66 (1989) Nr. 14

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2009 Nr. 24

A. TITEL

Overeenkomst ter bestrijding van doping;
(met Bijlage)
Straatsburg, 16 november 1989

B. TEKST

De Engelse en de Franse tekst van de Overeenkomst, met Bijlage, zijn geplaatst in *Trb.* 1991, 8.

Voor wijzigingen van de tekst van de Bijlage, zie de rubrieken J van *Trb.* 1995, 114, *Trb.* 1996, 284, *Trb.* 1997, 44 en 244, *Trb.* 1998, 104, *Trb.* 2001, 98 en 185, *Trb.* 2003, 40, *Trb.* 2004, 194 en de rubrieken B van *Trb.* 2005, 67, *Trb.* 2006, 33 en *Trb.* 2008, 83.

In *Trb.* 2008, 83 dient in de Franse tekst de volgende correctie te worden aangebracht.

Op blz. 10 van dat Tractatenblad, in de titel, dient „2006" te worden vervangen door „2008".

De Commissie van Toezicht heeft tijdens haar 28e vergadering op 13 november 2008, op grond van artikel 11, eerste lid, onder b, van de Overeenkomst, te Straatsburg een wijziging van de Bijlage aangenomen. De Engelse tekst van de wijziging luidt als volgt:

The 2009 prohibited list World Anti-Doping Code

Date of entry into force: 1 January 2009

The use of any drug should be limited to medically justified indications

All *Prohibited Substances* shall be considered as "Specified Substances" except Substances in classes S1, S2, S4.4 and S6.a, and *Prohibited Methods* M1, M2 and M3.

Substances and methods prohibited at all times
(in- and out-of-competition)

Prohibited substances

S1. Anabolic agents

Anabolic agents are prohibited.

1. Anabolic Androgenic Steroids (AAS)

a. Exogenous[1)] AAS, including:

1-androstendiol (5α-androst-1-ene-3β,17β-diol); 1-androstendione (5α-androst-1-ene-3,17-dione); bolandiol (19-norandrostenediol); bolasterone; boldenone; boldione (androsta-1,4-diene-3,17-dione); calusterone; clostebol; danazol (17α-ethynyl-17β-hydroxyandrost-4-eno[2,3-d]isoxazole); dehydrochlormethyltestosterone (4-chloro-17β-hydroxy-17α-methylandrosta-1,4-dien-3-one); desoxymethyltestosterone (17α-methyl-5α-androst-2-en-17β-ol); drostanolone; ethylestrenol (19-nor-17α-pregn-4-en-17-ol); fluoxymesterone; formebolone; furazabol (17β-hydroxy-17α-methyl-5α-androstano[2,3-c]-furazan); gestrinone; 4-hydroxytestosterone (4,17β-dihydroxyandrost-4-en-3-one); mestanolone; mesterolone; metenolone; methandienone (17β-hydroxy-17α-methylandrosta-1,4-dien-3-one); methandriol; methasterone (2α, 17α-dimethyl-5α-androstane-3-one-17β-ol); methyldienolone (17β-hydroxy-17α-methylestra-4,9-dien-3-one); methyl-1-testosterone (17β-hydroxy-17α-methyl-5α-androst-1-en-3-one); methylnortestosterone (17β-hydroxy-17α-methylestr-4-en-3-one); methyltrienolone (17β-hydroxy-17α-methylestra-4,9,11-trien-3-one); methyltestosterone; mibolerone; nandrolone; 19-norandrostenedione (estr-4-ene-3,17-dione); norboletone; norclostebol; norethandrolone; oxabolone; oxandrolone; oxymesterone; oxymetholone; prostanozol ([3,2-c]pyrazole-5α-etioallocholane-17β-tetrahydropyranol); quinbolone; stanozolol; stenbolone; 1-testosterone (17β-hydroxy-5α-androst-1-en-3-one); tetrahydrogestrinone (18a-homo-pregna-4,9,11-trien-17β-ol-3-one); trenbolone and other substances with a similar chemical structure or similar biological effect(s).

b. Endogenous[2)] AAS when administered exogenously:

androstenediol (androst-5-ene-3β,17β-diol); androstenedione

[1)] For purposes of this section:
"exogenous" refers to a substance which is not ordinarily capable of being produced by the body naturally.*

[2)] For purposes of this section:

(androst-4-ene-3,17-dione); dihydrotestosterone (17β-hydroxy-5α-androstan-3-one); prasterone (dehydroepiandrosterone, DHEA); testosterone and the following metabolites and isomers:

5α-androstane-3α,17α-diol; 5α-androstane-3α,17β-diol; 5α-androstane-3β,17α-diol; 5α-androstane-3β,17β-diol; androst-4-ene-3α,17α-diol; androst-4-ene-3α,17β-diol; androst-4-ene-3β,17α-diol; androst-5-ene-3α,17α-diol; androst-5-ene-3α,17β-diol; androst-5-ene-3β,17α-diol; 4-androstenediol (androst-4-ene-3β,17β-diol); 5-androstenedione (androst-5-ene-3,17-dione); epi-dihydrotestosterone; epitestosterone; 3α-hydroxy-5α-androstan-17-one; 3β-hydroxy-5α-androstan-17-one; 19-norandrosterone; 19-noretiocholanolone.

[Comment to class S1.1b:

Where an anabolic androgenic steroid is capable of being produced endogenously, a Sample will be deemed to contain such Prohibited Substance and an Adverse Analytical Finding will be reported where the concentration of such Prohibited Substance or its metabolites or markers and/or any other relevant ratio(s) in the Athlete's Sample so deviates from the range of values normally found in humans that it is unlikely to be consistent with normal endogenous production. A Sample shall not be deemed to contain a Prohibited Substance in any such case where an Athlete proves that the concentration of the Prohibited Substance or its metabolites or markers and/or the relevant ratio(s) in the Athlete's Sample is attributable to a physiological or pathological condition.

In all cases, and at any concentration, the Athlete's Sample will be deemed to contain a Prohibited Substance and the laboratory will report an Adverse Analytical Finding if, based on any reliable analytical method (e.g. IRMS), the laboratory can show that the Prohibited Substance is of exogenous origin. In such case, no further investigation is necessary.

When a value does not so deviate from the range of values normally found in humans and any reliable analytical method (e.g. IRMS) has not determined the exogenous origin of the substance, but if there are indications, such as a comparison to endogenous reference steroid profiles, of a possible Use of a Prohibited Substance, or when a laboratory has reported a T/E ratio greater than four (4) to one (1) and any reliable analytical method (e.g. IRMS) has not determined the exogenous origin of the substance, further investigation shall be conducted by the relevant Anti-Doping Organization by reviewing the results of any previous test(s) or by conducting subsequent test(s).

When such further investigation is required the result shall be reported by the laboratory as atypical and not as adverse. If a laboratory reports, using an additional reliable analytical method (e.g. IRMS), that the Prohibited Substance is of exogenous origin, no further investigation is necessary, and the Sample will be deemed to contain such Prohibited Sub-

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"endogenous" refers to a substance which is capable of being produced by the body naturally.

stance. When an additional reliable analytical method (e.g. IRMS) has not been applied, and the minimum of three previous test results are not available, a longitudinal profile of the Athlete shall be established by performing three no-advance notice tests in a period of three months by the relevant Anti-Doping Organization. The result that triggered this longitudinal study shall be reported as atypical. If the longitudinal profile of the Athlete established by the subsequent tests is not physiologically normal, the result shall then be reported as an Adverse Analytical Finding.

In extremely rare individual cases, boldenone of endogenous origin can be consistently found at very low nanograms per milliliter (ng/mL) levels in urine. When such a very low concentration of boldenone is reported by a laboratory and the application of any reliable analytical method (e.g. IRMS) has not determined the exogenous origin of the substance, further investigation may be conducted by subsequent test(s).

For 19-norandrosterone, an Adverse Analytical Finding reported by a laboratory is considered to be scientific and valid proof of exogenous origin of the Prohibited Substance. In such case, no further investigation is necessary.

Should an Athlete fail to cooperate in the investigations, the Athlete's Sample shall be deemed to contain a Prohibited Substance.]

2. Other Anabolic Agents, including but not limited to:

Clenbuterol, selective androgen receptor modulators (SARMs), tibolone, zeranol, zilpaterol.

For the purposes of this section:

* "exogenous" refers to a substance which is not ordinarily capable of being produced by the body naturally.

** "endogenous" refers to a substance which is capable of being produced by the body naturally.

S2. Hormones and related substances

The following substances and their releasing factors, are prohibited:

1. Erythropoiesis-Stimulating Agents (e.g. erythropoietin (EPO), darbepoietin (dEPO), hematide);

2. Growth Hormone (GH), Insulin-like Growth Factors (e.g. IGF-1), Mechano Growth Factors (MGFs);

3. Chorionic Gonadotrophin (CG) and Luteinizing Hormone (LH), prohibited in males only;

4. Insulins;

5. Corticotrophins;

and other substances with similar chemical structure or similar biological effect(s).

[Comment to class S2:

Unless the Athlete can demonstrate that the concentration was due to a physiological or pathological condition, a Sample will be deemed to contain a Prohibited Substance (as listed above) where the concentration of the Prohibited Substance or its metabolites and/or relevant ratios or

markers in the Athlete's Sample satisfies positivity criteria established by WADA or otherwise so exceeds the range of values normally found in humans that it is unlikely to be consistent with normal endogenous production.

If a laboratory reports, using a reliable analytical method, that the Prohibited Substance is of exogenous origin, the Sample will be deemed to contain a Prohibited Substance and shall be reported as an Adverse Analytical Finding.]

S3. Beta-2 agonists

All beta-2 agonists including their D- and L-isomers are prohibited.

Therefore, formoterol, salbutamol, salmeterol and terbutaline when administered by inhalation also require a Therapeutic Use Exemption in accordance with the relevant section of the International Standard for Therapeutic Use Exemptions.

Despite the granting of any form of Therapeutic Use Exemption, the presence of salbutamol in urine in excess of 1000 ng/mL will be considered an *Adverse Analytical Finding* unless the *Athlete* proves, through a controlled pharmacokinetic study, that the abnormal result was the consequence of the use of a therapeutic dose of inhaled salbutamol.

S4. Hormones antagonists and modulators

The following classes are prohibited:

1. Aromatase inhibitors including, but not limited to: anastrozole, letrozole, aminoglutethimide, exemestane, formestane, testolactone.
2. Selective estrogen receptor modulators (SERMs) including, but not limited to: raloxifene, tamoxifen, toremifene.
3. Other anti-estrogenic substances including, but not limited to: clomiphene, cyclofenil, fulvestrant.
4. Agents modifying myostatin function(s) including, but not limited to: myostatin inhibitors.

S5. Diuretics and other masking agents.

Masking agents are prohibited. They include:

Diuretics, probenecid, plasma expanders (e.g. intravenous administration of albumin, dextran, hydroxyethyl starch and mannitol) and other substances with similar biological effect(s).

Diuretics include:

Acetazolamide, amiloride, bumetanide, canrenone, chlortalidone, etacrynic acid, furosemide, indapamide, metolazone, spironolactone, thiazides (e.g. bendroflumethiazide, chlorothiazide, hydrochlorothiazide), triamterene, and other substances with a similar chemical structure or similar biological effect(s) (except for drosperinone and topical dorzolamide and brinzolamide, which are not prohibited).

[Comment to class S5:

A Therapeutic Use Exemption is not valid if an Athlete's urine contains a diuretic in association with threshold or sub-threshold levels of an exogenous Prohibited Substance(s).]

Prohibited methods

M1. Enhancement of oxygen transfer

The following are prohibited:

1. Blood doping, including the use of autologous, homologous or heterologous blood or red blood cell products of any origin.

2. Artificially enhancing the uptake, transport or delivery of oxygen, including but not limited to perfluorochemicals, efaproxiral (RSR13) and modified haemoglobin products (e.g. haemoglobin-based blood substitutes, microencapsulated haemoglobin products).

M2. Chemical and physical manipulation

1. *Tampering*, or attempting to tamper, in order to alter the integrity and validity of *Samples* collected during Doping *Controls* is prohibited. These include but are not limited to catheterisation, urine substitution and/or alteration.

2. Intravenous infusions are prohibited except in the management of surgical procedures, medical emergencies or clinical investigations.

M3. Gene doping

The transfer of cells or genetic elements or the use of cells, genetic elements or pharmacological agents to modulating expression of endogenous genes having the capacity to enhance athletic performance, is prohibited.

Peroxisome Proliferator Activated Receptor δ (PPARδ) agonists (e.g. GW 1516) and PPARδ-AMP-activated protein kinase (AMPK) axis agonists (e.g. AICAR) are prohibited.

Substances and methods prohibited in-competition

In addition to the categories S1 to S5 and M1 to M3 defined above, the following categories are prohibited in competition:

Prohibited substances

S6. Stimulants

All stimulants (including both their (D- & L-) optical isomers where relevant) are prohibited, except imidazole derivatives for topical use and those stimulants included in the 2009 Monitoring Program[3)].

Stimulants include:

a. Non Specified Stimulants:

Adrafinil; amfepramone; amiphenazole; amphetamine; amphetaminil; benzphetamine; benzylpiperazine; bromantan; clobenzorex; cocaine; cropropamide; crotetamide; dimethylamphetamine; etilamphetamine; famprofazone; fencamine; fenetylline; fenfluramine; fenproporex; furfenorex; mefenorex; mephentermine; mesocarb; methamphetamine(D-); methylenedioxyamphetamine; methylenedioxymethamphetamine; p-methylamphetamine; modafinil; norfenfluramine; phendimetrazine; phenmetrazine; phentermine; 4-phenylpiracetam (carphedon); prolintane.

A stimulant not expressly listed in this section is a Specified Substance.

b. Specified Stimulants (examples):

Adrenaline[4)]; cathine[5)]; ephedrine[6)]; etamivan; etilefrine; fenbutrazate; fencamfamin; heptaminol; isometheptene; levmetamphetamine; meclofenoxate; methylephedrine[6)]; methylphenidate; nikethamide; norfenefrine; octopamine; oxilofrine; parahydroxyamphetamine; pemoline; pentetrazol; phenpromethamine; propylhexedrine; selegiline; sibutramine; strychnine; tuaminoheptane and other substances with a similar chemical structure or similar biological effect(s).

S7. Narcotics

The following narcotics are prohibited:

Buprenorphine, dextromoramide, diamorphine (heroin), fentanyl and its derivatives, hydromorphone, methadone, morphine, oxycodone, oxymorphone, pentazocine, pethidine.

S8. Cannabinoids

Cannabinoids (e.g. hashish, marijuana) are prohibited.

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3) The following substances included in the 2009 Monitoring Program (bupropion, caffeine, phenylephrine, phenylpropanolamine, pipradol, pseudoephedrine, synephrine) are not considered as *Prohibited Substances*.

4) Adrenaline associated with local anaesthetic agents or by local administration (e.g. nasal, ophthalmologic) is not prohibited.

5) Cathine is prohibited when its concentration in urine is greater than 5 micrograms per milliliter.

6) Each of ephedrine and methylephedrine is prohibited when its concentration in urine is greater than 10 micrograms per milliliter.

S9. Glucocorticosteroids

All glucocorticosteroids are prohibited when administered by oral, intravenous, intramuscular or rectal routes.

In accordance with the International Standard for Therapeutic Use Exemptions, a declaration of use must be completed by the Athlete for glucocorticosteroids administered by intraarticular, periarticular, peritendinous, epidural, intradermal and inhalation routes, except as noted below.

Topical preparations when used for auricular, buccal, dermatological (including iontophoresis/phonophoresis), gingival, nasal, ophthalmic and perianal disorders are not prohibited and neither require a Therapeutic Use Exemption nor a declaration of use.

Substances prohibited in particular sports

P1. Alcohol

Alcohol (ethanol) is prohibited *In-Competition* only, in the following sports. Detection will be conducted by analysis of breath and/or blood. The doping violation threshold (haematological values) for each Federation is 0.10 g/L.

- Aeronautic (FAI)
- Archery (FITA, IPC)
- Automobile (FIA)
- Boules (IPC bowls)
- Karate (WKF)
- Modern Pentathlon (UIPM) for disciplines involving shooting
- Motorcycling (FIM)
- Ninepin and Tenpin Bowling (FIQ)
- Powerboating (UIM)

P2. Beta-blockers

Unless otherwise specified, beta-blockers are prohibited *In-Competition* only, in the following sports.

- Aeronautic (FAI)
- Archery (FITA, IPC) (also prohibited *Out-of-Competition*)
- Automobile (FIA)
- Billiards and Snooker (WCBS)
- Bobsleigh (FIBT)
- Boules (CMSB, IPC bowls)
- Bridge (FMB)
- Curling (WCF)
- Golf (IGF)
- Gymnastics (FIG)
- Motorcycling (FIM)
- Modern Pentathlon (UIPM) for disciplines involving shooting
- Ninepin and Tenpin Bowling (FIQ)
- Powerboating (UIM)

• Sailing (ISAF) for match race helms only
• Shooting (ISSF, IPC) (also prohibited *Out-of-Competition*)
• Skiing/Snowboarding (FIS) in ski jumping, freestyle aerials/ halfpipe and snowboard halfpipe/big air
• Wrestling (FILA)

Beta-blockers include, but are not limited to, the following:

Acebutolol, alprenolol, atenolol, betaxolol, bisoprolol, bunolol, carteolol, carvedilol, celiprolol, esmolol, labetalol, levobunolol, metipranolol, metoprolol, nadolol, oxprenolol, pindolol, propranolol, sotalol, timolol.

C. VERTALING

Zie *Trb.* 1991, 8.

D. PARLEMENT

Zie *Trb.* 1995, 114.

E. PARTIJGEGEVENS

Zie *Trb.* 1991, 8 en de rubrieken F en H van *Trb.* 1995, 114.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Albanië	02-02-95	15-11-04	R	01-01-05		
Andorra	29-05-02	19-09-06	R	01-11-06		
Armenië	26-05-00	23-03-04	R	01-05-04		
Australië		05-10-94	T	01-12-94		
Azerbeidzjan	28-06-02	04-11-03	R	01-01-04		
Belarus	12-09-02	15-03-06	R	01-05-06		
België	16-11-89	30-11-01	R	01-01-02		
Bosnië en Herzegovina		29-12-94	T	01-02-95		
Bulgarije	24-03-92	01-06-92	R	01-08-92		
Canada		06-03-96	O	01-05-96		
Cyprus	20-06-91	02-02-94	R	01-04-94		
Denemarken		16-11-89	O	01-03-90		

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Duitsland	27-05-92	28-04-94	R	01-06-94		
Estland	14-05-93	20-11-97	R	01-01-98		
Finland	16-11-89	26-04-90	R	01-06-90		
Frankrijk	16-11-89	21-01-91	R	01-03-91		
Georgië	02-07-01	22-05-03	R	01-07-03		
Griekenland	10-10-90	06-03-96	R	01-05-96		
Hongarije		29-01-90	O	01-03-90		
Ierland	25-06-92	29-01-03	R	01-03-03		
IJsland		25-03-91	O	01-05-91		
Italië	16-11-89	12-02-96	R	01-04-96		
Joegoslavië (< 25-06-1991)	10-07-91	10-07-91	R	01-09-91		
Kroatië		27-01-93	T	01-03-93		
Letland	23-01-97	23-01-97	R	01-03-97		
Liechtenstein	16-11-89	22-05-00	R	01-07-00		
Litouwen	01-04-93	17-05-96	R	01-07-96		
Luxemburg	16-11-89	21-06-96	R	01-08-96		
Macedonië, Voormalige Joe-goslavische Republiek		30-03-94	T	01-05-94		
Malta	09-09-94					
Moldavië	20-02-08					
Monaco	09-09-03	28-11-03	R	01-01-04		
Montenegro		14-06-06	VG	06-06-06		
Nederlanden, het Koninkrijk der – Nederland – Ned. Antillen – Aruba	04-12-90	 11-04-95 06-11-08 –	 R R	 01-06-95 01-01-09 –		
Noorwegen		16-11-89	O	01-03-90		

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Oekraïne	02-07-98	29-11-01	R	01-01-02		
Oostenrijk	10-05-90	10-07-91	R	01-09-91		
Polen	16-11-89	07-09-90	R	01-11-90		
Portugal	14-06-90	17-03-94	R	01-05-94		
Roemenië	16-06-94	07-12-98	R	01-02-99		
Russische Fede-ratie		12-02-91	T	01-04-91		
San Marino	16-11-89	31-01-90	R	01-03-90		
Servië		28-02-01	T	01-04-01		
Slovenië		02-07-92	T	01-09-92		
Slowakije		06-05-93	O	01-07-93		
Spanje	16-11-89	20-05-92	R	01-07-92		
Tsjechië		28-04-95	O	01-06-95		
Tunesië		26-02-04	T	01-04-04		
Turkije	16-11-89	22-11-93	R	01-01-94		
Verenigd Koninkrijk, het		16-11-89	O	01-03-90		
Zweden	16-11-89	29-06-90	R	01-08-90		
Zwitserland	16-11-89	05-11-92	R	01-01-93		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Uitbreidingen

Frankrijk

Uitgebreid tot	In werking	Buiten werking
Bassas da India	01-03-1991	
Clipperton	01-03-1991	
Europa-eiland	01-03-1991	

Uitgebreid tot	In werking	Buiten werking
Frans Guyana	01-03-1991	
Frans-Polynesië	01-03-1991	
Franse Zuidelijke en Zuidpoolgebieden	01-03-1991	
Glorioso-eilanden	01-03-1991	
Guadeloupe	01-03-1991	
Juan de Nova-eiland	01-03-1991	
Martinique	01-03-1991	
Mayotte	01-03-1991	
Nieuw Caledonië	01-03-1991	
Réunion	01-03-1991	
Sint Pierre en Miquelon	01-03-1991	
Tromelin	01-03-1991	
Wallis en Futuna	01-03-1991	

Verenigd Koninkrijk, het

Uitgebreid tot	In werking	Buiten werking
Man	01-10-1993	

Verklaringen, voorbehouden en bezwaren

Denemarken, 16 november 1989
Until further notice the signature of Denmark of this Convention does not engage Greenland and the Faroe Islands.

Griekenland, 7 juli 1994
The Government of the Hellenic Republic declares that the accession of the Former Yugoslav Republic of Macedonia to the Conventions of the Council of Europe to which the Hellenic Republic is a Contracting Party does not imply the recognition of the Former Yugoslav Republic of Macedonia by the Hellenic Republic.

G. INWERKINGTREDING

Zie *Trb.* 1991, 8, *Trb.* 1995, 114, de rubrieken J van *Trb.* 1996, 284, *Trb.* 1997, 244, *Trb.* 1998, 104, *Trb.* 2001, 98, *Trb.* 2001, 185, *Trb.* 2003, 40 en *Trb.* 2004, 194, en de rubrieken G van *Trb.* 2005, 67, *Trb.* 2006, 33 en *Trb.* 2008, 83.

Wat het Koninkrijk der Nederlanden betreft, is het Verdrag, met Bijlage, voor de Nederlandse Antillen op 1 januari 2009 in werking getreden.

De wijziging van de Bijlage van 13 november 2008 is op 1 januari 2009 in werking getreden.

J. VERWIJZINGEN

Zie *Trb.* 1991, 8, *Trb.* 1995, 114, *Trb.* 1996, 284, *Trb.* 1997, 44, *Trb.* 2004, 194, *Trb.* 2006, 33 en *Trb.* 2008, 83.

Verbanden

Titel	:	Internationaal Verdrag tegen doping in de sport; Parijs, 19 oktober 2005
Tekst	:	*Trb.* 2006, 194 (Engels en vertaling)
Laatste *Trb.*	:	*Trb.* 2009, 26

In overeenstemming met artikel 19, tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen heeft de Minister van Buitenlandse Zaken bepaald dat de wijziging van de Bijlage van 13 november 2008 zal zijn bekendgemaakt in Nederland en de Nederlandse Antillen op de dag na de datum van uitgifte van dit Tractatenblad.

Uitgegeven de *zevenentwintigste* februari 2009.

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN

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