

WRITTEN QUESTION P-3297/09  
by Emine Bozkurt (PSE)  
to the Commission

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

In January 2009 WADA introduced a revised anti-doping code. The Commission had asked WADA to postpone the introduction of the revised anti-doping code until the Article 29 Working Party had issued its opinion on the matter, but this request was turned down by WADA. The growing calls from sportspeople and sports umbrella associations for amendments to the new code, principally to the 'whereabouts' rule and the privacy standard, were also rejected by WADA. The opinion of the Article 29 Working Party was adopted on 6 April 2009.

1. Has the Commission noted this opinion by the Article 29 Working Party? Does the Commission support its conclusions, particularly the conclusion that the Member States are not bound by the WADA code where it conflicts with European legislation on data protection and privacy?
2. Has the Commission noted WADA's reaction to the opinion of the Article 29 Working Party, in which it disputes the authority and expertise of Europe's most prominent data protection organisations and brands the opinion 'totally unrealistic', 'legislative imperialism', 'misleading' and 'ill-informed'?
3. Is the Commission aware that the Spanish government has announced new rules seeking to protect the interests of sportspeople from a disproportionate violation of their privacy as a result of the WADA anti-doping code? Would the Commission recommend that other Member States follow Spain's example?
4. A considerable proportion of WADA's budget is supplied by European taxpayers. Does the Commission consider that EU Member States would be entitled to take financial measures in response to WADA's refusal to work constructively with its natural allies in the fight against doping, namely sportspeople, sports umbrella associations, authorities and European institutions?
5. Will the Commission take advantage of the forthcoming anti-doping conference in Athens in May to make tougher demands with a view to bringing WADA policy into line with European law?
6. In the light of WADA's reaction to protests from the sporting world and to the opinion of the Article 29 Working Party, does the Commission still expect the dialogue with WADA to have a positive outcome, or is it considering legal measures to enforce guarantees of adequate data protection and a proper standard of privacy?