

The Verbruggen Documents: What did WADA know? When did they know it?

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Athletes V Alliance (AVA) recently received documents including two letters from Hein Verbruggen, former President of the Union Cycliste Internationale (UCI) and honorary member of the International Olympic Committee (IOC). The first is a detailed 17 page letter addressed to members of the WADA Foundation Board on 29 February 2016 that offers insight into the long running war between the World Anti-Doping Agency (WADA) on one side and Verbruggen and the UCI on the other, revealing roots of the current Russian doping crisis, allegations of substandard sports governance and potential new revelations of wrong doing by WADA et al.

The second document is what appears to be a blunt, semi-detached and evasive email response sent by WADA President Craig Reedie on 17 May 2016 in a feeble attempt to cover the five main points of Verbruggen's concerns. It is revelatory in how detached and dismissive Reedie appears to be, combined with somewhat calculated omissions and evasive responses regarding the serious discrepancies Verbruggen addresses concerning anti-doping operations.

The third letter issued on 16 June 2016 is a detailed and comprehensive counter-response by Verbruggen to Reedie's reply that appears to dismantle not only Reedie's current positions in his response to Verbruggen's first letter, but point after point appears to destroy any justification for Pound's and WADA's long term hostile position against himself and pivots reader opinion to the belief that the long term animosity Pound and WADA held against Mr. Verbruggen personally and the UCI in general was indefensible.

Not only that, but observing the interaction between Verbruggen and WADA in the documents makes one believe that Pound's conduct in using his position with WADA as a "bully pulpit" against Verbruggen was strategically misdirected, wasting effort and resources and distracting from more serious issues in anti-doping. Using the WADA anti-doping platform gave Pound and others an unfair advantage against anyone they feel was an opponent.

What the general public and the majority of athletes do not understand is that while the public façade of WADA is about everyone contributing together in the fight against doping in sport and to strengthen the anti-doping organization in order for it to become a world-class institution, this is often not the reality. Have you pointed out a deficiency? Requested specific information? Those who question the science or statistics used against athletes can become a public target. Those who do – such as Verbruggen – can receive the brunt end of WADA's retaliation whether through ugly phone calls or retaliatory press releases directed against you.

The Olympic athletes on Athlete Commissions are particularly vulnerable to being used by the organization. If WADA executives find something they don't like, an athlete is phoned or emailed, WADA gets the quotes they want from them and then they are issued against anyone in a press release.

However, there are others in the media and sports that believe in fighting for reform, for good governance and that athlete rights should be about fair play. Play true. Many have never seen or known Verbruggen's positions until now, let alone having seen them presented fairly by WADA. To the cycling and Olympic sport press, these letters and Reddie's responses will be revelatory.

Now that the Independent Commission (IC) and Independent Person investigations have been concluded concerning Russian doping allegations, the documents reveal the gross disparity of treatment given by Pound and WADA against Verbruggen, which is in direct contrast to the statements of support given by Pound to Sebastian Coe, President of the International Association of Athletics Federations (IAAF) during the second IC press conference. Bear in mind that this concerned allegations of corruption within the IAAF; alleged illegal payments; compromised Russian anti-doping labs; death threats against athletes; dead Russian anti-doping executives; a Russian anti-doping executive seeking political asylum and living in exile in the US along with two other Russian whistleblowing athletes; alleged Russian security forces running anti-doping lab operations and other irregularities still under *another* investigation.

Cycling at its worse was about Lance Armstrong, Team Telekom and others who doped. Most of those issues are known. However, the Russian doping scandal has already resulted in the resignation of senior IAAF executives, triggered French and FBI investigations concerning illegal payments by athletes to falsify test results and is multifaceted in scope and scale on a criminal level never seen before in the history of Olympic sports.

Verbruggen: From villain to hero?

These new documents are interesting in that they offer a direct comparison between the way in which sport's power brokers dealt with allegations of systemic doping involving the IAAF in athletics; against how they dealt with allegations of corruption and doping within cycling's governing body, the UCI. However, Verbruggen often cast unfavorably, started the tests for EPO, was involved with the beginnings of the Athletes Biological Passport (ABP) system and other initiatives. It could be argued that Verbruggen did more to advance sport and federation reform, establish good sport governance, fight for clean sports and anti-doping than many others have ever done in the International Olympic Committee (IOC), other national Olympic committees (NOCs) or in other international sport federations.

It appears from the documents that Pound, Howman and WADA benefitted from Verbruggen's accomplishments while attacking and criticizing Verbruggen and ignoring more serious developments in track and field, as well as issues in their own compromised labs that WADA was under obligation to oversee. Thus, proving the old adage, the best defence is a good offence.

One can draw the conclusion that in "the war against doping in sport," WADA's hyper focus on cycling was unbalanced at best and hindered the global efforts of anti-doping it was responsible for by not cleaning up the larger more dangerous problems involving track and field and the Russians. The documents point out what many believe - that the operations of WADA seem anything but impartial.

The serious long term discrepancies addressed by Verbruggen highlight alleged wrong doing in leadership, substandard sports governance, weak or non-existent anti-doping investigations and raise the spectre of serious wrong doing on behalf of WADA.

The documents include, but are not limited to, letters by Mr. Verbruggen and the reply from Reddie. The first February letter can be found [here](#). The second email response from Reddie with his answers are [here](#), and the third Verbruggen response letter is found [here](#). Everyone can read them and make up their own mind about the issues.

The February letter

The letter opens with Verbruggen reflecting on the historical roots of the current problems, going back to the founding of WADA. As many have stated concerning WADA's operations and the need for oversight and checks and balances, Verbruggen argues that: "A mechanism for an independent control of WADA does not exist. This is really problematic: the more responsibilities are entrusted to WADA, the higher the need for absolute integrity, good governance, transparency and accountability.

This is also... where WADA is challenged, (with a lack of – sic) an independent control or Appeal body.”

In his letter, Verbruggen mentions a fact that is chilling to athletes and unknown to much of the public in general. **“In an e-mail to the UCI dated 26 January 2013, WADA called itself the ‘absolute authority’ in anti-doping,”** he writes. **“This has troubled me deeply: no authority should be absolute. In modern and democratic society an authority accepts checks and balances. That is also for its own good, as mistakes, blurring of standards and disputes of many years may be avoided.”**

WADA calling itself the **“absolute authority”** in anti-doping is a statement proving the old adage that power corrupts, and absolute power corrupts absolutely.

Verbruggen goes on to say that **“WADA cannot by itself confer a status of perfection, immunity or unassailability, precluding any investigation into possible wrongdoings or shortcomings.”**

“WADA has no mechanism that may investigate, detect, and correct any failings of its “absolute authority...”

Alleged smear campaign

As mentioned earlier, there is a complete contrast to how Pound has treated IAAF President Coe in the first and second Independent Commission press conferences during the Russian doping scandal and Verbruggen and the UCI during their historical issues.

Verbruggen goes straight to the point on page three. “Since I left the WADA Foundation Board in 2002 there has been a campaign by WADA, and Mr. Richard Pound in particular, of public naming and shaming against the sport of cycling, the UCI and myself, the ultimate aim of which was to harass me and to bring myself and my successor, Pat McQuaid, down.”

It goes on: “We already could find a clear sign of the political instrumentalisation of WADA and the fight against doping...”

Verbruggen then says: **“For me it is clear that anti-doping has been abused and athletes’ rights have been violated for political purposes.”**

Alleged pressure to sign a false affidavit

The letter also exposes alleged pressure by ‘WADA and USADA [US Anti-Doping Agency] to pressure Martial Saugy, Director of WADA’s flagship Lausanne Laboratory, to sign an affidavit falsely confirming that there had been a positive result for Lance Armstrong at the 2001 Tour de Suisse...’

Page five concludes Verbruggen’s **“illustrations of the fact that in his opinion, WADA committed serious wrongdoings, and of the need for an in-depth investigation into the good governance of WADA.”**

The Floyd Mayweather case

Verbruggen’s concerns include some examples in anti-doping operations beginning with the Floyd Mayweather case and the alleged administration of an IV carried out in the presence of a DCO (Doping Control Officer), a request for a “retroactive Therapeutic Use Exemption for the IV,” and that “USADA was reported to have received an up-front payment of \$136,487.72 USD to test both athletes... This amounts to \$6,200 USD per testing session of 22 tests.”

Current Russian athletics and IAAF case

Verbruggen moves on to the current crisis involving Russia. He states “it is difficult or even impossible to believe that WADA was not aware or did not have indications that there were problems in athletics long before the ARD documentary was broadcasted.”

Verbruggen also laments that WADA should have taken “obvious action” after a complaint by Russian

whistleblower Darya Phishalnikova and points out **“the conflict of interest of WADA in the first place of defining the IC’s terms of reference...”**

Page 11 goes on to state that **“it is obvious that WADA was and is an implicated party in the problems of anti-doping in Russia and in athletics.”**

New points of possible discrimination by WADA

Verbruggen then addresses new points of possible discrimination by WADA against the UCI, stating: **“This bashing and discrimination go on till the day of today,”** also pointing out a number of sources quoted from Reuters, Sporta-magazine and The Ottawa Citizen newspaper.

The letter also mentions alleged discrimination against athletes.

Verbruggen concludes calling for the WADA Foundation Board to **“undertake action leading to a REALLY independent investigation”** (emphasis Verbruggen’s) into:

- 1. The role and possible responsibilities of WADA in reviewing or not reviewing the granting of the retroactive TUE to Floyd Mayweather**
- 2. The role and possible responsibilities of WADA in dealing or not dealing with the doping scandal affecting IAAF and Russia**
- 3. The role of the IC in the latter subject: Were the IC’s investigation and report complete and truthful regarding WADA’s role and responsibilities? Why is it that the IC report doesn’t say anything on the subject?**
- 4. The way in which WADA fulfills its mission of monitoring and following-up Code compliance by ADO’s and in particular whether this is done in an objective, neutral and transparent way: Is there any discrimination in the fight against doping of certain sports, federations, countries, NADO’s, laboratories...? Are actions or inactions by WADA (also) inspired by or used for political aims vis-à-vis sports, federations, countries, persons, laboratories? (There are indeed scaring rumors on discrimination by WADA of laboratories that dare to be critical of WADA).**
- 5. The possibility of a preferential relationship between WADA and USADA influencing unduly the fight against doping.**

Verbruggen’s stated concerns are not only his own, but are shared by many.

The Reddie/WADA response

Then, two and a half months later, Reddie responded in an email to Verbruggen concerning the five issues raised above in which the following answers **“were agreed unanimously by the Executive Committee and the process further acknowledged by the Foundation Board.”**

Reddie’s email response immediately raises red flags and triggers alarm bells calling into question whether the entire Verbruggen letter sent to the WADA Foundation Board was even seen or read by the intended recipients. Does this reveal WADA’s *modus operandi*, or just another operational “shortcoming?”

Given the seriousness of the issues currently outstanding in athletics and with Russia, Reddie’s answers appear to be disconnected, incomplete and dismissive as if the responsibility to answer them thoroughly and completely is just not his department.

If athletes think they are important to WADA, then the treatment of the former UCI President and honorary IOC member and others is an eye-opener.

WADA refuses accountability to send statistics

Verbruggen isn't the only one who faces difficulties in obtaining truthful complete answers and is concerned about WADA's integrity and due process. WADA not answering questions leads to other problems. In discussions with WADA in 2010, it's then Director General David Howman never directly answered the questions concerning the statistics used against nine-time Olympic medalist and five-time Olympic gold medalist speed skater Claudia Pechstein from Germany. These questions include how and whether or not the statistics were calculated on site in Hamar, Norway, or whether they improvised and/or had them done elsewhere.

Also, the statistics that were used against her, and which have been requested, have never been sent to this date.

But, one week after her case at the Court of Arbitration for Sport (CAS) after which she received a two-year ban, new statistical protocols were adopted by WADA. Had she skated under those, they would show that there is no alleged doping problem and no grounds for any case whatsoever against her.

However, the allegations of doping and the two year ban triggered off two large police raids over the course of months, at her home involving pounding on her front door in the very early morning. According to news sources, both raids appeared to involve about 15-20 armed police with vans and police cars showing up suddenly and searching her home in Berlin looking for performance enhancing drugs.

It should be noted that the size and scope of the police raids against Pechstein, were larger compared to those involved in the arrest of an ISIS terrorist operative in Germany last year. This involved only four visible police and two plain clothed police (or BKA), as seen in the news video.

Later, on 24 August 2011, an AP press release stated that the State Prosecutor in Munich "found no evidence of doping against the former Olympic speed skating champion Claudia Pechstein."

The press release also stated that "no criminal offense was found in an investigation launched by the German Olympic Sports Union (DOSB) against suspected accomplices... Searches of more than 20 premises and numerous testimonies failed to show any evidence of wrongdoing."

But, the damage was done. Europe's greatest Winter Olympian, Pechstein, became suicidal, lost her marriage, her home, her friends and sponsors and is now millions of Euros in debt due to attempts to clear her name.

It bears repeating again that WADA has not tendered the statistics, answered the questions or has given an account of their role and actions in this case. It's the athlete equivalent of switching urine cups after a race and avoiding doping control officers that show up for out-of-competition testing.

Verbruggen's response

In the third document, Verbruggen fires back six pages against Reddie in a letter dated 16 June 2016 with no holds barred, strongly clarifying the public record, WADA's responsibilities under the Code and addressing Reddie's weak response and evasion. Verbruggen hammers his points home, citing various sources pinning Reddie against the ropes in an effort to force WADA to face its own responsibilities and poor management.

"The situation with the labs is a disgrace after 16 years of WADA existence!" he writes. "I take that from the report produced by Mr. Pound in April 2013, stating on page 9/15 that not all labs are competent to analyze for all substances on the list, not all labs follow WADA's International Standard for Testing, many labs are poorly managed and some labs suffer pressures from governmental or sports authorities."

On the subject of WADA's mandate of "Education" Verbruggen states: "A very 'quiet' but extremely important subject for which one gets little or no interest from the press, gets - probably as a consequence of the lack of media interest - also little or no interest from the WADA-leadership..... Is it

true that WADA spent \$20,749 or 0.07 per cent last year on education as I read in the press? Please reassure me it's not true!!"

Apparently to date, Reddie has avoided answering the question. Verbruggen finishes on page six, "Just take a minute for the following simple thought: all the problems and urgencies and investigations currently on your plate, dear Craig, are caused by the serious deficiencies mentioned here above. But I'm afraid you fail to see and recognize that, at least publicly. And that is the greatest drama of all, the fact that this WADA, in spite of the efforts of many that are truly dedicated to its core mission, was not successful in protecting clean athletes."

The BIG unanswered questions

The Verbruggen letters and Reddie's response leave more unanswered questions than answered ones. Hajo Seppelt's first documentary for ARD revealed that there were serious concerns and consequences for Russian athletes if they became whistleblowers or had turned in any information to anti-doping authorities. That includes WADA. Currently, Russian the lives of Russian athletes are under threat, and they are in hiding, seeking asylum.

Consequently, there are five main glaring questions the FBI, police investigators, the IOC, media and others must ask WADA and receive answers for:

What did WADA know? When did they know it? What happened to that information given to WADA from all whistleblowers from Russia or other countries over the course of WADA's existence?

Did WADA naively follow WADA protocols and/or guidelines and was whistleblowing information ever sent back or mentioned to Russian federation officials and/or the Russian anti-doping organization embedded with FSB intelligence agents in them?

Then, if so, what happened to the athletes?

This is basic communication forensics. This information and process management should be as easily available and retrieved as readily as any accounting records.

The Verbruggen letters and documents raise questions beyond ethics. With the current Russian scandal: Who is responsible for the lives of athletes and the Russian anti-doping executives and others in hiding and endangered now?

Pound and others love to talk about the "willful negligence" of athletes such as Sharapova regarding her use of meldonium, which was recently added to the Prohibited List, stating that her conduct was "reckless beyond description," "...of course she should have known," etc., as stated in The Guardian, (interview) Tuesday, 8 March 2016.

But, what about the possible negligence of WADA?

Communication forensics

WADA communication forensics must be secured and protected. All emails, servers, digital records, all evidence submitted to WADA, all call records, all information given to any Russian IAAF members, or to Russian anti-doping authorities must be accounted for.

Communication forensics are vital in investigations into establishing due process management, responsibility, guilt or innocence in any given case.

A question of dual use?

On 16 June 2016, WADA hired Günter Younger to be the agency's new Director of Intelligence and Investigations. Younger was a "member of WADA's Independent Commission that investigated allegations of widespread doping in Russian athletics and will be responsible for leading WADA's growing investigations activity."

Prior to that, on 25 January 2016, an email was sent to Mr. Younger requesting a meeting with him and “any other member(s) of your team’ in Bonn with global match-fixing expert Mr. Declan Hill, CAN, top European anti-doping expert Dr. Klaas Faber, CEO, Chemometry, NED, former (German anti-doping agency) NADA CEO, Dr. Roland Augustin and myself 'regarding a number of issues with: anti-doping, match-fixing, corruption in sports, issues with Rio 2016 Olympics, etc.”

Mr. Younger declined to attend the meeting.

Not wanting to meet with three leading experts on anti-doping, sport corruption and match-fixing to tackle current issues makes him perfect for WADA.

It should also be noted Younger was Head of the Cybercrime Division with the Bavarian Landeskriminalamt (BLKA) which was responsible for Internet, computer criminality, online banking, tracking child pornography, network security and other cybercrime related issues.

As a former executive for Deutsche Telekom and T-Mobile as Director of Technology Communications, for the second largest telecommunications provider globally; including broadband, network security, privacy, mobile spectrum, satellites, defense, police communication networks, encryption, those and other issues were under Telekom’s broad portfolio. Telecommunications executives know what Younger knows about cybercrime and security.

As Head of the Cybercrime Division, Younger is aware of the telecommunication laws regarding digital records and archive data storage. No one within WADA understands maintaining and erasing digital communications and communication forensics including those related to email servers and digital records better than Younger.

This brings into question a possible new conflict of interest without a supervisory organization to oversee WADA with the power to independently investigate as mentioned earlier by Verbruggen in his letters.

What will Younger do and what investigations will he be a part of?

What Younger does in his new position at WADA remains to be seen, raising concerns and calling into question whether his allegiance will be with establishing truth and justice or protecting WADA and their executives. ■