

## **The CIRC Report: A Missed Opportunity**

There has already been considerable comment and reflection on the much anticipated CIRC report – and reactions have predictably varied across the spectrum. But there seems to be general agreement that the published report has finally validated a relevant and cohesive historical narrative about doping and the role of the UCI – even if many of the facts and figures were already fairly well known around the cycling community. Unfortunately, the formal recommendations offered by the report, which were intended to be the main focus of the overall project, fall far short of expectations.

It is important first to look back at what the CIRC was originally chartered to do, and how the final report addresses those specific tasks and objectives.

In terms of the first of its three major objectives – which were discussed on page 16 of the report, and as generally laid out in the original “Terms of Reference” or ToR document, dated February 11, 2014 – the Commission has put together in its first chapter a reasonable if somewhat disjointed historical narrative about doping in the sport. There is little new material or background information here not already well-known to anyone with the interest to plow through the document. Contrary to Brian Cookson’s warning, there really aren’t “a lot of worms” here. The narrative in this chapter is vague and non-committal in places. For example, it states that doping is “probably not as endemic” now as it used to be, and that today a “good number” of athletes and teams are trying to participate in cycling without doping. Some rather sweeping conclusions are made about behavior in the peloton based upon the input of a mere 16 (mostly previously-sanctioned) riders – the total athlete representation out of an identified 174 people who were interviewed. The report would certainly carry more credibility if the Commission had spoken with more riders, and if it attributed certain comments to specific individuals. A comment from Chris Froome carries more weight with most people than a comment from Riccardo Ricco.

As a number of observers have already commented – this sort of comprehensive historical summary could easily (and more cheaply) have been put together by a couple of knowledgeable journalists. However, despite the fact that most of the story is already well-known, the simple fact that the Commission has researched, verified and confirmed this narrative, lends an aura of previously lacking authority and legitimacy. For this reason alone, the Commission’s report represents an important step forward.

But it is also important to remember that almost half (seven of the fifteen pages of content) of the ToR dealt with rather precise details about how the Commission was to treat individuals who came forward to admit anti-doping violations; how to use the information they provided, how to judge guilt, details regarding reduced sanctions, the return of prize money, and so on. This level of detail should remind us that UCI and CIRC had initially hoped that many riders would voluntarily step up to admit their past discretions, and discuss the broader doping situation. Yet the report mildly states on page 18 that not one single rider did so, and then adds that the Commission found this “not surprising.” This seems quite odd – as if the Commission is quietly revising one of its primary objectives after the fact – and represents either a significant initial miscalculation or a failure vis-à-vis the original guidelines and hopes. Certainly, the inability to

compel witness testimony was a fundamental weakness of the original CIRC charter.

The second major objective of the ToR was to look into the past behavior of the UCI and its collusion in the doping culture. In Chapter 2, the Commission has taken a thorough and independent look at these events, and without going overboard has provided a quite damning report on the past behavior of the UCI. Although it seems to focus disproportionately on a few alleged incidents – particularly those involving Lance Armstrong and his relationship with the UCI – rather than the historical role of the UCI in general, the Commission has again provided a comprehensive and interesting historical overview (as well as some new and interesting anecdotal information). The willingness to uncover and acknowledge poor past management practices, questionable decision-making, and the general lack of transparency – even though the report stops short of directly accusing the UCI of corruption – is also a step forward for the sport.

The third objective and "the main purpose" of the report according to the ToR "will be to provide recommendations for the future" and that it should "make *targeted* recommendations...." (italics added). In terms of this final objective – and the area where the Commission had the greatest opportunity for a significant positive impact on the future – their report fails to live up to expectations.

The Commission's 30 or so individual recommendations cover a mere ten pages at the end of the 227-page report, and while a few are new and raise some interesting ideas, most of them are disappointingly self-evident, have already been proposed in far more detail elsewhere, or are so overly-simplistic and generalized that they seem like "throwaways."

Recommendations for a collective race pharmacy, night-time testing and a confidential UCI whistle-blower desk are interesting ideas that haven't been widely discussed. The recommendation to work with major pharmaceutical companies to develop earlier tests for new compounds and to restrict the flow of illegal PEDs is a good one (although there is precedence here, as when Roche Pharmaceuticals shared the long-lasting EPO pharmacology of its MIRCERA medication with anti-doping authorities in 2008).

Many of the other recommendations are also solid, if not exactly original: coordination with governments to better attack and control doping; better monitoring of "doping doctors"; financial punishment for dopers and teams; minimization of lab leaks and "public shaming" campaigns; more consistent sanctions; and so on. Hard to argue with, but hardly new ideas – and they are generally proposed here as quick two or three sentence paragraphs with virtually no back-up analysis, detail or implementation suggestions.

But in other areas, particularly under the governance heading, the Commission's recommendations are even more generalized and obvious – almost absurdly so in places. Do a study to make the UCI election process more transparent? Strengthen financial controls at the UCI? Improve the TUE process? All teams should be treated equally? Address financial instability in the sport?

Most of these items, while clearly important, are so obvious and have been written about

previously in so much more detail, and in so many other places that they come across here as hollow and naïve. Relative to the detail provided in other parts of the report, it almost seems as if the Commission got tired of writing the report, and decided to skimp on the recommendations section just to get things finished. This part of the CIRC report is a major disappointment.

Peppered throughout the report are other interesting anecdotes about cycling's culture – for example, the assertion that one racer might cede victory to another rider to help that rider's team retain their sponsor. Regarding the biological passport, it certainly qualifies as good news that the system has at least dissuaded doping enough that clean athletes can now occasionally win races. But there are also a number of shortcomings or disappointments. In addition to relying on the opinion of only a few riders, the report also says in various places that the Commission spoke to “a number of sponsors;” yet the annex lists just two. The plug for the MPCC seems oddly out of place, and the few new and juicy tidbits – the origins of the Pound-Verbruggen dispute, the request for Nike watches for the family of a former UCI President – add little to the report.

And there are a few *other* things that *would* be interesting to know. What were the criteria for redacting information from the report? What was actually redacted? What is contained in the “confidential annexes”? Why exactly is it that they can't comment on the contents of the Makarov report? How much were the three commission members individually paid? What was on McQuaid's laptop?

While the CIRC was nowhere near the scale of a Truth and Reconciliation exercise, the fact that its members were well-versed and experienced in the process should not be overlooked. Three respected investigators, along with a strong supporting staff of experienced personnel, have written a detailed account of a world they knew very little about before they started the exercise. But pro cycling – and its fans and its sponsors – needed a complete unveiling of the wrong-doings, and more detailed and actionable suggestions for repairing the sport. It's hard to see how it took over a year and three million euros to come up with this document. We didn't need two hundred pages of facts validated; we needed two or three pages of clear future direction.

At the end of the day, the CIRC report should at least be considered a nominal step forward. Pro cycling and the UCI have now officially recognized and conceded that the sport and its governing agency have some problems. As Anne Gripper (one of the only UCI officials who comes across looking good in the report) has already commented, “there were two bubbles that needed to be exposed and then burst before cycling could move on..... the Lance bubble, and .... the UCI's potential cover-up and corruption.” The CIRC report has officially burst both those bubbles, so that is progress. But the flimsy, weak and abundantly obvious nature of the report's recommendations are a major disappointment, given the magnitude and gravity of the situation. There was an opportunity to accomplish much more here. We stand by our [editorial comment](#) of a year ago – the CIRC was a step forward, but it wasn't enough.

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Steve Maxwell and Joe Harris, March 15, 2015