

A stylized world map composed of a grid of small dots, rendered in light gray, serves as the background for the top half of the slide. A solid green horizontal band spans the width of the slide, containing the text 'play true' in white lowercase letters.

play true

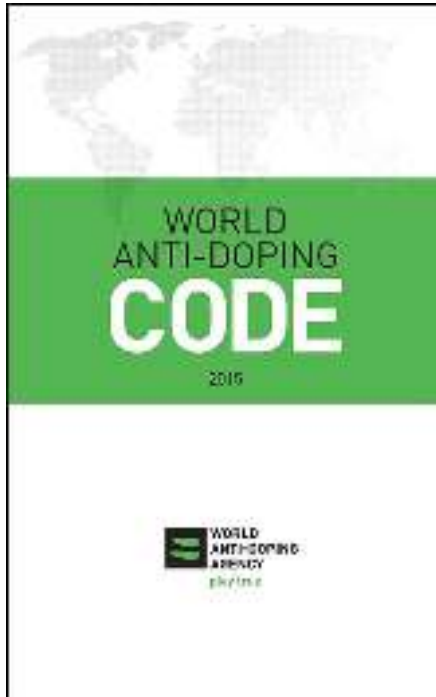
Is Enhanced World Anti-Doping Code Compliance Monitoring (Part of) the Solution?

2017 WADA Symposium

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13 March 2017, Lausanne, Switzerland



Introduction (1)



- Historically WADA compliance efforts focused on rule compliance and helping Signatories to get the basic building blocks in place
- Code provisions on monitoring compliance and sanctioning non-compliance were never really tested

Introduction (2)

- **November 2015** – based on findings of Pound Commission, WADA Foundation Board declared RUSADA non-compliant, and the IAAF Council suspended the Russian national athletics federation
- Ensuing controversies about Russian participation in 2016 Games reflected some uncertainty about the extent of parties' legal rights and responsibilities and exposed some weaknesses in the current Code provisions



Introduction (3)

- Much of the legal uncertainty has been removed by two clear CAS decisions
 - rejecting the Russian Olympic Committee's challenge to the IAAF's exclusion of Russian track & field athletes from the Rio Olympics; and
 - rejecting the Russian Paralympic Committee's challenge to the IPC's exclusion of the entire Russian team from the Rio Paralympics

Introduction (4)



- Additional challenge: avoid creating gaps in anti-doping coverage when Signatory declared non-compliant and prevented from conducting anti-doping activities
- **November 2016** – WADA Board endorsed a framework for WADA to determine graded and proportionate consequences for non-compliance



Introduction (5)

- 2017 – Roll-out of the first full WADA review of Signatories' anti-doping program compliance with the 2015 Code
 - Most comprehensive evaluation of global anti-doping activity that WADA has ever undertaken
- Consistent with the 2015 Code's focus on quality of practice, focus on assessing the quality of Signatories' anti-doping programs in operation



Introduction (6)

- These are important steps towards the ultimate goal of enforcing a level playing field for all athletes globally
- These steps respond to the clearly-expressed demands of WADA's stakeholders, including:
 - WADA Athlete Committee
 - NADO Summits
 - WADA Think Tank
 - Olympic Summits
 - Government meetings, etc.



New Compliance Monitoring Program – Objectives

- Collaborative commitment to enhance anti-doping programs
- Ultimate goal: ensure a strong anti-doping effort is applied consistently across all sports and all countries so that athletes can have confidence they are competing on a level playing field
- Compliance is the means to that end. Declarations of non-compliance and sanctions are a last resort to be invoked only where necessary



General Principles of New Compliance Program (1)

- Predictable, structured and objective process
 - ISO 9001:2015 certified
- Coordinated approach towards Signatories
- Independent Compliance Review Committee (CRC)
- Focus on dialogue and support to assist Signatories in enhancing their anti-doping programs
- Tested with monitoring of Signatories' anti-doping rules starting in January 2015 with the new Code



General Principles of New Compliance Program (2)

- Period of time in which to address corrective measures will be provided with guidance
- Useful exercise for Signatories to identify areas of their anti-doping programs to be further developed



Who Will Be Involved in the Compliance Program? (1)

WADA Compliance Taskforce – Internal, multi-departmental group focused on compliance matters

Compliance Review Committee – Independent, non-political WADA Standing Committee responsible for providing advice and recommendations to WADA Foundation Board and made up of:

- Compliance specialists from non-sporting industries
- Representatives of athletes, governments and sport



Who Will Be Involved in the Compliance Program? (2)

WADA Foundation Board – Considers CRC recommendations and makes declarations of non-compliance and decisions on consequences

Other stakeholders – Recognize and enforce decisions of WADA Foundation Board



Who Will Be Monitored? (1)



Fully monitored:

- **International Federations (IFs)**
- **National Anti-Doping Organizations (NADOs)**
(and National Olympic Committees acting as NADO)

This represents over 320 Signatories



Who Will Be Monitored? (2)

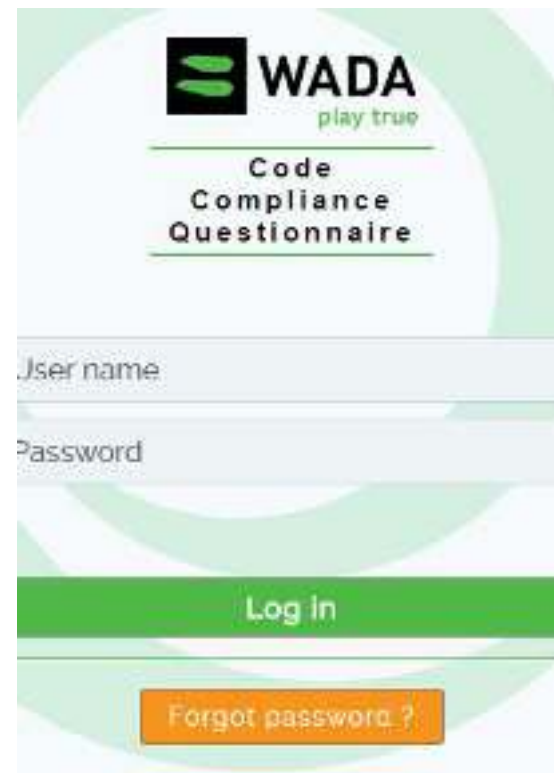
- For **Major Event Organizers (MEOs)**, monitoring of anti-doping programs is mainly conducted through Independent Observer missions
- Obligations stand, whether actively monitored or not



How Will WADA Monitor Compliance? (1)

1. Online self-assessment questionnaire

- Sent to all IFs and NADOs 20 February
- More than 200 questions covering all aspects of anti-doping program
- IFs and NADOs have 3 months to complete
- Completion mandatory under the Code
- Workshop on questionnaire and WADA monitoring process tomorrow + booth in breakout area tomorrow and Day 3



The image shows a screenshot of the WADA Code Compliance Questionnaire login interface. At the top, the WADA logo (a stylized 'W' in a black square) is followed by the text 'WADA play true'. Below this, the title 'Code Compliance Questionnaire' is displayed in a bold, black font. The interface includes two input fields: 'User name' and 'Password'. A green 'Log In' button is positioned below the password field. At the bottom, there is an orange button labeled 'Forgot password?'. The background features a light green and white abstract design.



How Will WADA Monitor Compliance? (2)

2. Audits

- CRC has mandated WADA Management to conduct a number of audits of IFs and NADOs this year and publish outcomes
- Audits can be prompted by the compliance questionnaire but also by issues identified by various other sources
- Pilot with Kenyan NADO in December 2016; two NADO audits to be conducted in India and Brazil in the coming weeks
- To be conducted by WADA auditors and outside experts



How Will WADA Monitor Compliance? (3)

2. Other Sources of Information

- ADAMS data:
 - Athlete Biological Passport
 - Entry of Doping Control Forms and TUEs
 - Technical Document for Sport Specific Analysis
- Intelligence and Investigations
- Tips and intelligence (whistleblowers, media reports, etc.)
- Potential for coordination with Council of Europe and UNESCO



What Happens when a Compliance Issue Is Identified?

- WADA compliance experts send corrective action report to Signatory for implementation within specified deadline
- If not corrected within deadline, WADA Task Force escalates matter to CRC
- WADA Foundation Board considers CRC recommendation (and any explanation submitted by Signatory) and decides whether to make a declaration of non-compliance
- Signatory can appeal Board decision to CAS



Consequences of Non-Compliance (1)



- Current sanctions include suspension of some or all anti-doping activities
- Responsibility placed mainly on other stakeholders to determine consequences
- Compliance a condition of membership to Olympic and Paralympic movements
- Restrictions on eligibility of country of non-compliant NADO to host International Events



Consequences of Non-Compliance (2)



New approach endorsed by WADA Foundation Board in November 2016

- WADA given responsibility to determine consequences
- Graded, predictable framework of sanctions proportionate to the non-compliance issue
- Desire to avoid creating gaps in anti-doping coverage



Consequences of Non-Compliance (3)

- CRC considering quickest and most effective means of implementing new approach
 - Amendment to Code Articles?
 - International Standard for Compliance?
 - Interim principles to be applied by CRC in its recommendations to WADA Foundation Board?
- CRC proposals to WADA Foundation Board in May 2017
- Stakeholder consultation



Reinstatement

- Once all reinstatement conditions met:
 - Non-compliance cured
 - All consequences fully respected
- CRC recommends to WADA Foundation Board that Signatory be removed from list of non-compliance
- Signatory can carry out all anti-doping activities effectively
- Signatory monitored to confirm enduring compliance



Open Questions (1)

- Challenge of applying WADA's limited human and financial resources most effectively to monitor anti-doping programs of hundreds of Signatories
- How to ensure the compliance exercise helps Signatories improve the quality of their anti-doping programs without overburdening them with reporting/audit requirements
- Helpful in uncovering sophisticated and/or institutionalized doping schemes?



Open Questions (2)

- Crucial to achieve clear, fair and legally robust mechanism for declaring non-compliance based on the quality of an anti-doping program and fixing meaningful and proportionate sanctions that can be effectively enforced
- Need to ensure that improvements in Signatories' anti-doping programs are not temporary but are sustained
- How to guide Signatories responsible for monitoring and enforcing Code compliance by their members



play true
