

1. Investigations and Intelligence gathering have become essential tools of the fight against doping

- The Berlin Declaration (MINEPS V - 2013) acknowledges the importance of investigations and intelligence gathering as an essential tool in the fight against doping (article 3.36) and calls upon Member States to consider the introduction of criminal sanctions which would act as a deterrent against doping in sport (article 3.26).
- The 2015 World Anti-Doping Code (the Code) encourages governments to put in place legislation, regulation, policies or administrative practices for cooperation and sharing of information with Anti-Doping Organizations and sharing of data among Anti-Doping Organizations and to encourage cooperation between all of its public services or agencies and Anti-Doping Organizations (articles 22.2 and 22.3).

2. Progress has been achieved in the field of Intelligence and Investigations

- WADA signed on a Memorandum of Understanding (MoU) with Interpol in 2009 and with the World Customs Organization in 2011.
- The 2015 Code has granted WADA the authority to investigate and a Department of Investigations has been established in 2016.
- WADA has developed a whistleblower program to encourage people with valuable information to come forward while being adequately protected.
- To support and encourage public authorities and Anti-Doping Organizations to enhance their cooperation and share information, WADA has published Guidelines for Coordinating Investigations and Sharing Anti-Doping Information and Evidence.
- The Monitoring Group of the Council of Europe Anti-Doping Convention has adopted a Recommendation on Information Sharing between Public Agencies and Anti-Doping Organisations in the Fight against Doping (Rec 2016-1).
- A number of countries have introduced criminal sanctions against trafficking and the entourage of the athlete in order to act as a deterrent against doping in sport and have facilitated exchange of information between public authorities including Ministries of Justice and the Interior and anti-doping organizations.

3. Further commitment required by Governments to enhance cooperation

- The involvement of public authorities within the fight against doping remains fragmented and is not always based on a clear legal structure.
- Efficient cooperation mechanisms should be identified and spread through the exchange of best practices.

4. Proposed Action

- Governments to introduce or strengthen legal frameworks to provide for effective sharing of information between public services/agencies (law enforcement, justice and customs) and anti-doping organizations, including WADA, and ensure that evidence collected by anti-doping organizations can be used in the context of investigations.