How WADA Plans to Monitor Sport and Country Compliance with the 2015 World Anti-Doping Code

2015 Play the Game Conference

Frédéric Donzé, Director, European Office & IF Relations
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WADA’s Monitoring Responsibilities

- WADA is the independent international organization responsible for promoting, coordinating and monitoring the global fight against doping in sport

- **Code Art. 23.5**: “Compliance with the (World Anti-Doping) Code shall be monitored by WADA (…)”

**Challenge:**

- How to monitor the Code compliance of more than 600 signatories (sports and countries) worldwide
WHO SIGNED THE CODE AND WHAT DOES CODE COMPLIANCE MEAN?
World Anti-Doping Code Signatories

Main Categories

- International Sport Federations (IFs)
- National Anti-Doping Organizations (NADOs)
- National Olympic and Paralympic Committees (NOCs/NPCs)
- Major Event Organizations (IOC, Commonwealth Games Federation, International World Games Association, etc.)
Governments & the Code

- Given WADA’s hybrid nature, governments are not Code signatories
- Governments accept the principles of the Code and commit to the fight against doping through the UNESCO International Convention against Doping in Sport
  - 182 ratifications to date
- Governments’ compliance with the Convention is monitored by the UNESCO Conference of Parties
Code Compliance

- Includes **two main elements**
  - Compliance of the signatories’ *rules*
  - Compliance of the signatories’ anti-doping *programs*

- Signatories are responsible for ensuring that the rules and activities of their members or affiliates (e.g. National Federations) are in line with the Code.
Pre-2015 Code Compliance Monitoring

Official Report of Signatories’ Compliance with the 2009 Code

- Minimum compliance level requirement ensuring key procedures and foundations in place in major areas (testing, education, TUE, results management)
- Approved by WADA’s Foundation Board in November 2011
  - 50% Olympic Movement, 50% Governments
- Agreement from WADA stakeholders that next Code compliance report would be stricter and based on programs’ quality
Main New Elements of 2015 Code

Approved in Nov. 2013, in force on 1 Jan. 2015

- Increased focus on prevention and education
- Longer periods of ineligibility on one end of the scale, more flexibility on the other end
- Increased focus on intelligence and athlete entourage
- Emphasis on effective testing (including sample storage)
- Longer statute of limitation (10 years)
2014-2015 WADA Focus

ADO Rules and Practice of the Revised Code

- Transition from “old” to “new” Code for all signatories
- A few signatories still do not have rules in line with the 2015 Code and/or use non-WADA accredited laboratories; cases to be discussed at November 2015 meetings
- WADA providing guidance for Code implementation
- Emphasis on practice of the Code
WAY FORWARD
Future Focus – Code Compliance Monitoring

An Enhanced Process

- Formal compliance monitoring process will start in 2016 and…
  - be guided and supervised by an independent Compliance Review Committee (CRC) composed of representatives from the athletes, sport, governments and compliance experts from the pharma and aeronautical industries
  - be ISO-accredited (ISO 9001 – quality management systems)
  - focus on the quality of signatories’ programs, with priority categories to be determined by the CRC
Compliance Monitoring Process

Assessment Resources

- Risk Assessment (required) and Test Distribution Plan
- Information available from ADAMS (testing statistics, follow-up of Athlete Passports, etc.) and other sources
- Self-assessment questionnaire being developed by WADA
- Required documentation from signatories to validate responses
- Results management (independent WADA right of appeal)
Future Focus – Code Compliance Monitoring

A Dynamic Process

- Active process involving dialogue with signatories
- Possibility of WADA audits and corrective measures
- Decision-making body: WADA Foundation Board
- “WADA shall consider explanations for non-compliance and, in extraordinary situations, may recommend (…) that the non-compliance be provisionally excused” (Code Art. 23.5.6) – e.g. natural disasters, wars, etc.
CONSEQUENCES
Non-Compliant Situations

Potential Consequences (1)

- WADA does not have sanctioning powers beyond those described in the Code and the International Standard for Laboratories (forfeiture of offices and positions within WADA, impossibility to have a WADA accredited laboratory in a country where the NADO is non-compliant…)

- WADA reports cases of signatories that are deemed officially non-compliant by its governing bodies to its stakeholders that have powers to sanction
Non-Compliant Situations

Potential Consequences (2)

- **Olympic Charter:** Only sports that are Code-compliant can be part of the Olympic Program (similar for Paralympic Games)

- **Code Art. 20.1.8, Roles and Responsibilities of the IOC:** “To accept bids for the Olympic Games only from countries where the government has ratified (...) the UNESCO Convention and the NOC, NPC and NADO are in compliance with the Code”
Non-Compliant Situations

Potential Consequences (3)

- Code Art. 20.3.11 and 20.6.6: International Federations and Major Event Organizations should “do everything possible” to award events only to countries where the same situation prevails for the government, the NOC, the NPC and the NADO.

- Other potential consequences to be discussed by CRC and WADA governing bodies.
Thank you!