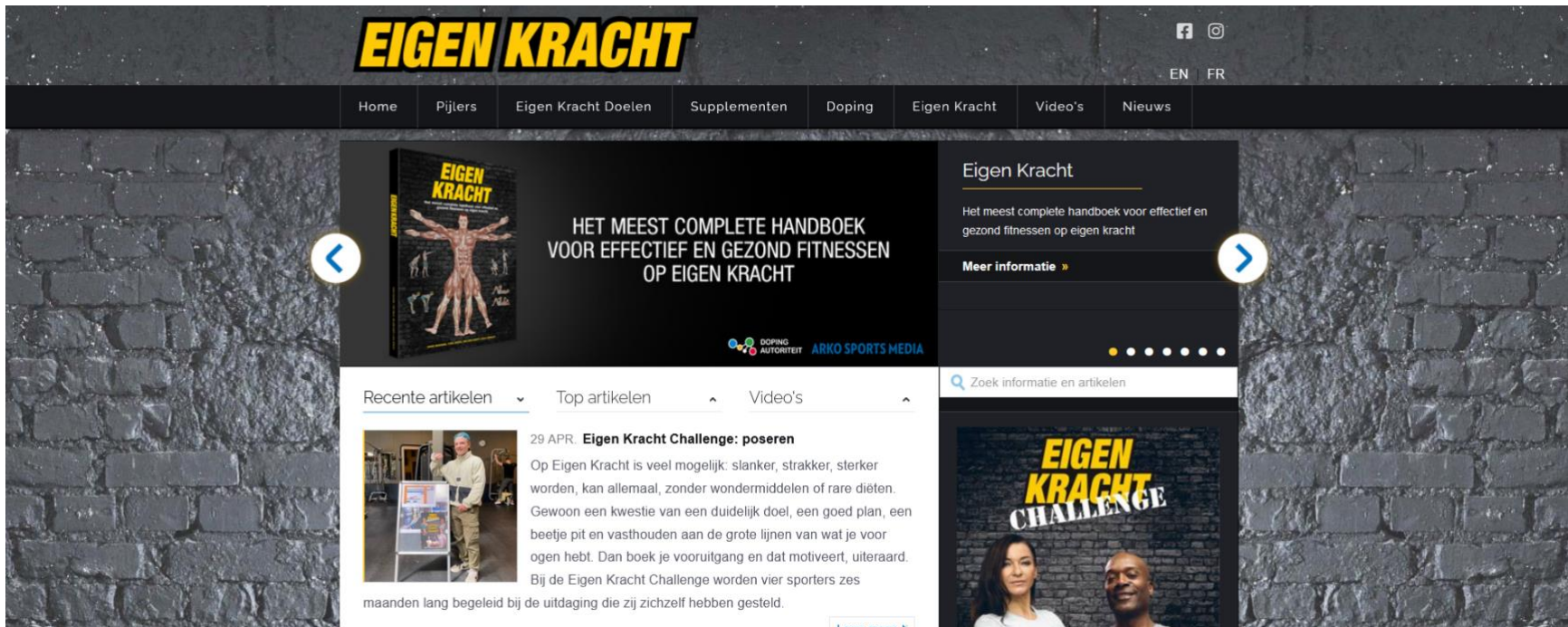
The objective for fitness (sports organised on other lines) is: *preventing or discouraging deliberate and inadvertent doping use by athletes in Dutch fitness centres*. There is also a focus on *harm reduction*: reducing the health risks associated with doping.

In the fitness world, Doping Authority Netherlands focuses in particular on the people in the fitness centres: the athletes themselves but also the instructors (with whom we establish contact primarily through the various fitness courses) and the owners. Doping Authority Netherlands organised communications for this target group on the basis of the *True Strength* programme. The book *Doping, the sober facts* is the only work to be published directly under the Doping Authority brand rather than under the *True Strength* banner.

## **True Strength**

There are 3 million fitness adherents in the Netherlands. This makes fitness the most popular sporting activity in the Netherlands. However, a survey in 2009 showed that 8.2% of fitness athletes use prohibited substances. This is, in principle, permitted because these people are not subject to doping regulations. However, the use of prohibited substances still harms health and it also has a negative effect on the image of the fitness branch itself. It is therefore desirable to reduce levels of doping in fitness centres. The Doping Authority therefore decided to develop the education programme [True Strength](#) specifically for this group. Doping Authority Netherlands uses True Strength to inform people about the risks of using anabolic steroids and other prohibited substances, and to provide detailed information about healthy alternatives for becoming more

muscular or slimmer using True Strength. That generates more knowledge and awareness. The values and norms applicable to participation in sports in line with *True Strength* are also confirmed.



*True Strength website*

### *True Strength website*

The True Strength website plays a central role in the programme. It provides objective, clear and practical information about how to build up muscle mass cleanly and effectively, and about sound ways of losing weight. There is also objective information about various types of prohibited substances and the side-effects, and the doping risks of nutrition supplements are discussed. The True Strength website has existed for over twenty years and it contains over 1,000 web messages and articles.

In 2021, a total of 74 factual news reports were posted on the site. They were written by three external experts (journalists or specific experts) from the fitness/bodybuilding branch and by our own education officers.

The True Strength website included 64 training exercises for the seven different muscle groups. They were accompanied by photos of the starting position and final position of the exercise and a textual explanation. For clarification purposes, instructional videos for all exercises were produced in 2021 and posted on the True Strength website, YouTube and Vimeo.

### *Social media*

Through the programme's own social media channels on Facebook and Instagram, 52 short messages were published in addition to the 74 web posts. This brought the total number of posts for True Strength to 126.

### *True Strength Challenge*

The True Strength Challenge was launched on 1 December. That involved two experienced personal trainers coaching four athletes for six months. The aim is to show what can be done by drawing on true strength. The four athletes have different training goals: from losing weight (Slim & Fit) to preparing for a bodybuilding competition (Muscle Definition Plus). There are different themes on a monthly basis: introduction, training, diet, recovery, motivation, supplements and final results. The first videos and web messages have been published on the website. Vlogs from coaches and participants are shared through social media. The True Strength Challenge will continue in 2022.



*Poster for the True Strength Challenge*

### *True Strength day*

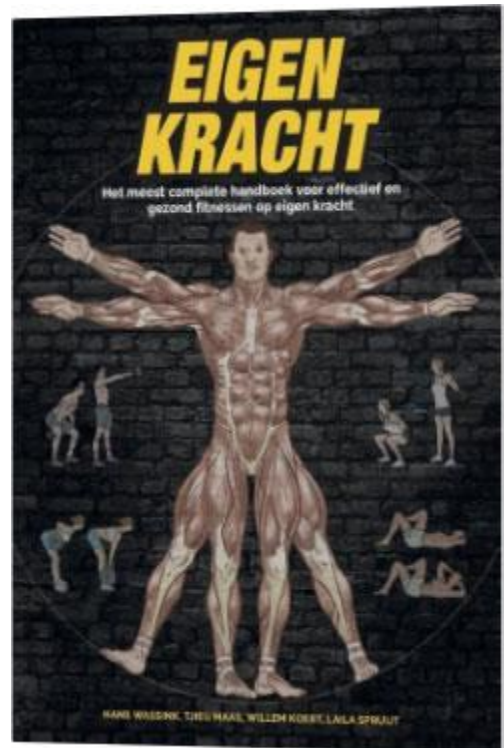
The annual True Strength day was redesigned as a video production because of the COVID pandemic. The recordings were made on 30 June. The videos were posted on the [True Strength website](#) on 23 December. The videos were also publicised through the social media. The theme of the day was 'Body Images in Fitness'.

### *True Strength Video*

The *True Strength* promotional video was produced in 2021. In addition to this video, which describes the basic message of True Strength, four shorter videos were made that together convey the values of True Strength. The videos were promoted through social media using paid advertisements.

#### *True Strength book*

The Doping Authority completely rewrote the [True Strength book](#) in late 2018. The book complements the True Strength website and the Supplement Checker App. It was promoted persistently in 2021 on the website and at meetings. Approximately 300 copies of the book were sold in 2021.



*The True Strength book*

#### *Supplement Checker App*

The Doping Authority launched the Supplement Checker App in August 2017 under the *True Strength* banner. Over the past decade, the market for nutrition supplements has grown explosively. Nearly 60% of fitness athletes in the Netherlands use supplements. Top athletes also use many supplements. The free Supplement Checker App helps athletes to work with supplements in a conscious and critical way. The heart of the app is a discussion and assessment of more than 3,000 ingredients.

The app has been downloaded approximately 2,500 times in one year. The Supplement Checker App was maintained continuously and expanded in 2020. In 2020, Doping Authority Netherlands wrote 100 new profiles for the Supplement Checker App. Approximately 20 profiles were also amended on the basis of new insights.

#### *Guest lectures and meetings*

In 2021, no guest lectures were organised at fitness training locations. In 2020, we managed to organise two guest lectures. The number of guest lectures was higher before the COVID pandemic. The goal is to arrange approximately 15 guest lectures annually.

#### *E-learning*

The e-learning module *Fitness Trainer A* was completed by 49 people in 2021 (2020: 46).

#### *Outreach Events*

During outreach events, True Strength is present with a stand at fitness events in order to provide general information for large groups of elite athletes and support staff. In 2021, all planned outreach events were cancelled because of the COVID pandemic. To attract more visitors to the stand at future outreach events, a True Strength Summer Game has been developed. This is a game - similar to the traditional wire loop game - that requires a combination of strength and coordination to guide a barbell through a slot. A buzzer goes off if the barbell touches the edges.

#### *Clean Hunks*

Clean Hunks are fitness athletes/body builders who have demonstrated that you can build up an impressive physique without dope. They are the ambassadors for doping-free fitness. There were [20 Clean Hunks](#) affiliated with the True Strength programme in 2021. They are all on the site, which includes background stories and photos.

#### *Written contributions*

In 2021, a contribution was published in the 'Sportgericht' magazine under the title 'Supplement and doping use in Dutch gyms'. This article was written in collaboration with human-movement scientists and teachers from the HAN Hogeschool.

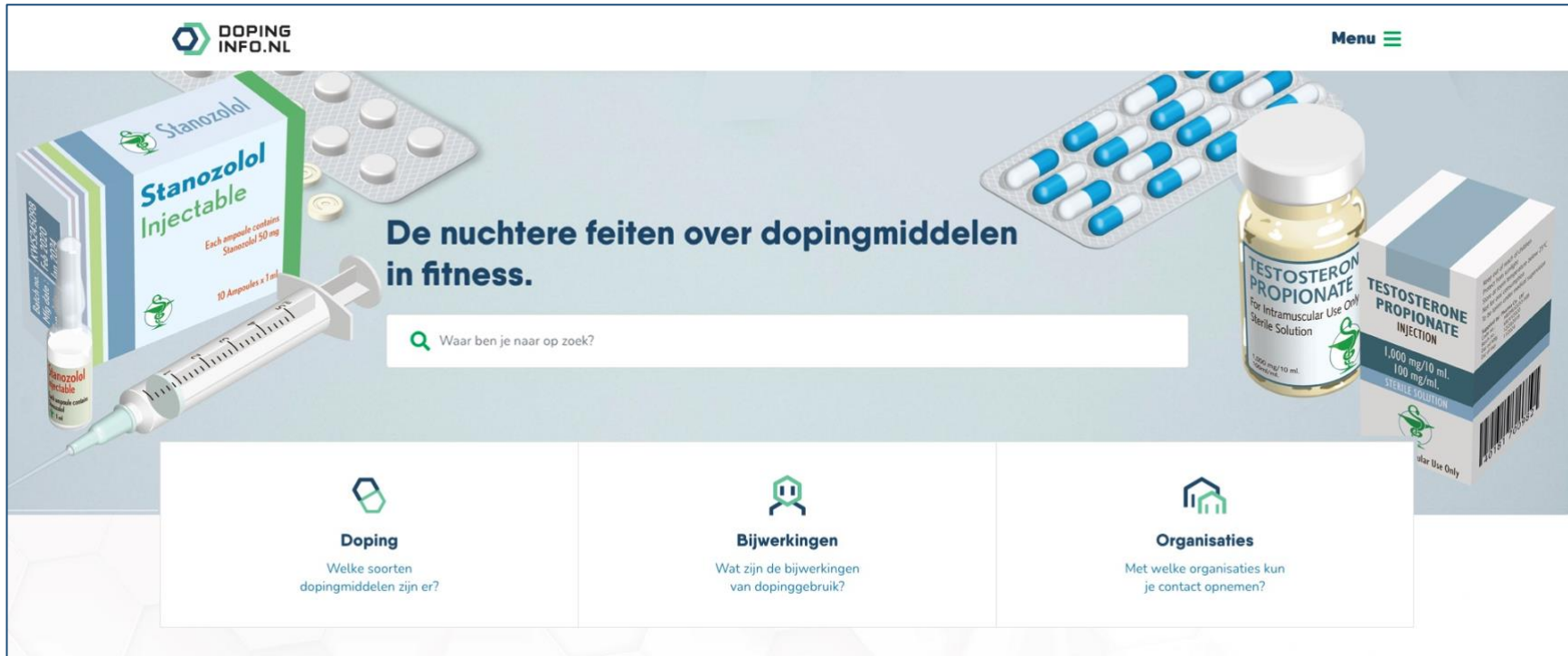
#### *Book: Doping, the sober facts*

[Doping, the sober facts](#) was published in October 2014. It provides the reader with a thorough overview of the substances currently used in fitness and bodybuilding. As much relevant scientific information as possible has been collected about the effects and side-effects of anabolic steroids, growth hormones, insulin, appetite-suppressing amphetamines and many other prohibited substances. There are also reports about the experiences of users in practice and knowledge from the doping world itself. The emphasis is on information that is still too often swept under the carpet in this world. Although there is still interest in the book, there will be no second edition. The book does form the basis for the new website, [Dopinginfo.nl](#), which has still to go live.

#### *Dopinginfo.nl*



In 2019, Doping Authority Netherlands started on the development of a new website: Dopinginfo.nl. The website consists of a database for prohibited substances and the aim is to provide policy-makers and health professionals with a source of information. The website has not yet been launched. Nevertheless, forty profiles of prohibited substances have been written for the website's database.



*Design of Dopinginfo.nl*

*Conference to commemorate the 10th jubilee of the anabolic clinic*

The conference to commemorate the 10th jubilee of the anabolic clinic - aka Harm Reduction Day - took place on 16 December at the Teyler's Museum. It was a hybrid event. It was attended by 26 people in person and 47 participants online. Of the participants, 28 completed an evaluation form. The average rating was 8.3 (on a scale of 1 to 10). The programme also scored well with an average of 4.5 (on a scale of 1 to 5).

## GENERAL PUBLIC

### Corporate website

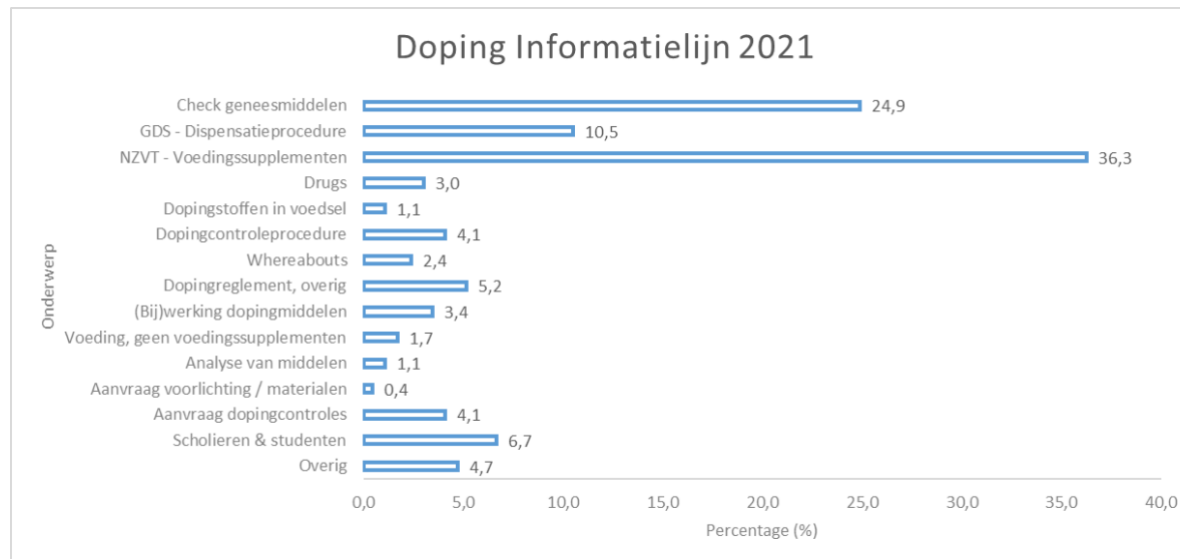
The corporate website of Doping Authority Netherlands is [www.dopingautoriteit.nl](http://www.dopingautoriteit.nl). We contributed 25 press releases of our own to the site in 2021 (2020: 26). In addition, 230 ANP press releases were posted on the site (automatically). This was more than in 2020 (201).

### Doping Information Line

The Doping Information Line is the front office for all questions (by email/WhatsApp) relating to doping. It is staffed by four people working in turn. All questions are processed within one working day and recorded anonymously in a database. The email address is [dopingvragen@dopingautoriteit.nl](mailto:dopingvragen@dopingautoriteit.nl). The mobile number, 06-11226200, is reserved exclusively for WhatsApp. Calls are not answered.

A total of 466 questions were received in 2021. That is 5% more than in 2020, when there were 442 registered questions.

In addition, the numbers of questions per subject were also monitored. Individual questions could be allocated to several subjects. The percentages for each subject can be found in the table below. As in previous years, two subjects stand out: checking whether a medicine is on the prohibited list (24.9%) and questions about nutrition supplements (36.3%).



*The percentage of questions by subject*

Club sports and elite sports accounted for 79.6% of the e-questions, fitness for 4.9%, and other sectors for 13.9%. Two categories were added during 2021: general public (1.5%) and harm reduction (0.5%). There were no reports of possible doping violations, a representative of the press sent an email on five occasions, and seven questions related to an athlete who was found positive. Questions received through WhatsApp (189) accounted for 40.6% of the total.

### **Presentations**

In 2021, Doping Authority Netherlands gave six presentations that did not exactly match the target groups of elite sport or fitness described above. All six presentations were given at institutes of further education (*hogescholen*). See Annex 4.

### **Social Media**

Doping Authority Netherlands is active on [YouTube](#), Vimeo, [Facebook](#), [Twitter](#) and [Instagram](#). The aim is to reach the target groups better and therefore raise their awareness of the rules, rights and risks. We post, among other things, news items from the corporate website and educational videos.



## Chapter 2 Doping controls

### CONTROLS IN PRACTICE

#### General

In early 2021, the Enforcement and Investigations Department continued to work on the recommendations deriving from WADA's Code Compliance Audit and the updated International Standard for Testing and Investigations (ISTI) effective 2021. In 2021, Doping Authority Netherlands amended its risk analysis of sports in the Netherlands and adjusted its test distribution plan accordingly. The plan also included potential candidates for participation in the 2021 Summer Olympic and Paralympic Games in Tokyo and the Winter Olympic Games in early 2022. In 2021, the frequency of testing per whereabouts athlete increased and the focus has shifted to national-level athletes.

For the second consecutive calendar year, implementation was severely impacted by the COVID pandemic and its consequences. Not only were several employees and their immediate circles affected by the virus, the measures taken to limit the spread of the pandemic also had a far-reaching impact on the usual testing activities. Once again, sports came to a temporary halt, and testing at the national and international levels was possible only on a limited basis for several months and subject to strict COVID measures. Partly for this reason, it was not possible to implement the planned range of activities in full. This problem was discussed with both financiers (the Ministry of Health, Welfare and Sport (VWS) and NOC\*NSF) at an early stage.

Considerable attention was also paid to the whereabouts system. Some elite athletes, if they are members of national or international registered testing pools, are required to report some of the residential locations associated with their daily activities to Doping Authority Netherlands or the international federation.

*Intelligence & Investigations* is housed with the Enforcement & Investigations department. The merger of the *Doping Control* and *Intelligence & Investigations* processes resulted in direct exchanges of information and optimal collaboration. See Chapter 3 for more about *Intelligence & Investigations*.

Doping controls are the main tool at our disposal for investigating anti-doping rule violations but they are also important in terms of prevention. This chapter reports on the number of anti-doping rule violations identified on the basis of doping controls and on the nature of those violations. However, it is not known how many athletes refrain from doping use or stop in response to the doping control programme.

#### Registered Testing Pool (RTP)

On the basis of the amended World Anti-Doping Code (WADC) and the associated International Standards, Doping Authority Netherlands has established a Registered Testing Pool (RTP) on the basis of a risk assessment that was revised in 2021. Athletes in this RTP are required to comply with a number of obligations. For example, before using medicines on the prohibited list, they must apply for a therapeutic use exemption from the TUE committee. They must also provide whereabouts information and attend an education session organised by Doping Authority Netherlands.

There were eight sports associations with athletes in the RTP in 2021. That is less than in 2020 (14 sports associations). The number of athletes in the RTP was also slightly lower than in 2020: 269 athletes at the beginning of 2021 as opposed to 388 athletes at the beginning of 2020. Once again in 2021, athletes were only required to provide whereabouts information to one organisation: either Doping Authority Netherlands or the international federation. Doping Authority Netherlands uses the whereabouts module of the global administration and management system ADAMS and the app developed by WADA in-house (Athlete Central). In 2021, Doping Authority Netherlands also drew extensively on information from external sources such as the websites of national and international federations, Twitter, Instagram and Facebook, to determine where athletes were to be found.

### **Controls conducted - general**

Doping Authority Netherlands conducted two types of doping control for Dutch sports in 2021: controls in the context of the Dutch national programme, and doping controls on behalf and for the account of third parties, including Dutch and international federations, event organisers, foreign National Anti-Doping Organisations and professional sports organisations. The responsibilities of Doping Authority Netherlands also included controls pursuant to official records, target controls when there were specific suspicions, and various types of follow-up investigations. Controls in the Netherlands included not only Dutch athletes, but also athletes from other countries who were present in the Netherlands. They were sometimes conducted on behalf of other Anti-Doping Organisations.

### **The national programme – underlying principles**

The annual plan for 2021 included a national programme of some 2,700 doping controls. A percentage of the available controls were earmarked for target controls, follow-up investigations, and for doping controls pursuant to records and fulfilling official limits. On the basis of the formulated policy, Doping Authority Netherlands assigned most of the available controls beforehand to the different sports associations. The distribution of the available doping controls between the Dutch sports associations (the 'Test Distribution Plan') is based on a risk analysis that was revised in 2021. This comprehensive risk analysis includes parameters such as: sport-specific physiological characteristics, relevant doping substances, medal opportunities and incentives, national sport context, doping history, anti-doping trends & scientific research, available intelligence, the outcomes of previous testing plans, and the seasonal and career progression of the athlete. This risk analysis is repeated at regular intervals. On the basis of the outcome, sports are allocated to risk classes that are used to assign the number of doping controls and type of doping control.

### **The national programme – implementation**

The standard for the number of doping controls to be carried out under the national programme was 2,700 doping controls in 2021. As a result of the global COVID pandemic and its national impact on society in general and sport in particular, the implementation of doping controls has run up against a range of challenges, obstacles and difficulties. In 2021, 2,397 controls were conducted as part of the national testing programme (the national programme implemented in 2020 consisted of 1,505 doping controls). The overwhelming majority (1,880) were urine controls. There were also 517 blood controls in 2021, for example in the context of the Athlete Biological Passport. This was double the number in 2020 (+99%). This increase can be explained by the almost complete suspension of the testing programme during the first lockdown in 2020. The 2,397 doping controls conducted for the national programme covered the Olympic/Paralympic summer sports to a large extent and the Olympic/Paralympic winter sports to a slightly lower extent.

*Doping controls in the National Programme: the top five*

- 1 Rowing
- 2 Cycling
- 3 Skating
- 4 Athletics
- 5 Swimming

The percentage of out-of-competition controls (blood and urine) in the national programme was 79%. This was substantially more than in 2020 (+65%). This increase is mainly attributable to the large-scale cancellation of competitions and events due to the COVID pandemic in 2020. Of the 2,397 doping controls (blood and urine) conducted for sports in the Netherlands, 1,285 involved men (54%) and 1,112 women (46%).

**Doping controls for third parties**

The Royal Dutch Football Association (KNVB) financed an additional testing programme alongside the national programme for the Dutch competition.

Various sports organisations have purchased additional controls from Doping Authority Netherlands for international events in the Netherlands. A large proportion of the assignments for which quotations were given were not executed due to the cancellation of events as a result of the pandemic and the related government regulations.

A total of 352 doping controls were conducted on the basis of assignments from third parties, an increase by a factor of 2.26 compared with 2020, when this category amounted to 156 controls. This increase can be attributed to the fact that the COVID pandemic and the related government policy involved severe constraints, particularly in the earlier months of 2021. In the second part of the year, many events and competitions resumed their regular pre-COVID schedule, with increased demand as a result.

The majority of the additional doping controls conducted for Dutch and foreign associations and organisers were in-competition controls (60%). Of the doping controls for third parties, 61% involved men and 39% involved women.

**Doping controls - total**

The controls for the national control programme and the controls for third parties together make up the total testing programme in 2021. A total of 2,749 doping controls were conducted.

*Table 2.1 General overview of doping controls conducted in 2021*

<b>Doping controls conducted by Doping Authority Netherlands</b>	<b>Urine</b>	<b>Blood</b>	<b>Total</b>
Doping controls conducted for Dutch sport (Dutch national programme)	1,880	517	2,397
Doping controls conducted for foreign sports organisations and other organisations	259	93	352
<b>Total conducted by Doping Authority Netherlands</b>	<b>2,139</b>	<b>610</b>	<b>2,749</b>

<b>Number of doping controls</b>	<b>2021</b>	<b>2020</b>
National programme (Netherlands)	2,397	1,505
On behalf of third parties	352	156
<b>Total</b>	<b>2,397</b>	<b>1,661</b>

*Total number of doping controls: the top five*

- 1 Cycling
- 2 Rowing
- 3 Athletics
- 4 Skating
- 5 Swimming

The total number of 2,749 doping controls for Dutch sports and sports organisations was considerably higher than in 2020, when there were 1,661 doping controls.

Table 2.2: Overview of the number of doping controls in 2021

Sport	National Programme (Netherlands)			Conducted for third parties			Total conducted		
	Urine	Blood	Total	Urine	Blood	Total	Urine	Blood	Total
Athletics	244	43	287	24	20	44	268	63	331
Badminton	12	0	12	0	0	0	12	0	12
Basketball	63	0	63	1	0	1	64	0	64
Billiard sports	2	0	2	0	0	0	2	0	2
Bobsleigh	3	0	3	0	0	0	3	0	3
Boccia	7	0	7	0	0	0	7	0	7
Boxing	34	0	34	0	0	0	34	0	34
Bridge	3	0	3	0	0	0	3	0	3
Curling	11	0	11	0	0	0	11	0	11
Draughts	1	0	1	0	0	0	1	0	1
Weightlifting	2	0	2	0	0	0	2	0	2
Golf	2	0	2	1	0	1	3	0	3
Gymnastics	40	0	40	1	0	1	41	0	41
Handball	22	0	22	4	0	4	26	0	26
Archery	13	0	13	0	0	0	13	0	13
Hockey	61	0	61	22	4	26	83	4	87
Baseball	22	0	22	0	0	0	22	0	22
Inline skating	7	0	7	0	0	0	7	0	7
Judo	92	0	92	0	0	0	92	0	92
Canoeing	9	0	9	0	0	0	9	0	9
Karate	12	0	12	0	0	0	12	0	12
Korfball	11	0	11	0	0	0	11	0	11
Mixed Martial Arts		0		2	1	3	2	1	3
Equestrian sports	40	0	40	0	0	0	40	0	40
Para-alpine skiing	6	0	6	0	0	0	6	0	6
Para-athletics	61	0	61	0	0	0	61	0	61
Para-snowboarding	3	0	3	0	0	0	3	0	3
Para-swimming	22	4	26	0	0	0	22	4	26
Power lifting	40	0	40	0	0	0	40	0	40
Lifesaving	8	0	8	0	0	0	8	0	8
Rowing	226	224	450	0	0	0	226	224	450
Rugby	40	0	40	0	0	0	40	0	40
Speed skating	206	95	301	5	0	5	211	95	306
Fencing	7	0	7	0	0	0	7	0	7
Skateboarding	7	0	7	0	0	0	7	0	7
Skiing	4	0	4	0	0	0	4	0	4

Sport	National Programme (Netherlands)			Conducted for third parties			Total conducted		
	Urine	Blood	Total	Urine	Blood	Total	Urine	Blood	Total
Shooting	8	0	8	0	0	0	8	0	8
Angling		0		2	0	2	2	0	2
Taekwondo	2	0	2	0	0	0	2	0	2
Table tennis	8	0	8	0	0	0	8	0	8
Tennis	25	0	25	0	0	0	25	0	25
Triathlon	35	12	47	0	0	0	35	12	47
Football	65	0	65	39	0	39	104	0	104
Volleyball	25	0	25	0	0	0	25	0	25
Cycling	213	136	349	104	65	169	317	201	518
Wrestling	2	0	2	0	0	0	2	0	2
Sailing	23	0	23	0	0	0	23	0	23
Swimming	131	3	134	54	3	57	185	6	191
<b>Total</b>	<b>1880</b>	<b>517</b>	<b>2397</b>	<b>259</b>	<b>93</b>	<b>352</b>	<b>2139</b>	<b>610</b>	<b>2749</b>

Table 2.3: Number of in-competition and out-of-competition controls in 2021

Sport	In competition			Out of competition		
	Urine	Blood	Total	Urine	Blood	Total
Athletics	109	0	109	159	63	222
Badminton	0	0	0	12	0	12
Basketball	0	0	0	64	0	64
Billiard sports	0	0	0	2	0	2
Bobsleigh	0	0	0	3	0	3
Boccia	0	0	0	7	0	7
Boxing	12	0	12	22	0	22
Bridge	0	0	0	3	0	3
Curling	5	0	5	6	0	6
Draughts	0	0	0	1	0	1
Weightlifting	0	0	0	2	0	2
Golf	0	0	0	3	0	3
Gymnastics	4	0	4	37	0	37
Handball	4	0	4	22	0	22
Archery	0	0	0	13	0	13
Hockey	27	4	31	56	0	56
Baseball	9	0	9	13	0	13
Inline skating	7	0	7	0	0	0
Judo	16	0	16	76	0	76
Canoeing	0	0	0	9	0	9

Sport	In competition			Out of competition		
	Urine	Blood	Total	Urine	Blood	Total
Karate	6	0	6	6	0	6
Korfbal	6	0	6	5	0	5
Mixed Martial Arts	0	0	0	2	1	3
Equestrian sports	0	0	0	40	0	40
Para-alpine skiing	0	0	0	6	0	6
Para-athletics	16	0	16	45	0	45
Para-snowboarding	0	0	0	3	0	3
Para-swimming	4	0	4	18	4	22
Power lifting	17	0	17	23	0	23
Lifesaving	8	0	8	0	0	0
Rowing	32	0	32	194	224	418
Rugby	28	0	28	12	0	12
Skating	88	8	96	123	87	210
Fencing	6	0	6	1	0	1
Skateboarding	0	0	0	7	0	7
Skiing	0	0	0	4	0	4
Shooting	8	0	8	0	0	0
Angling	2	0	2	0	0	0
Taekwondo	0	0	0	2	0	2
Table tennis	0	0	0	8	0	8
Tennis	5	0	5	20	0	20
Triathlon	12	0	12	23	12	35
Football	64	0	64	40	0	40
Volleyball	0	0	0	25	0	25
Cycling	121	5	126	196	196	392
Wrestling	0	0	0	2	0	2
Sailing	0	0	0	23	0	23
Swimming	86	3	89	99	3	102
<b>Total</b>	<b>702</b>	<b>20</b>	<b>722</b>	<b>1437</b>	<b>590</b>	<b>2027</b>

### Whereabouts failures

A total of 80 final whereabouts failures noted in 2021 were registered by Doping Authority Netherlands. Whereabouts failures can be either missed tests (when the athlete is not present at the stated location in the 60 minute time slot) or filing failures (the failure to comply with the obligation to supply adequate whereabouts information correctly and in good time). The number of whereabouts failures was a factor 3.33 higher in 2021 than in 2020 (when there were 24 cases). The International Standard for Testing and Investigations (ISTI) 2021 and the associated Technical Document for Sport Specific Analysis (TDSSA), together with the risk analysis for sport in the Netherlands that was amended in 2021, led to an increase in

the frequency of testing for athletes with a whereabouts obligation. On top of that, as a result of the 2021 Summer Olympics in Tokyo and the Winter Olympics in early 2022, the focus of the controls has shifted to out-of-competition controls.

Second whereabouts failures were registered for 12 athletes in 2021. A first whereabouts failure was registered in 2020 for two of those athletes. No third whereabouts failures were registered for any athletes.

The leading numbers of whereabouts failures in 2021 were accounted for by the Judo Association, the Athletics Union, and the Royal Dutch Rowing Federation in that order. It should be pointed out that associations with a large number of athletes in the Registered Testing Pool are also more likely to have athletes who fail to meet whereabouts obligations. In 2020, the Athletics Union was also the association with most whereabouts failures.

### **Doping controls that did not take place**

In addition to the controls that did not take place due to a missed test, a substantial number of planned doping controls failed to take place in 2021 for other reasons, including the COVID pandemic:

- 1) the suspension of competitions, cancellation of events and the closing of training facilities;
- 2) a lack of capacity to implement the assignment within the specified time frame;
- 3) athletes/teams were absent from events and competitions and central training sessions which they were expected to attend;
- 4) the doping control official (DCO) went to a training session or competition, and it then emerged that the training session or competition had been cancelled or moved;
- 5) a doping control official visited a stated address and the athlete proved to be absent during the control window or was not/no longer resident at the address (in the case of doping controls for which the athlete in question was not required to supply whereabouts information).

These included both out-of-competition and in-competition controls. When doping controls were not conducted, efforts were made to find an appropriate moment as quickly as possible thereafter to conduct the control in question after all, where appropriate by scheduling controls at an event of a comparable size, if such an event was available.

### **Sport-specific analyses**

On the basis of a risk analysis, the relevant standards of the World Anti-Doping Code (WADC) for sports and sports disciplines include a specific calculation for the minimum percentages required for additional laboratory analyses. WADA's Technical Document for Sport Specific Analysis (TDSSA) includes binding provisions that apply to National Anti-Doping Organisations, including Doping Authority Netherlands. The analyses relate to, among other things, erythropoietin-like substances and growth hormones. The minimum number of specific additional analyses is expressed as a percentage of the number of doping controls conducted in a sport (a percentage of additional analyses in addition to the standard analysis package).

In 2021, the analyses of 43% of the 2,379 doping controls in the national programme involved testing urine and/or blood samples for Erythropoiesis Stimulating Agents (ESAs). This percentage was higher than in 2020 (37%). The ESA analyses were conducted in addition to the standard laboratory analysis package in a range of relevant sports, with rowing, cycling and athletics at the top of the list (in absolute numbers).



The urine and/or blood samples collected in 36% of 2,379 controls were also analysed for the presence of human growth hormone and/or Growth Hormone Releasing Factors (GHRFs). This percentage was higher than in 2020 (29%). The analyses covered a range of sports, with rowing, cycling and speed skating at the top of the list (in absolute numbers).

In addition (as in 2020), various samples were also analysed for testosterone. Furthermore, large numbers of blood samples were taken to check for growth hormone, ESAs, Haemoglobin-Based Oxygen Carriers (HBOCs) and Homologous Blood Transfusions (HBTs).

In 2021, the vast majority of the urine samples were stored for longer periods of time to allow for the possibility of repeat analyses at some time in the future.

Doping Authority Netherlands has complied with all the applicable WADA TDSSA obligations for 2021.

### **Unannounced doping controls**

The total percentage of out-of-competition controls was 74%, which is more than in 2020 (63%). Almost all doping controls were conducted without prior warning for the athlete ('no advance notice testing'). The only exceptions were doping controls triggered by a record or limit; in these cases, the initiative for the control resides with the athlete or the athlete's association.

### **Target controls**

Doping Authority Netherlands has the authority to conduct target controls. These controls are conducted in specific cases and on the basis of criteria determined beforehand. Target controls took place throughout the sports spectrum, with the emphasis being on a number of specific sports and individuals, and controls also being conducted on occasion at the level just below the very top. The Intelligence & Investigations chapter contains more information about this area.

### **Athlete Biological Passport**

In the Athlete Biological Passport (ABP) programme, several blood samples are taken over time from selected athletes from a range of sports for the purposes of establishing longitudinal profiles.

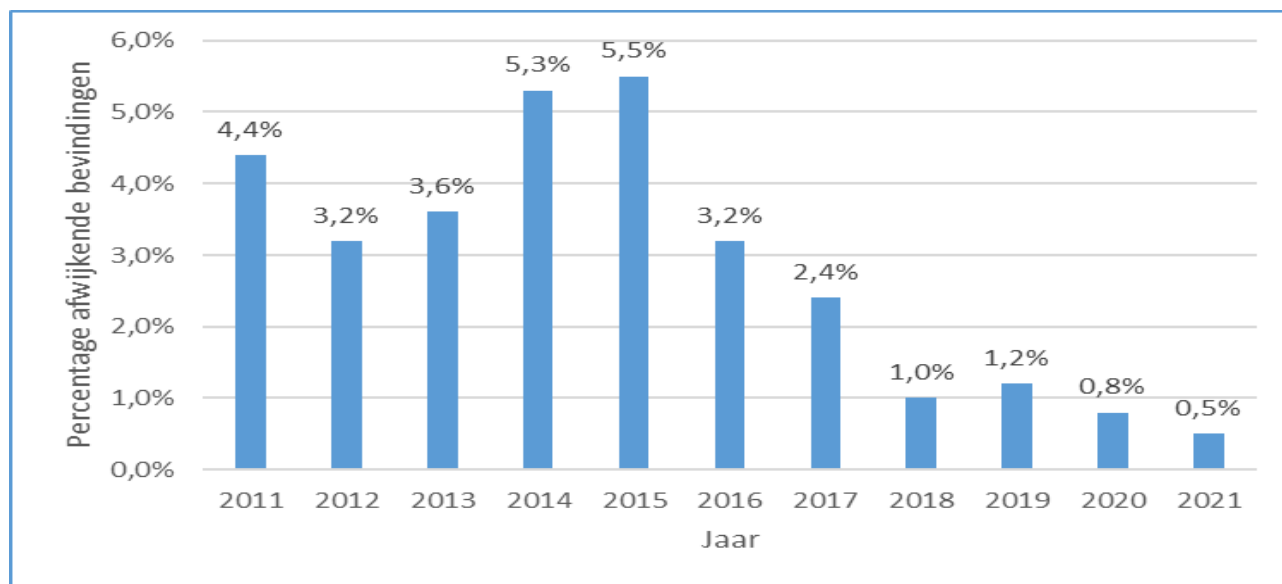
A total of 370 blood samples were collected for the purposes of the Athlete Biological Passport, of which 286 were for the national programme of Doping Authority Netherlands. The number of ABP controls for the national programme rose sharply by comparison with 2020 (by a factor of 2.2), when 131 samples were taken.

The 370 ABP blood controls were conducted in the following sports: cycling, rowing, speed skating, athletics, triathlon, swimming, para-swimming and mixed martial arts.

### **Findings**

In 2021, fourteen files with adverse (analytical and non-analytical) findings were registered with Doping Authority Netherlands. In thirteen cases, the adverse findings related to A urine samples. One case involved a non-analytical finding.

The incidence of adverse findings (including non-analytical findings) was, with 14 files from 2,749 controls, 0.5%. By comparison with the number of urine controls, the percentage was 0.7%. The percentage of adverse findings was lower than in 2020 (1.0%).



#### **Files for which specific follow-up investigations were required**

Of the thirteen registered files with adverse findings for the A urine samples, one involved an atypical finding for which a specific follow-up investigation was not required to determine whether there had been a possible anti-doping rule violation given the consideration that several substances were found at the same time that qualify for the conclusion that there has been an anti-doping rule violation. See also Table 2.8.

#### **Files closed on the grounds of therapeutic use exemptions**

In nine cases, it was found that a therapeutic use exemption had already been granted prior to the doping control for the therapeutic use of the prohibited substance found. These files were therefore closed and did not result in proceedings with the disciplinary committee of the sports association in question.

In one case, *before* the binding result was reported to the association by Doping Authority Netherlands, the TUE Committee granted an exemption after all for the use of the substance found. This athlete was not in the Registered Testing Pool of Doping Authority Netherlands. This file was therefore closed and did not result in proceedings with the sports association in question either.

Table 2.4: Adverse analytical results in 2021 justified by a therapeutic use exemption: situation at the time of the closure of the annual report (22 April 2022); RTP=Registered Testing Pool

Sport	Finding/substance	Number	Subsequent action
Athletics	metabolite of modafinil	1	athlete in possession of therapeutic use exemption, file closed
Boxing	metabolite of methylphenidate	2	athlete in possession of therapeutic use exemption, file closed
Rugby	metabolite of methylphenidate	1	Therapeutic use exemption granted after the event (not RTP), file closed
Triathlon	metabolite of methylphenidate	1	athlete in possession of therapeutic use exemption, file closed
Cycling	metabolite of methylphenidate	2	athlete in possession of therapeutic use exemption, file closed
Swimming	amphetamine	2	athlete in possession of therapeutic use exemption, file closed
Swimming	metabolite of methylphenidate	1	athlete in possession of therapeutic use exemption, file closed
<b>Total</b>		<b>10</b>	

#### Files that were closed because the medication was administered in an authorised way

In one case, it emerged during the evaluation of the case that the medication had been administered in an authorised way. It was therefore possible to close this file, and no proceedings were therefore instigated with the disciplinary committee of the sports association in question.

Table 2.5: Adverse analytical results in 2021 substantiated by the administration of medication in an authorised way: situation at the time of the closure of the annual report (22 April 2022)

Sport	Finding/substance	Number	Subsequent action
Cycling	metabolites of prednisolone	1	medication administered in an authorised way, file closed
<b>Total</b>		<b>1</b>	

#### Files closed for other reasons

In one case, it emerged during the evaluation of the case that the athlete in question was no longer a member of the sports federation at the time of the doping control. Further action could therefore not be taken in this case. In one case, a settlement was reached with the relevant IF.

Table 2.6: Files closed for other reasons in 2021: situation at the time of the closure of the annual report (22 April 2022)

Sport	Finding/substance	Number	Subsequent action
Power lifting	Evasion	1	Athlete not a member of the sports association, file closed
Cycling	GC/C/IRMS analysis positive for the use of anabolic steroids	1	Settlement reached with International Federation
<b>Total</b>		<b>2</b>	

### Substance classification according to the WADA Prohibited List

During the course of substance classification at the group level in accordance with the 2021 WADA Prohibited List, a prohibited substance (or metabolite of such a substance) was found a total of fourteen times in the thirteen adverse A urine samples referred to above. One urine sample contained two prohibited substances. All the other urine samples contained one prohibited substance or metabolite thereof. The stimulant category scored highest with 10 cases out of the 14 in 2021.

Table 2.7: Detected substances and initial adverse findings in 2021

Detected substances	2021
Anabolic substances	3
Stimulants	10
Glucocorticoids	1
<b>Total</b>	<b>14</b>

### Possible anti-doping rule violations/cases resulting in proceedings

In 2021, Doping Authority Netherlands ultimately initiated proceedings in one case (as opposed to four in 2020) because of a possible violation of the regulations of the sports association involved. This case involved a male power lifter.

The percentage of violations identified on Dutch territory and covered by the national programme was 0.04% (one case under national anti-doping regulations resulting from 2,397 doping controls conducted as part of the national programme).

Table 2.8: Analysis results and non-analytical findings in 2021 registered by Doping Authority Netherlands as possible anti-doping rule violations: situation at the time of the closure of the annual report (ISR = Institute for Sports Law)

	Sport	Finding/substance	Number	Subsequent action
21/1	Power lifting	metabolite of drostanolone, GC/C/IRMS analysis positive for the use of anabolic steroids <sup>1</sup>	1	Settlement by ISR (on behalf of sports association)
	<b>Total</b>		<b>1</b>	

<sup>1</sup> Metabolites of nandrolone were also found initially. However, the IRMS result for these findings was negative and so this was classified as atypical (and not as an adverse result).



## Chapter 3 Intelligence & Investigations

### General

In addition to the implementation of the doping control process, the collection and investigation of information can also generate evidence of doping. Pursuant to Article 5 of the Wuab and Article 20 of the Dutch National Doping Regulations, Doping Authority Netherlands investigates possible anti-doping rule violations, both in the Netherlands and other countries.

In addition to the analytical evidence for doping, the collection and investigation of information are the most important ways of detecting other major violations such as trafficking and supplying.

The World Anti-Doping Code, and the International Standard for Testing and Investigations (ISTI) that came into force in 2021, refer explicitly to *Intelligence & Investigations* as a means of tackling the problem of doping.

To establish a clearer picture of the extent of that problem and to make sound decisions about the approach to, and investigation of, anti-doping rule violations, Doping Authority Netherlands is following the example of many investigation services by working with a more intelligence-based approach.

An Intelligence Officer and a data specialist were employed by the Enforcement and Investigation department of Doping Authority Netherlands in 2021. The work of the Intelligence Officer included collating information in the context of investigations of doping violations, drafting reports, conducting interviews and taking statements, organising and processing confidential data in an automated system, and the development of procedures and protocols. The work of the data specialist consisted primarily of collecting and analysing data relating to athletes and the available data in existing systems (global and otherwise).

Adopting an intelligence-based approach allows Doping Authority Netherlands to fulfil its investigative role more effectively. The intelligence process consists of four phases – collection, registration, working up and analysis – which have to be implemented meticulously. Much of the relevant information is collected during doping controls. Information such as observations and findings from DCOs and other Doping Authority staff is stored in secure systems.

The data are worked up where necessary, and then interpreted and combined with existing information and data (scientific and otherwise). The insights acquired as a result are used by the Enforcement & Investigations department for:

- the assessment of the doping risk in different sports and disciplines;
- planning doping controls both in and out of competition;
- identifying violations of the doping regulations;
- disciplinary proceedings;
- reports;
- own observations and additions to existing cases that are not disciplinary procedures.

After sports resumed in the Netherlands in the second quarter of 2021, the flow of data (from open sources and otherwise) has returned to its previous level. For example, information was obtained from media reports, other open sources, findings of DCOs and/or conspicuous performance by athletes, etc. Lists of participants at competitions/events are also assessed in order to

conduct more targeted controls. Information was also acquired in preparation for the Summer Olympic and Paralympic Games in Tokyo and in preparation for the 2022 Winter Olympic Games. Over the past year, the intelligence officer used open sources and regularly identified athletes (Olympic and otherwise) who were staying abroad. Upon investigation, it was found that this information did not correspond to the athlete's stated place of residence. All the information gathered was shared with the relevant colleagues in order to continue deploying people and resources optimally.

The information-driven work in all its facets is still in full development (both in the Netherlands and elsewhere). In the year under review, investments were made in, among other areas, the further development of information systems, the expansion of technical resources, the elaboration of procedures and the extension of the network of partners in the anti-doping world.

In 2021, Doping Authority Netherlands entered into an agreement with the Dutch National Office for Identity Data in order to access the Key Registration of Persons (BRP).

### **Tips received**

Visitors to the website [www.dopingautoriteit.nl/meldpunt](http://www.dopingautoriteit.nl/meldpunt) can submit tips about possible anti-doping rule violations. They can also use the link to obtain information about the procedure and the subjects for reporting. People submitting reports can, among other things, complete a web form and, if they wish, report on a completely anonymous basis. Extensive technical measures are in place to ensure that anonymity is safeguarded as much as possible.

This is one way in which Doping Authority Netherlands is complying with the requirements set out in the WADA Code - Whistleblower Regulations.

As a result of the COVID pandemic, the first quarter of 2021 saw a decrease in the number of tips. After the lockdown, the number of tips rose again, with more tips eventually coming in than in the previous year despite the wave of COVID cases at the end of the year.

Twenty-one tips from external parties (not including partners in the chain) about possible anti-doping rule violations were received by Doping Authority Netherlands in 2021 via one of the options provided.

This was more than in 2020.<sup>2</sup> The tips ranged from doping to trafficking and they covered eight different sports<sup>3</sup>.

The tips were submitted via the website, in person, by telephone, in writing, by WhatsApp and in emails. Ten tips related to suspicions of doping<sup>4</sup>, none to suspicions of facilitating doping<sup>5</sup>, three to suspicions of trafficking<sup>6</sup> and three<sup>7</sup> to conduct that did not constitute an anti-doping rule violation (such as the use of drugs out of competition without the intention of enhancing performance). In addition, there were 5 cases that were not covered by the above categories, such as tips about websites that sell illegal medicines or reports in response to media reports. In addition to the tips from external sources referred to here,

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<sup>2</sup> 2020: number of tips (including chain partners): 17

<sup>3</sup> 2020: number of sports: 14

<sup>4</sup> 2020: number 10

<sup>5</sup> 2020: number 5

<sup>6</sup> 2020: number 5

<sup>7</sup> 2020: number 1

Doping Authority Netherlands also received fifteen tips from internal sources. These were tips and/or information that came to the Intelligence Officer through colleagues.

All tips were investigated by the Intelligence Officer and the results of those investigations were covered in the discussions about cases under investigation in the Enforcement & Investigations department. On the basis of those discussions, testing strategies were drawn up where relevant for each case and decisions were made about the focus of subsequent intelligence activities. In 2021, the tips also resulted in the identification of an anti-doping rule violation.

### **Collaboration with government services and fellow anti-doping organisations**

By contrast with the situation relating to the doping control process, Doping Authority Netherlands is dependent on the cooperation of organisations other than sports organisations, in particular government investigation and enforcement organisations, for the implementation of some of the statutory remit referred to in Article 5 of the Wuab. The development and expansion of good collaborative relationships with these organisations is therefore of major importance.<sup>8</sup> This involves supplying and receiving information.

The terms of the collaboration with chain partners such as the IGJ, the NVWA-IOD, the police, the FIOD and the customs authorities have been set out in protocols. In 2021, Annex 6 was added to the 'Covenant on cooperation between the Ministry of Health, Welfare and Sport (VWS) and the Ministry of Finance in the execution of statutory tasks in the policy area of the Ministry of Health by the customs authorities'. This makes it possible for the customs authorities and Doping Authority Netherlands to share specific information so that trends can be clarified and/or to see which substances/prohibited substances are being found.

The sharing of specific and/or investigation information with Doping Authority Netherlands continues to be a challenge in collaboration between government services. This is a result of various statutory frameworks such as the Police Data Act. In 2021, increasing demand could be seen for expertise about doping from the investigating authorities. In the past year, Doping Authority Netherlands was included in the database of the National Expertise Broker (LDM) of the National Police in order to provide expertise in this way as well for national investigations relating to prohibited substances. Doping Authority Netherlands continues emphatically to seek ever closer cooperation with investigation and enforcement bodies. Information is shared efficiently in mutual exchanges with anti-doping organisations from other countries. There is also support for ongoing investigations.

The intelligence en investigations information supplied by Doping Authority Netherlands is classified using an international system that rates the information in terms of the reliability of the information and the reliability of the source. In 2021, information was supplied to, among others, the NVWA-IOD and the Royal Netherlands Marechaussee but also to fellow anti-doping organisations such as United States Anti-Doping (USADA), NADO Flanders and a range of International Federations.

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<sup>8</sup>Doping Authority Netherlands can, without the cooperation of other organisations, only collect and process information that comes from testing procedures or open sources, or that is reported to Doping Authority Netherlands.



## **Chapter 4 Disciplinary Proceedings**

### **Introduction**

In the Netherlands, disciplinary proceedings relating to possible anti-doping rule violations are the responsibility of Doping Authority Netherlands and the sports associations. Doping Authority Netherlands determines in which cases proceedings should be initiated, it has the competence to close files, and (with WADA) it has the competence to agree settlements in cases of anti-doping rule violations. Disciplinary proceedings for possible anti-doping rule violations with disciplinary bodies are organised under the responsibility of the sports federations. The majority of sports associations have outsourced disciplinary proceedings to the Institute for Sports Law (ISR).

### **The position of Doping Authority Netherlands in disciplinary procedures**

If a potential anti-doping rule violation is observed, Doping Authority Netherlands assesses whether there is sufficient evidence to prove that there has been a violation. If not, Doping Authority Netherlands may decide to close a case. If, in the opinion of Doping Authority Netherlands, there is sufficient evidence, a charge will, as a rule, be filed with the disciplinary committee of the association in question. In these cases, the federation may file a charge<sup>9</sup> but Doping Authority Netherlands can also file the charge itself.

The disciplinary and appeals committees arrive at their decisions entirely independently of Doping Authority Netherlands. This does not mean that Doping Authority Netherlands is not closely involved in disciplinary proceedings relating to possible anti-doping rule violations. Doping Authority Netherlands is required to ensure that doping cases in the Netherlands receive a proper disciplinary handling. In other words, anti-doping rule violations must be processed in accordance with the National Doping Regulations (NDR) and the World Anti-Doping Code. The former describe and determine the various tasks incumbent upon Doping Authority Netherlands in disciplinary procedures. Those tasks involve, on the one hand, supporting and advising the disciplinary bodies in the interpretation and application of the doping regulations and, on the other, correcting decisions that do not comply with those regulations.

The support and advisory role is seen primarily in the contributions made by Doping Authority Netherlands during the disciplinary procedures: Doping Authority Netherlands is cognisant of the case, states written arguments in which all the relevant regulatory aspects are discussed and explained, and attends hearings at which it also speaks.

The corrective role is seen primarily in the right of appeal that Doping Authority Netherlands has in all doping cases, both with national appeals committees and with the Court of Arbitration for Sport (CAS) in Lausanne. Furthermore, Doping Authority Netherlands is, as pointed out above, competent to file a charge with the disciplinary body of an association independently without calling in the board of the association.

Doping Authority Netherlands did not submit any appeals to the CAS in 2021.

### **Reporting to WADA and International Sports Federations**

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<sup>9</sup> Many associations have outsourced this activity to the ISR's independent prosecutor.

Doping Authority Netherlands reports on the disciplinary handling of doping cases to WADA, the relevant international federation (IF) and, where appropriate, the foreign national anti-doping organisation (NADO). These organisations are competent to appeal decisions to close a case, settlement agreements, and decisions of disciplinary bodies. Reporting takes the form of sending the decision of Doping Authority Netherlands, the settlement, or the decision of the disciplinary body (in full or as a summary) to the aforementioned organisations. In addition, supplementary questions are answered, case files provided, and documents uploaded to WADA's database (ADAMS).

No decision was given at all in 2021 in a case in which an international federation appealed against a decision made by a Dutch disciplinary body.

### Reporting on disciplinary decisions

The table below lists all the decisions taken by Dutch disciplinary and appeals committees in doping cases in 2021 (inclusion depends upon the date of the decision), as well as the cases in which Doping Authority Netherlands proposed a sanction that was accepted by the athlete.

*Table 4.1: Disciplinary decisions and sanction proposals accepted; situation when the annual report was closed*

No.	Sport	Finding/substance	Year of violation	Decision
19/13	Cycling	Salbutamol	2019	Sanction proposed by Doping Authority accepted: two-year suspension.
20/1	Football	Cocaine, benzoylecgonine	2020	Sanction proposed by Doping Authority accepted: two-year suspension.
20/4	Athletics	Ligandrol	2020	ISR disciplinary committee: four-year suspension. Athlete has appealed.

## **Chapter 5 Legal Affairs**

### **Anti-doping rule violations & disciplinary law**

In matters relating to possible anti-doping rule violations, the Legal Affairs department of Doping Authority Netherlands fulfils a role comparable to that of a public prosecutions service: it is responsible for all legal aspects of investigating and handling violations of this kind. If there is a possible anti-doping rule violation, Legal Affairs acts as a 'public prosecutor': it decides about settlements, closing cases, the filing of charges, provides evidence, and assesses the case and the appropriate sanction.

In that capacity, the Legal Affairs department of Doping Authority Netherlands is involved in all legal aspects of the investigation of violations, the prosecution of violations, and the disciplinary handling of those violations. The steps and procedures relating to these activities and processes derive from the Dutch National Doping Regulations, the World Anti-Doping Code and the various International Standards associated with that Code.

Legal activities in a doping case usually begin as soon as a test result indicates the possible presence of a prohibited substance or method in an athlete's blood or urine sample. However, they may also be initiated if there is a suspicion of another anti-doping rule violation such as a refusal, an attempt to tamper with the doping control, the sample or the tampering (in other words, falsification) with evidence.

If a possible anti-doping rule violation does not result in a settlement or the closing of the case, a charge will be filed. That step is followed by the statement of defence of the athlete or person concerned. Doping Authority Netherlands is entitled to state written arguments in response to a statement of defence. By submitting written arguments, Doping Authority Netherlands states its views on the case and discusses the relevant provisions from the Dutch National Doping Regulations, the defence of the athlete or other persons, the facts and circumstances of the case, and the relevant case law (particularly from the CAS).

A number of long-running complex proceedings were completed in 2021, either by a settlement, the closing of the case or a disciplinary decision. A few cases involved a settlement in combination with a disciplinary decision.

After the written decision of the competent disciplinary body has been received, Doping Authority Netherlands reviews it in order to determine whether the decision meets the requirements of the National Doping Regulations and the Code. This is done on the basis of Doping Authority Netherlands' remit laid down in the Code, viz. the monitoring and supervision of the correct application of the doping regulations. This remit does not relate to national decisions alone. Decisions made by international sports federations or doping organisations from other countries relating to anti-doping rule violations by Dutch athletes or foreign athletes who play for a Dutch club are also shared with Doping Authority Netherlands so that these decisions can be reviewed in the light of the Code.

For the same reason, Doping Authority Netherlands is required to inform WADA, the relevant international federation and (if applicable) the relevant National Anti-Doping Organisation (NADO) in another country about all settlements, closed cases and disciplinary decisions, and even therapeutic use exemptions that have been granted. In turn, these organisations have the competence to assess decisions made in the Netherlands in the light of the global Code.

The legal activities described here are conducted in the context of the testing process, which is defined by the Wuab as the process of determining a possible violation of doping regulations (in other words, not only the Dutch National Doping Regulations). There are also legal activities that are conducted *for the purposes of* the doping control process, without actually being part of that process, or that are conducted after the completion of the doping control process. An example of the first category is informing athletes that a period of ineligibility has been imposed upon a member of their support staff (trainer, coach, doctor, etc.). That is because, in cases of this kind, athletes are not permitted to work with that person. Doing so constitutes an anti-doping rule violation. An example of the latter legal activity is a failure by an athlete or other person to comply with the conditions of a period of ineligibility imposed pursuant to a violation of the National Doping Regulations. If an ineligible athlete participates in an unauthorised activity and/or capacity during the period of ineligibility imposed on him or her, a new period of ineligibility will be imposed that is equal to the original period of ineligibility. This new period of exclusion may be reduced depending on the degree of fault of the person concerned and the other circumstances of the case. The determination of whether the athlete has failed to comply with the ineligibility sanction, and whether the athlete concerned qualifies for any reduction in the new period of ineligibility, will be made by Doping Authority Netherlands. This decision may be appealed under the provisions of the NDR.

### **Dutch National Doping Regulations**

The new World Anti-Doping Code entered into force on 1 January 2021. This meant, first of all, that the NDR had to be completely revised to bring it in line with the new Code (and International Standards). Secondly, it meant that sports and anti-doping organisations had to bring their doping regulations into line with the new NDR.

During the course of 2021, it became apparent that WADA felt that the amended NDR had not been drafted in full compliance with the Code in a number of respects. This meant that the NDR had to be substantially amended again and Doping Authority Netherlands proceeded to make those amendments. As a result, WADA has now agreed that the National Doping Regulations are in line with the 2021 Code.

### **Status during a period of ineligibility**

Following the period of ineligibility imposed on Andre Onana (the Ajax goalkeeper), an overview has been drawn up describing the status of athletes who are serving a period of ineligibility or a provisional suspension. It explains which activities and athlete may or may not engage in during a period of ineligibility of this kind. This document, which was drafted in consultation with WADA, has been published on the website of Doping Authority Netherlands.

### **Legislative amendment**

One of the respects in which WADA found that the Dutch regulations did not comply with the 2021 Code related to the position of the National Doping Regulations Appeals Committee (BND). To comply with the Code in full, WADA's position was that this committee had to be positioned independently of Doping Authority Netherlands. Working with the Ministry of Health, Welfare and Sport, a regulatory amendment was made to the NDR, the Appeals Hearing Procedure of Doping Authority Netherlands and the BND Regulations.

To arrive at a solution that will be robust in the future, it was also decided to amend the Anti-Doping Policy Implementation Act (Wuab). The Legal Affairs Department worked with the Ministry of Health, Welfare and Sport on drafting the bill, as well as the

accompanying explanatory memorandum, and participated in consultations with WADA about the bill. The Ministry of Health, Welfare and Sport has also asked Doping Authority Netherlands (Legal Affairs) to conduct an implementation review for the bill.

### **Review applications**

The 2021 Code includes the option in a number of respects of imposing lower sanctions than those provided for under the current doping regulations. Athletes who would have been entitled to a milder sanction under the new Code have the option of applying for a review of the suspension imposed on them under the current Code. Doping Authority Netherlands has drawn up Regulations for Review Applications relating to the Transitional Provisions of the 2021 World Anti-Doping Code. Several athletes have already taken advantage of this regulatory opportunity in 2020 and requested a review of their sanction. One more review request was submitted to Doping Authority Netherlands in 2021.

### **Olympic Agreement**

NOC\*NSF draws up agreements for each Olympic Games for both elite athletes and support staff. These agreements also include an article that addresses doping specifically. Doping Authority Netherlands has amended the Elite Athlete Agreement and the Support Staff Agreement (for both the Olympic and Paralympic Games) to bring them in line with the 2021 Code.

### **Structural activities and operations**

Our structural legal activities in 2021 also included the provision of general legal services and support within the organisation. This involved drafting, assessing and/or revising contracts, letters, memoranda and policy memoranda, and regulations, as well as advice for the various departments of Doping Authority Netherlands and the CEO.

In addition, the structural activities in 2021 included education and advice for sports associations and, in various cases, athletes with respect to the content, operation and application of the Doping Regulations.

### **Government Information (Public Access) Act (Wob)**

Doping Authority Netherlands receive one Wob request in 2021.

### **Objections and appeals under the General Administrative Law Act**

One of the consequences of the establishment of Doping Authority Netherlands as an independent administrative body is that, under the Dutch General Administrative Law Act (Awb), interested parties have the right to lodge administrative objections to decisions made by Doping Authority Netherlands. If desired, there is also the option of lodging appeals with the administrative court.

In 2021, Doping Authority Netherlands received one objection under the terms of the Awb to a decision it made. No appeal has been lodged with the administrative courts against the decision of Doping Authority Netherlands relating to this objection.

### **Privacy**

All documents drawn up pursuant to the General Data Protection Regulation (GDPR) (privacy policy, privacy regulations, privacy statement of Doping Authority Netherlands and the Regulation for the Rights of Persons Concerned) were evaluated and updated where necessary in 2021. Doping Authority Netherlands registered two data leaks in 2021. There was no obligation to notify the Dutch Personal Data Authority (AP) in either case.

**Policies, rules and regulations associated with the status of an independent administrative body**

Several rules and regulations have been revised.

## **Chapter 6 Scientific research**

### **GENERAL**

The scientific activities of Doping Authority Netherlands consist of the following:

- monitoring scientific literature
- consulting experts;
- further development of scientific research.

### **REVIEW OF SCIENTIFIC LITERATURE**

To ensure it is informed about the latest developments, Doping Authority Netherlands keeps a close eye on new publications of doping-related scientific literature and saves copies of the relevant articles in its archives. A total of 406 relevant articles were added to those archives in 2020 (2020: 228). All the articles are available in digital format inside the organisation and they are also posted on the website [doping.nl](https://doping.nl).

The information from the available literature serves as a basis for internal advice for the Legal Affairs, Enforcement & Investigation and Education departments, and the CEO (for, among other things, his contacts with the press). The information is also used to answer specific scientific questions from people outside the organisation such as doctors, lawyers, journalists, students and other interested parties.

### **CONSULTING EXPERTS**

A network with a range of scientists is constantly being maintained in order to keep up to date with the latest developments in all sorts of areas relevant to doping: haematology, cardiology, endocrinology, physiology, sociology, health education, ethics, sports medicine, gene therapy and clinical chemistry.

Doping Authority Netherlands also plays an advisory role for a range of initiatives. The basic idea here is always to contribute both knowledge and experience and to further them in our own organisation. In some cases, this advisory role has been formalised. In this context, scientific contacts were maintained with the steroids clinics in the Spaarne Gasthuis hospital in Haarlem and the Elisabeth-Tweesteden hospital in Tilburg, and the British nutritional supplement testing system, Informed Sport, of the LGC company.

Doping Authority Netherlands also participated online at USADA's hybrid Scientific Symposium, which was organised from 1 to 4 October.

## **FURTHER DEVELOPMENT OF SCIENTIFIC RESEARCH**

### **Spending of scientific budget**

Doping Authority Netherlands has an annual scientific budget of 70,500 euros. On 25 June, a qualitative study was published of [the views of support staff about doping in elite sports](#). This study was commissioned by Doping Authority Netherlands and conducted by the Mulier Institute.

Two studies in collaboration with RIVM looking at the quality and composition of prohormones (which began in 2020) and nootropics (which began in 2021) are still in progress. There is also a study in progress (which began in 2021) by the University of Leuven looking at the content of the messages spread by 'influencers' on social media about prohibited substances such as anabolic steroids.

Doping Authority Netherlands spent the last budget of the - now disbanded - Anti-Doping Authority Netherlands Foundation to conduct a study at the DoCoLab in Ghent. The study is looking at the development of a detection method for thyroid hormones. The research proposal was under review by the ethics committee of Ghent University at the end of 2021.

### **Studies with the Ministry of Health as client**

The Ministry of Health, Welfare and Sport asked the consortium Bureau Beke / VU-University Amsterdam to conduct a study of trafficking in doping in 2019-2020. The resulting report – [Strong Stuff](#) – was published in December 2020. Doping Authority Netherlands was a member of the supervisory committee for the research. In 2021, the Ministry consulted the supervisory committee on several occasions about the [policy response](#) to the report.

The study *Doping use in Dutch elite sports* was published on 22 March. It was conducted by the Mulier Institute and funded by the Ministry. Doping Authority Netherlands was represented on the supervisory committee. The estimate of doping use among Dutch elite athletes is 12.5 percent, with a margin of uncertainty ranging 3.0 to 24.7 percent. That wide margin means it is impossible to say with any certainty that doping has become more prevalent since 2015.

An article about the 2015 study of the presence of doping substances in nutrition supplements was published in the [Journal of Sports Science and Medicine](#). The study was subsidised by the Ministry of Health, Welfare and Sport.

### **Collaboration with government and government bodies**

Doping Authority Netherlands worked with the NVWA, customs authorities and the IGJ on an article about [SARMs: a new health issue in fitness and bodybuilding](#). The article was published in the journal *Tijdschrift voor Gezondheidswetenschappen*.

### **Other publications and reviews**

In 2021, Doping Authority Netherlands was involved as an author in the publication of a [systematic review and analysis of sensitive and transgressive behaviour](#).



**Collaboration with the Steroids Clinic**

The Brabant Medical Ethics Review Committee (METC) approved the HARNAS study in 2021. The HARNAS study builds on the earlier HAARLEM study. However, instead of just monitoring the subjects prior to, during and after the use of a course of steroids, the subjects are now encouraged to use fewer doping substances, or none at all.

The HAARLEM study produced one article in 2021 on [testosterone production during and after a course of steroids](#).

**Doctorate research**

The scientific officer of Doping Authority Netherlands is working on a doctorate at the University of Birmingham. The research looks at the relationship between the use of anabolic steroids and the personality structure of fitness adepts and bodybuilders.

## Chapter 7 Knowledge Management

Doping Authority Netherlands is a knowledge institute. The experience of Doping Authority Netherlands and its legal predecessors ensure that the current work can be done as well as possible. Some years ago, it was noted that the employees of Doping Authority Netherlands themselves possess a lot of knowledge and experience but that a professional organisation should not be dependent on this situation. Since then, the subject of 'knowledge management' has become a part of the day-to-day work and it is a separate item in budgets and annual reports.

In addition to the archives for each department, it was decided to set up a database with the most essential anti-doping information: the Anti-Doping Knowledge Centre (ADKC). The ADKC has proven its worth in recent years as the largest public collection of doping-related documents. Some 'records' have been split and, in addition, 821 new records have been added in 2021. The total number of available documents was 7,741 on 31 December 2021. In addition, existing documents are constantly checked and improved, in part on the basis of new relevant search terms.

The database consists primarily of legal documents, in particular the motivated decisions of competent disciplinary bodies relating to doping sanctions. The majority are decisions of the sports tribunal CAS but, increasingly, the legal decisions of the disciplinary committees of international sports federations and national disciplinary bodies can also be found in the database. The decisions of a few dozen sports and countries are now being processed. There is also continuous contact with countries and sports that do not yet share their decisions. The main goal of this work is to provide access to the available jurisprudence in the field of doping in order to make decisions in the future stronger.

The website also contains scientific articles about all conceivable doping subjects, educational materials and all kinds of other doping documents. This means that the ADKC also has a historical role since documents that have expired are generally difficult to find on the Internet.

The database is freely accessible through the website [www.doping.nl](http://www.doping.nl).

## Chapter 8 Therapeutic Use Exemptions

### THERAPEUTIC USE EXEMPTION COMMITTEE (COMMITTEE AND SECRETARY)

The COVID pandemic also had a clear impact on TUE applications in 2021. On the other hand, there was a clear recovery compared with 2020.

In the end, exemptions were granted in 108 cases, which is a slight recovery compared with 2020. Applications were turned down in five cases initially; a number of these were granted after all at a later date (for example after more specific information had been provided).

	2016	2017	2018	2019	2020	2021
Granted	97	125	126	118	86	108
Not granted	5 (4.9%)	6 (4.6%)	12 (8.7%)	15 (11.3%)	12 (12.2%)	5 (4.4%)

As in most recent years, most exemptions in 2021 related to the use of methylphenidate (48). That is 44% of the exemptions granted, a lower number than in previous years, but methylphenidate remains by far the substance for which exemptions are most frequently requested.

Other types of medication for which exemptions were often granted were insulin (12%) and prednisone/prednisolone (7.4%).

The applications came from 33 different sports associations. Swimming was at the top of the list again with 13 applications granted (12%), followed by the Royal Dutch Cycling Union (9.3%) and the Royal Dutch Baseball and Softball Association (8.3%)

In addition, a start was made on modifying and updating the TUE website, particularly to make it more user-friendly and to improve data security. Another important focus was facilitating communications between the secretariat and the members of the committee.

## **Chapter 9 International Affairs**

### **GENERAL**

Doping Authority Netherlands was actively involved in 2021 in the international doping policy. The international activities of Doping Authority Netherlands have several aims: Doping Authority Netherlands wishes to collect current knowledge, influence international anti-doping policy, promote Dutch anti-doping policy and strengthen international collaboration. The COVID pandemic had a major impact again in the year under review on the implementation of international policy because international meetings were hardly possible at all any more. Teleconferencing provides only a partial solution to this problem, with one of the factors being that the sharing of confidential information on digital media is problematic.

### **NADO Leaders**

In September, a group of NADO Leaders met in Paris to discuss, among other things, the progress of WADA's reform process and to prepare a new statement. This work will continue in 2022.

### **WADA**

#### **Education Standing Committee**

Effective 1 January, the Head of Education joined WADA's Education Standing Committee as a member. His appointment is for three years. The Education Standing Committee met twice online in 2021 (April and September). In a subgroup, the Head of Education worked on the development of an education module for support staff. Education modules of Doping Authority Netherlands for trainer-coaches and parents were brought in as examples.

#### **Working group on the development of training programmes**

Doping Authority Netherlands acts in a chair capacity on one of WADA's working groups on the development of training programmes (Global Learning & Development Framework). The training programmes are for people working in the field of anti-doping. The work began in October 2020 and was completed in 2022. The working group has monthly video meetings. Furthermore, the Head of Education has completed a 'Train the Trainer' course organised by WADA. The purpose of the course was to prepare the participants to conduct training programmes. The course consisted of 6 online meetings.

#### **Prohibited list**

Like every year, a [response to the draft version of the prohibited list](#) was sent to WADA in the summer. Doping Authority Netherlands coordinates the Dutch response on behalf of the NOC\*NSF, the NOC\*NSF Athletes Committee and the Ministry of Health, Welfare and Sport.

#### **WADA Prevalence of Doping Working Group**

At the request of WADA, we have a seat on the Prevalence of Doping Working Group. The general aim is to establish a more detailed picture of the knowledge currently available about the prevalence of doping and how this knowledge can best be

increased in the future. In 2021, some pilot studies were conducted and work continued on a range of scientific publications on the subject.

## **COUNCIL OF EUROPE**

Doping Authority Netherlands was an active participant in 2021 in the international doping policy. The international activities of Doping Authority Netherlands address two goals: Doping Authority Netherlands wants to collect up-to-date current knowledge and to influence the international anti-doping policy.

The pandemic meant that there were fewer meetings than usual. We attended four meetings of the CAHAMA (Ad hoc European Committee for the World Anti-Doping Agency). The CAHAMA mission is:

1. to examine the issues concerning relations between the Council of Europe, its Member States and the World Anti-Doping Agency (WADA), and to decide on a common position, when possible, on these issues;
2. to draw up, if necessary, opinions for the Committee of Ministers of the Council of Europe on these issues, including the budgetary elements;
3. to periodically revise the mandate of members of the WADA Foundation Board appointed by the Council of Europe.

### **Advisory Groups**

In the context of the 'Advisory Group on Education – Working Group' of the Council of Europe, Doping Authority Netherlands attended six online meetings in 2021.

It also attended a meeting of the 'Expert Group on Science' of the Council of Europe on 23-24 January (Dresden, Germany), and a webinar meeting of the same group on 8 June.

### **Institute for National Anti-Doping Organizations (iNADO)**

The iNADO key objectives are: to support and strengthen the work of national anti-doping organisations, and to represent their members in the international domain.

Doping Authority Netherlands is an active member of iNADO. Doping Authority Netherlands also participated in (and contributed to) a range of iNADO activities that went ahead despite the impact that the corona pandemic also had on iNADO's work.

## **DUTCH CARIBBEAN**

Doping Authority Netherlands is developing educational materials for the Dutch Caribbean. Work is proceeding on printed material, e-learning and videos. The printed material was completed in 2021.

## **Chapter 10      People & organisation**

### **Advisory Board**

Doping Authority Netherlands has an Advisory Board that consisted of five persons in 2021 (see Annex 2 for the members of the Board). The Board met on five occasions. In addition to discussing and commenting on the work of Doping Authority Netherlands on the basis of progress reports and other documents, the Board is required to make recommendations to the CEO of Doping Authority Netherlands.

### **Personnel: office**

Doping Authority Netherlands has four departments (Education, Enforcement & Investigations, Legal Affairs and Support). Together with the CEO, the four heads of department constitute the Office Board. At year-end 2021, the office organisation comprised 24 people and 21.8 FTEs. For an overview, the reader is referred to Annex 3.

### **Doping Control Officials (DCOs)**

In addition to the office staff, there were fourteen part-time doping control officials at year-end 2021 (nine men and six women, see Annex 3), who were appointed under 'minimum hours' contracts. The number of hours covered by these contracts was increased in some cases in 2021. The contracts now account for 2.9 FTEs.

### **Absenteeism**

The absenteeism percentage was lower in 2021 than in 2020: staff were absent on 2.1% of working days (2020: 5.7%). This percentage was still significantly affected in 2020 by the aftermath of an accident outside office hours in 2018. In 2021, effective the second quarter, this was no longer the case.

### **COMPANY EMERGENCY SERVICES (BHV)**

Doping Authority Netherlands has three in-house emergency response workers to maximise the probability of enough support being available when it is needed. There were no significant incidents in 2021. A refresher course was followed with the other tenants in the office building.

### **Therapeutic Use Exemption Committee (TUE committee)**

One of the provisions in the doping regulations relates to the procedure for the use of prohibited medication. Doping Authority Netherlands has, for the Dutch sports associations, a committee known as the Therapeutic Use Exemption Committee (TUE committee), which consists of independent doctors.

### **Compliance with Doping Sanctions Committee (CND) and National Doping Regulations Appeals Committee (BND)**

The World Anti-Doping Code requires Doping Authority Netherlands to monitor the implementation of sanctions imposed for doping. If there is any failure to comply with a sanction correctly, the same sanction begins again after the end of the original sanction. The Compliance with Doping Sanctions Committee is responsible for determining whether there has been correct compliance with a sanction and whether there are any reasons to reduce a subsequent sanction. In 2017, a National Doping Regulations Appeals Committee was added. Appeals against decisions by the CND may be submitted to the BND.

No cases at all were submitted to the CND in 2021. The BND made a decision in one case.

### **Consultations with the Ministry of Health, Welfare and Sport**

As an independent administrative body, Doping Authority Netherlands participates in various specialist consultations. For a relatively small organisation such as Doping Authority Netherlands, it is impossible to attend all meetings but the contacts that are established are useful in all organisational matters. Consultations relate to business operations, human resources, absenteeism prevention, sustainability, information security, general security, privacy and integrity.

### **Quality assurance**

Doping Authority Netherlands is a government organisation covered by the National Code of Conduct for Integrity. The prevention of fraudulent activity is a constant focus of attention and a standing component of the annual performance interviews. No infringements of the Code of Conduct were observed in 2021.

Doping Authority Netherlands also has a Complaints Procedure in addition to the regular procedures that those concerned can initiate under the General Administrative Law Act (Awb). This procedure can be found on the corporate website. It was used once in 2021.

Informal complaints, mistakes, areas for improvement and data leaks are a standard item on the agenda during the fortnightly meetings of the Office Board, and the discussion is noted in the minutes of these meetings.

## Balance sheet as at 31 December 2021

(After result appropriation)

### Balance sheet as at 31 December 2021

<b>Assets</b>		<b>2021</b>	<b>2020</b>
		<b>€</b>	<b>€</b>
<i>Fixed assets</i>	Note		
Tangible fixed assets	1	185,817	125,148
<i>Current assets</i>			
Receivables	2	300,203	175,547
Cash at bank and in hand	3	538,340	976,811
		838,543	1,152,358
<b>Total assets</b>		<b>1,024,360</b>	<b>1,277,506</b>
<b>Liabilities</b>			
<i>Net equity</i>	4		
Equalisation reserve		146,400	132,270
Earmarked funds for doping controls		304,467	173,473
Special-purpose reserve for Ministry of Health, Welfare and Sport		-	35,000
		450,867	340,743
<i>Provisions</i>	5	41,792	21,640
<i>Current liabilities</i>	6		
Creditors		22,796	120,491
Staff expenses		240,439	134,606
Other accounts payable		268,466	660,026
		544,569	915,123
<b>Total liabilities</b>		<b>1,024,360</b>	<b>1,277,506</b>



## Income statement for 2021

		<b>Actual 2021</b>		<b>Budget 2021</b>	<b>Actual 2020</b>	
		€	€	€	€	€
<b>Income</b>	8		4,623,886	4,675,650		3,621,185
<b>Activity and project expenses</b>						
Expenses related directly to doping controls	9	1,221,577		1,801,150	786,841	
Direct costs of other statutory tasks	9	457,243		514,000	373,168	
<b>Organisation expenses</b>						
Staff expenses	10	2,227,153		1,830,000	1,843,675	
Other staff expenses	11	113,712		65,000	93,711	
Depreciation/amortisation	1	35,541		33,000	20,032	
Accommodation expenses	12	102,160		102,000	117,638	
Office expenses	13	213,078		200,500	178,860	
Car expenses	14	8,932		12,000	9,243	
General expenses	15	129,518		118,000	263,199	
<b>Total operating expenses</b>			4,508,924	4,675,650		3,686,367
<i>Balance of income and charges</i>			114,962	0		-65,182
Financial income and charges -/-	16		4,838	0		960
<b>Result</b>			<b>110,124</b>	<b>0</b>		<b>-66,142</b>

**Result appropriation**

	<u>2021</u>	<u>2020</u>
	€	€
Equalisation reserve	14,130	3,858
Earmarked funds for doping controls	130,994	0
Special-purpose reserve for Ministry of Health, Welfare and Sport	-35,000	-70,000
	<u><b>110,124</b></u>	<u><b>-66,142</b></u>

## **Annex 2 - Members of Advisory Board and Committees (as at 31-12-2021)**

### **Advisory Board**

Harro Knijff; chair, legal affairs and audit position

Marc Benninga; medical affairs

Hans van der Pas; financial affairs

Saskia Sterk; laboratory matters

Hinkelien Schreuder; athletes' interests

### **Therapeutic Use Exemption Committee (TUE committee)**

Marjon van Eijdsden-Besseling

Edwin Goedhart

Leo Heere (chair)

Ed Hendriks (chair)

Jan Hoogsteen

Ivo van Outheusden

Harry Koene

Hans Jurgen Mager

Huib Plemper

### **Compliance with Doping Sanctions Committee (CND)**

Dolf Segaar (chair)

Diederik van Omme

Dennis Koolaard

### **National Doping Regulations Appeals Committee (BND)**

Anouk Fransen (chair)

Simone van Buren (vice-chair)

Bernard Gerritsma

## **Annex 3 - Personnel (as at 31-12-2021)**

### **Office**

#### **Board**

Vincent Egbers                      CEO

#### **Legal Affairs department**

Steven Teitler                      head of department  
Arthur van der Hoeft              legal officer/deputy head of department

#### **Enforcement & Investigations department**

Koen Terlouw                      head of department  
Jeroen Brakels                      account manager/deputy head of department  
Jack Jongejan                      intelligence officer  
Karlijn Roijakkers                  dataspecialist  
Fienie Verhagen                      senior officer for doping controls  
Angela Mols                          whereabouts officer/doping controls officer  
Anuschka Rambhadjan              doping controls officer  
Sjoerd Kamperman                  doping controls officer  
Robert Ficker                          doping controls officer with specialist tasks

#### **Education Department**

Erik Duiven                          head of department  
Laila Spruijt                          senior elite sports education officer/deputy head of department  
Wendy Schootemeijer              senior elite sports education officer  
Dominique Loos                      elite sports education officer  
Hans Wassink                          grassroots sports education officer  
Willem Koert                          science officer

#### **Support department**

Olivier de Hon                      head of department/COO  
Frans Stoele                          information/documentation policy officer & TUE secretary/deputy head of department  
Astrid van der Goot                  management assistant  
Astrid Krijgsman                      administrative officer  
Rien Tuk                                  documentalist  
Herman Ram                              consultant

## **Doping control officials**

Dick Beverdam	doping control official (investigative)
Fienie Verhagen	doping control official (investigative)
Frits Rietveld	doping control official (investigative)
Geeta Ramdajal	doping control official (medical)
Glyselles Hanst	doping control official (medical)
Jaap Stomphorst	doping control official (medical)
Jeannet Beijen	doping control official (medical)
Johan Bouman	doping control official (investigative)
Just van der Kroef	doping control official (medical)
Karin van Rooij	doping control official (investigative)
Ronald Poulissen	doping control official (investigative)
Sytske Visser	doping control official (medical)
Ton Verhagen	doping control official (medical)
Victor Niemeijer	doping control official (medical)

## Annex 4 - Overview of presentations and academic publications

### Oral presentations

#### Oral presentations

- Schootemeijer, W. 'Doping in sport'. Rotterdam Hogeschool: chemie en criminaliteit, 11 March 2021
- Schootemeijer, W. 'Doping in sport'. Hall of Larenstein Forensisch Hogeschool, 16 March 2021
- Schootemeijer, W. 'Doping in Dance'. ArtEZ Academy for Theatre and Dance, 14 September 2021
- Schootemeijer, W. 'Doping in sport'. Fontys Sports College: SPECO, 12 October 2021
- Schootemeijer, W. 'Doping in sport'. Avans Hogeschool: International Forensics, 20 October 2021
- Schootemeijer, W. 'Doping in sport'. Rotterdam Hogeschool: chemie en criminaliteit, 9 December 2021

#### Scientific articles with authors from Doping Authority Netherlands

- Duiven, E., Loon, L. van, Spruijt, L., Koert W., Hon, O. de (2021) [Undeclared Doping Substances are Highly Prevalent in Commercial Sports Nutrition Supplements](#). *Journal of Sports Science and Medicine* (**20**), 328 - 338. <https://doi.org/10.52082/jssm.2021.328>
- Gleaves, J., Petróczi, A., Folkerts, D., Hon, O. de, Macedo, E., Saugy, M., Cruyff, M. (2021) [Doping Prevalence in competitive sports: Evidence synthesis with "best practice" recommendations and reporting guidelines from the WADA Working Group on Doping Prevalence](#). *Sports Medicine*. 51(9):1909-34.
- Koert W., Zwaagstra, M., Nagtegaal, P., Kooij, L. van der, Terlouw, K., Duiven, E. (2021) [SARMs: een nieuw gezondheidsprobleem in fitness en bodybuilding](#). TSG Tijdschrift voor gezondheidswetenschappen, 8 November 2021.
- Sagoe, D., Cruyff, M., Spendiff, O., Chegeni, R., Hon, O. de, Heijden, P. van der, Saugy, M., Petróczi, A. (2021) [Functionality of the Crosswise Model for Assessing Sensitive or Transgressive Behavior: A Systematic Review and Meta-Analysis](#). *Frontiers in Psychology*. doi: 10.3389/fpsyg.2021.655592
- Smit, D.L., Buijs, M.M., Hon, O. de, Heijer, M. den, Ronde, W. de (2021). [Disruption and recovery of testicular function during and after androgen abuse](#). The HAARLEM study. *Human Reproduction*. 36(4), 880-90.

#### Other articles

- Hilkens L., van Schijndel, N., Wassink, H., Maas, T. (2021) Supplement- en dopinggebruik in Nederlandse sportscholen, prevalentie en risico's. *Sportgericht* 75(6), 20-27.

#### Publications on research commissioned by the Ministry of Health, Welfare and Sport

- Balk, L., Dopheide, M. (2021) [Dopinggebruik in de Nederlandse topsport](#). Mulier Institute.

## **Annex 5 - Secondary positions (as at 31-12-2021)**

The secondary positions of the members of the Office Board are listed below.

### **Vincent Egbers**

- Security officer at UEFA
- Member of the Sport & Integrity Steering Group, NOC\*NSF

### **Olivier de Hon**

- Olympic Stadium tour guide (volunteer)
- Member of WADA Prevalence Expert Group
- Athletics trainer for youngest pupils at AV'23

### **Erik Duiven**

- Advisor to the anabolic steroids polyclinic at the Spaarne Gasthuis hospital in Haarlem
- Advisor to the British nutrition supplements testing system, Informed Sport, of the LGC company
- Member of the Council of Europe Anti-Doping Conventions Advisory Group on Education Drafting Group
- Chair of the WADA Technical Working Group for the development of a Global Learning & Development Framework
- Member of the WADA Education Standing Committee
- Supervisory Committee on Research on Trafficking in Doping & Prevalence in Elite Sports

## **Annex 6 - Abbreviations**

ABP	Athlete Biological Passport
ADAMS	Anti-Doping Administration and Management System
ADKC	Anti-Doping Knowledge Centre
ANP	Algemeen Nederlands Persbureau
GDPR	General Data Protection Regulation
AP	Dutch Personal Data Authority
AWB	Dutch General Administrative Law Act
BND	National Doping Regulations Appeals Committee
BRP	Key Registration of Persons
CAHAMA	The Ad Hoc European Committee for the World Anti-Doping Agency
CAS	Court of Arbitration for Sport
CND	Compliance with Doping Sanctions Committee
COO	Chief Operating Officer
DCO	Doping control official
ESA	Erythropoiesis Stimulating Agents
FIOD	Fiscal Intelligence and Investigation Department
FTE	Full-time equivalent
TUE	Therapeutic Use Exemption
GHRF	Growth Hormone Releasing Factor



HAARLEM	Health Risks of Anabolic Androgen Steroid Use by Male Amateur Athletes
HBOC	Haemoglobin-Based Oxygen Carriers
HBT	Homologous Blood Transfusion
IF	International Federation
IGJ	Health Care and Youth Inspectorate
iNADO	Institute for National Anti-Doping Organizations
IRMS	Isotope-Ratio Mass Spectrometry
ISL	International Standard for Laboratories
ISR	Institute for Sports Law
ISTI	International Standard for Testing & Investigations
KNBSB	Royal Dutch Baseball and Softball Association
KNWU	Royal Dutch Cycling Union
KNZB	Royal Dutch Swimming Association
LDM	National Expertise Broker
METC	Medical Ethics Review Committee
NADA	Nationale Anti-Doping Agentur (Germany)
NADO	National Anti-Doping Organisation
NCB	Dutch Curling Association
NDB	Dutch Darts Association
NDR	Dutch National Doping Regulations

NGB	Dutch Weightlifting Association
NHB	Dutch Archery Association
NHV	Dutch Handball Association
NK	Dutch Championships
NOC*NSF	National Olympic Committee*Dutch Sports Confederation
NVWA	Dutch Food and Commodities Authority
NVWA-IOD	Dutch Food and Commodities Authority – Intelligence and Investigations Service
NZVT	Dutch Safeguards System for Nutrition Supplements in Elite Sport
RESPECT	Research Embedded Strategic Plan for Anti-Doping Education: Clean Sport Alliance Initiative for Tackling Doping
RIVM	National Institute of Public Health and Environmental Protection
RTO	Regional Elite Sports Organisation
RTP	Registered testing pool
CoE	Council of Europe
SARMs	Selective Androgen Receptor Modulators
TBN	Dutch Taekwondo Association
TDSSA	Technical Document Sport Specific Analysis
TSG	Tijdschrift voor Gezondheidswetenschappen
USADA	United States Anti-Doping Agency
VWS	Ministry of Health, Welfare and Sport
WADA	World Anti-Doping Agency
WADC	World Anti-Doping Code

WFSR	Wageningen Food Safety Research
WOB	Dutch Government Information (Public Access) Act
WUAB	Dutch Anti-Doping Policy Implementation Act
ZBO	Independent governing body

## Annex 7 - Results management

1. As soon as a possible violation of the National Doping Regulations has been identified, the first step is an internal assessment. The Code refers to this as an 'initial review'. This initial review looks at the facts and circumstances of the case as known to Doping Authority Netherlands and assesses them in the light of the doping regulations (in particular those relating to evidence) and International Standards such as the WADA Prohibited List, the International Standard for Testing and Investigations (ISTI) and the International Standard for Laboratories (ISL). The first step is to determine whether there may have been any procedural errors (for example with regard to conducting the doping control, including the way the sample has been collected, and the analysis or analyses of the athlete's sample by the WADA-accredited laboratory). The next step is to look at the nature and impact of any procedural errors and to determine whether they have any consequences for the possibility of initiating proceedings for an anti-doping rule violation.

Another important and mandatory component of the initial review is to determine whether the athlete in question has a therapeutic use exemption (permission to use a prohibited substance on medical grounds). If that is the case, and if it is relevant to a positive result, that positive result will be no longer stand unless the athlete has not complied with the conditions of the exemption. This component is also included in the 'initial review'. A check is also made on whether the athlete is in the Registered Testing Pool. This is because, if an athlete is not in that group, the regulations provide for the option of applying for a therapeutic use exemption retroactively in the case of a positive result.

The 'initial review' is the first step in results management. A relevant factor for the legal activities of Doping Authority Netherlands is that results management includes the option of making a settlement proposal to athletes and coaches.

2. Accepting a *settlement proposal* implies that a person accused of an anti-doping rule violation admits to that violation and accepts the consequences (in other words, a sanction that will usually be a period of ineligibility and the invalidation of competition results). The consequence of signing a settlement proposal is that the substantive disciplinary proceedings will be terminated immediately, without prejudice to the right of WADA and the relevant international federation to appeal against the settlement proposal. A settlement proposal will only be made after extensive consultations with the athlete/support person (and his/her legal representative and/or confidential advisor) and after Doping Authority Netherlands has verified the statements (for example by comparing the stated time of doping with the values reported by the laboratory for the prohibited substance that has been used). Before making a settlement proposal, the Legal Affairs department always consults WADA (among other things by drafting a 'case summary') with the aim of ensuring that WADA will not later contest the settlement proposal pursuant to its right to appeal. There are also consultations relating to settlement proposals with the association (with respect to initiating proceedings), the Institute for Sports Law (ISR) in situations where proceedings have been initiated, and with the relevant international federation.

3. Another important component of results management that requires the attention of Legal Affairs is the imposition of a *provisional suspension*. A provisional suspension is not a *disciplinary* measure such as a period of ineligibility imposed by a disciplinary body but a measure imposed by (or on behalf of) the board of a sports association. In doping cases, it is a measure that, in certain cases, has to be imposed on the athlete immediately after notification is given of the positive result. This is because the Dutch National Doping Regulations stipulate that, in the case of positive results relating to non-specific substances (in other words, the more serious substances on the WADA prohibited list), the athlete *must* be subjected to a provisional suspension immediately.

The obligation to impose provisional suspensions must be supervised. On the one hand, the imposition of provisional suspensions by sports federations in doping cases has to be supervised because this is an obligation under the World Anti-Doping Code. On the other hand, it is in the interests of the athlete that this suspension should actually be imposed as quickly as possible because any period of ineligibility will begin on the day the provisional suspension is imposed. In other words, if the provisional suspension were not to be imposed or to be imposed too late, a period of ineligibility pursuant to an anti-doping rule violation will begin later and therefore end later. The timely imposition of a provisional suspension is therefore not only in the interests of proper procedure but also in the interests of the athlete. Finally: if it is unclear whether, and if so when, a provisional suspension has been imposed, a disciplinary body cannot determine in its decision the starting date of a period of ineligibility. Given the above, Doping Authority Netherlands considers it important to supervise the correct and timely imposition of provisional suspensions in doping cases.

4. Results management ends when a *charge* of an anti-doping rule violation is filed with the ISR or with the disciplinary committee of the sports association. Disciplinary proceedings begin when a charge is filed although it is still possible for a settlement proposal to be made during the course of those proceedings. As a rule, the association or the prosecutor<sup>10</sup> will file the charge formally. Doping Authority Netherlands makes the substantive decision about whether a charge should be filed in a particular case.

Doping Authority Netherlands is also competent under the regulations to file a charge but it avails itself of that competence only in exceptional cases involving the following situations: (i) the association has failed to file a charge, (ii) the case is not pursuant to a doping control but to an investigation conducted by Doping Authority Netherlands itself and/or (iii) the case is so complex or unusual that the association cannot reasonably be expected to file the charge itself.

5. The filing of the charge is followed by a substantive statement of defence, where appropriate in combination with a scientific contribution. Doping Authority Netherlands is entitled to state written **arguments** in response to a statement of defence. By submitting written arguments, Doping Authority Netherlands can state its views on the case and discuss the relevant provisions from the Dutch National Doping Regulations, the defence of the athlete or other persons, facts and circumstances of the case, and the relevant case law.<sup>11</sup> Doping Authority Netherlands submitted written arguments in three of the five doping cases heard in 2020, and additional written arguments in a number of cases (for example in response to additional statements of defence or questions from the disciplinary body). Doping Authority Netherlands did not submit written arguments only in those cases in which the athlete accepted a proposed sanction. Doping Authority Netherlands applies the 'four eyes' principle to all written arguments: all legal documents are reviewed and checked by a colleague/legal colleague.

In many cases, athletes' defence arguments result in discussions and/or consultation with WADA and the WADA-accredited laboratory that analysed the sample. It also regularly happens that there are discussions with the athlete in question about how the prohibited substance may have entered the athlete's body. That is because it is possible for an athlete to ingest a prohibited substance without being aware of doing so. Cases of this kind primarily involve nutrition supplements.

6. The *disciplinary hearing* follows after the submission of the written arguments unless the athlete or the person in question has stated that he or she waives the right to a hearing. Doping Authority Netherlands is entitled to be present at the oral

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<sup>10</sup> In the case of the associations who use the services of the prosecutor of the ISR.

<sup>11</sup> The option pursuant to the regulations of submitting written arguments is based on the system adopted by the Dutch Advocate General in final appeal proceedings.

hearing of a doping case. Doping Authority Netherlands was present at the hearing in all doping cases heard orally by disciplinary bodies in 2020, including appeals.

7. After the written decision of the competent disciplinary body has been received, Doping Authority Netherlands reviews it in order to determine whether the decision meets the requirements of the National Doping Regulations and the Code. This is done pursuant to the remit of Doping Authority Netherlands stated in the National Doping Regulations to monitor and supervise the correct application of, and compliance with, those regulations and the World Anti-Doping Code, as well as, where necessary, to correct and intervene in this respect (for example by using its right to appeal). In this context, Doping Authority Netherlands not only looks at whether to use its right of appeal but also at whether any areas for improvement arise from a decision, for example with respect to the ISR, training for disciplinary judges, the sports association(s), NOC\*NSF and Doping Authority Netherlands itself.

8. Furthermore, WADA *monitors* all positive control results through the global ADAMS clearing house and, in this context, Doping Authority Netherlands is required to report all results in doping cases to WADA. All the steps listed above will be completed in each doping case, unless there is an agreement about a settlement, in which case the disciplinary proceedings will not be initiated or will be terminated sooner.

9. Finally, there is *international coordination and cooperation* with international federations and WADA in the context of the investigation and management of doping cases (whether actual or potential).

10. The legal activities described here are conducted in the context of the testing process, which is defined by the Wuab as the process of determining a possible violation of doping regulations (in other words, not only the Dutch National Doping Regulations). There are also legal activities that are conducted *for the purposes* of the doping control process, without actually being part of that process, or that are conducted after the completion of the doping control process. An example of the first category is informing athletes that a period of ineligibility has been imposed upon a member of their support staff (trainer, coach, doctor, etc.). That is because, in cases of this kind, athletes are not permitted to work with that person. Doing so constitutes an anti-doping rule violation. An example of the latter legal activity is a failure by an athlete or other person to comply with the conditions of a period of ineligibility imposed pursuant to a violation of the National Doping Regulations. If an ineligible athlete participates in an unauthorised activity and/or capacity during the period of ineligibility imposed on him or her, a new period of ineligibility will be imposed that is equal to the original period of ineligibility. This new period of ineligibility may be reduced depending on the degree of fault of the person concerned and the other circumstances of the case. The determination of whether the athlete has failed to comply with the ineligibility sanction, and whether the athlete concerned qualifies for any reduction in the new period of ineligibility, will be made by Doping Authority Netherlands. This decision may be appealed under the provisions of the Dutch National Doping Regulations.