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To :

**Richard W. Pound, Q.C., Ad.E**  
President of the Independent Commission  
**World Anti-Doping Agency (WADA)**  
Stock Exchange Tower  
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Lausanne, le 8 décembre 2015  
Références : PFL/ac

By E-mail: [rpound@stikeman.com](mailto:rpound@stikeman.com);  
Copy to: [David.Howman@wada-ama.org](mailto:David.Howman@wada-ama.org)

**Re: about the statement of the Independent Commission (IC) regarding the Lausanne Laboratory**

Mister President,

In your first report on the Doping scandal in the Russian Athletic Federation, the Lausanne laboratory was accused to have acted contrary to specific instructions received from WADA to retain the 67 samples transferred to it from the Moscow laboratory.

Moreover, the IC expressed to be not satisfied with the explanations given for the destruction of the samples transferred from the Moscow laboratory.

These extremely serious accusation against the Swiss Laboratory for Doping Analyses (LAD), have been taken not less seriously by the Institution (the CHUV) from which I am the General Director and to which the LAD is belonging.

I ordered then an audit by the internal audit system of our Institution. Their report is attached to this letter.

The main conclusions of this audit are the following:

- The LAD has strictly followed the WADA ISL 2012 for the destruction of the negative samples. The Swiss Laboratory asked for instructions on 12 unanalyzed samples and declared the 54 negative samples were discarded.
- By return of Email, WADA has issued instructions on the remaining 12 samples without giving any information on the part devoted to the destruction of 54 negative samples. Never any specific instructions outside the ISL were given to the LAD by WADA.
- The LAD analyses revealed substances in two out of the 12 samples analyzed. The LAD provided all the information required by WADA. These results were obviously important pieces of evidence in WADA's investigations regarding the Russian situation.
- The report includes in its conclusion a manifest error since it mentions the destruction of 67 samples, while the audit found clearly that 13 samples were kept at LAD and are still available for more investigations. It appears also in your report that the destruction of the



negative samples occurred end 2014, after the ARD Documentary on the Russian Athletics was released. This is a wrong statement. There is no link between the revelations end 2014 and the destruction of the samples which occurred one year and a half before (in April 2013) as described in the documentation provided to your investigators.

- The investigators, who came at the LAD, did not disclose any minutes of the discussions. They have also not submitted the chapter No 16 of the content of your report before its publication for approval or further explanations. It is then surprising in these circumstances that the IC makes mention of "unsatisfactory explanations". This is contrary to the general rules applied in the anti-doping community.

The LAD is a WADA accredited Laboratory. Its Director, Prof. Martial Saugy, signed every year the Code of ethics of the International Standards of Laboratories.

Since the beginning of the existence of WADA, the LAD did and continues to collaborate extensively with WADA in respect to the rules. The LAD helped and still helps WADA to implement the biological passport in the major Olympic sports and is willing to continue this fruitful collaboration. Moreover and as you know, at the beginning of 2015, the LAD accepted, on the request of the WADA Science Director, Dr. Olivier Rabin, to store for long term the 3000 samples which were seized in the Moscow Laboratory, showing the relation of reciprocal confidence between the LAD and WADA.

Therefore, Mister President, we would like you to take into consideration the misinformation which was detected in your report. This has damaged a lot the credibility and the image of our institution and of our anti-doping laboratory.

Best regards.

Professor Pierre-François Leyvraz  
Director general

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*Monsieur le Conseiller d'Etat Pierre-Yves Maillard, Chef du DSAS  
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