

WRITTEN QUESTION E-3310/09
by Emine Bozkurt (PSE)
to the Council

Subject: Civil rights violations by the World Anti-Doping Agency (WADA)

1. In January 2009, WADA introduced a revised Anti-Doping Code. The Commission had asked WADA not to introduce the revised code until the Article 29 Working Party had issued its opinion on the matter, but WADA refused to comply. WADA also ignored the increasingly urgent calls from sportsmen and -women and sports teams for changes to the new Anti-Doping Code, particularly the 'whereabouts' regime and the privacy standard. The Article 29 Working Party adopted its opinion on 6 April 2009 and it is now in the public domain.
2. Is the Council aware of the Article 29 Working Party's opinion on WADA's Anti-Doping Code? Does the Council endorse the conclusions of the Working Party, particularly the conclusion that Member States are not bound by those points in the WADA Code which conflict with national or European law on data protection and privacy?
3. Is the Council aware of WADA's response to the Article 29 Working Party's opinion, which disputes the authority and expertise of Europe's leading data protection agencies and dismisses the opinion as 'totally unrealistic', 'legislative imperialism', 'generalising', 'misleading' and 'uninformed'?
4. Is the Council aware that the Spanish authorities have announced new rules intended to protect the interests of sportspeople against a disproportionate violation of their personal privacy as a result of the WADA Anti-Doping Code? Will the Council debate this option and possibly recommend that other Member States follow Spain's example?
5. A substantial part of WADA's budget is funded by the European tax-payer. Does the Council consider that European Member States have the right to alter the funding which they provide because WADA refuses to cooperate constructively with its natural partners in combating doping, namely sportspeople, sports teams, authorities and the European institutions?
6. In view of WADA's response to the protests from the world of sport and to the opinion of the Article 29 Working Party, does the Council still anticipate that the dialogue with WADA will produce satisfactory results, or is it considering legal action or policy proposals in order to secure guarantees of adequate data protection and a good standard of privacy?