

WADA
**Intelligence &
Investigations**

INVESTIGATION POLICY

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Table of Contents

1. INTRODUCTION AND SCOPE	3
2. THE WADA INTELLIGENCE AND INVESTIGATIONS DEPARTMENT.....	3
3. INVESTIGATIVE PROCESS.....	3
4. INVESTIGATIVE PRINCIPLES	4
5. INDEPENDENCE.....	4
6. FINANCE.....	4
7. LEGAL	4
8. INDEPENDENT SUPERVISOR.....	4
9. AUDITS	5
10. STORAGE.....	5
11. COMMUNICATION	6
12. CONFIDENTIALITY.....	6
13. POST-INVESTIGATION.....	6
Appendix 1 - INVESTIGATIVE PROCESS.....	7
Appendix 2 - CASE DECISION MATRIX	8

1. INTRODUCTION AND SCOPE

In order to enhance WADA's capacity to protect clean athletes, various mechanisms have now been put in place in order to empower WADA's Intelligence and Investigations Department to conduct efficient and effective investigations resulting in possible anti-doping rule violations.

The first such mechanism to be put in place was the inclusion and adoption of new provisions into the 2015 World Anti-Doping Code which provided WADA with the authority to initiate and conduct its own investigations. Both the Independent Commission and the Independent Person Investigations carried out in 2015 and 2016 applied this Code-based authority to conduct their respective investigations, which resulted in the lifting of the veil on systemic doping activities in certain sports and countries.

Another mechanism is the integration and adoption of mandatory standards for the efficient and effective gathering, assessment and use of anti-doping intelligence in the International Standard for Testing and Investigations. This was followed by the development of a *Policy and Procedure for Reporting Misconduct* that, among other things, establishes how individuals can raise their concerns about potential anti-doping rule violations with WADA's Intelligence and Investigations Department, as well as how investigations into potential misconduct should be conducted. The March 2017 launch of the "[Speak Up!](#)" program – confidential gateway to the WADA Intelligence and Investigations Department – will facilitate access to the Department for whistleblowers and provide it with an additional resource to obtain critical information to conduct investigations.

This Policy, which was approved by the WADA Foundation Board on 18 May 2017, outlines how the WADA Intelligence and Investigations Department will perform its work and conduct investigations. It applies to all intelligence collection activities and investigative activities conducted by the WADA Intelligence and Investigations Department.

The Policy will be subject to regular review and assessment. Consequently, stakeholders should consult the [Intelligence and Investigations section](#) on WADA's website for the most recent version of the Policy.

2. THE WADA INTELLIGENCE AND INVESTIGATIONS DEPARTMENT

The WADA Intelligence and Investigations Department is comprised of one Director, assisted by investigators, analysts and a coordinator.

The Director's role is to investigate potential anti-doping rule violations or non-compliances with the World Anti-Doping Program, to deal with and manage whistleblowers and to cooperate, where necessary, with other Anti-Doping Organizations and law enforcements authorities.

The Director organizes the work within the Department in an appropriate fashion.

3. INVESTIGATIVE PROCESS

The investigative process is detailed in Appendices 1 and 2.

All aspects relating to informants and whistleblowers and related investigations are addressed in the *Policy and Procedure for Reporting Misconduct*, which is available on the [Intelligence and Investigations section](#) of the WADA's website, as well as on the "[Speak Up!](#)" platform.

4. INVESTIGATIVE PRINCIPLES

In conducting its investigations, the WADA Intelligence and Investigations Department shall respect the World Anti-Doping Code and International Standards, as well as internationally recognized best practices and investigative and legal principles. It shall conduct its work with integrity, ethics and professionalism.

5. INDEPENDENCE

The WADA Intelligence and Investigations Department operates independently from the rest of the Agency. It may run any investigation that it deems appropriate, in accordance with this Policy, without seeking the prior consent or approval of the WADA Executive Committee, the WADA Foundation Board, the WADA President or WADA Director General.

6. FINANCE

The WADA Intelligence and Investigations Department may conduct any investigation it deems appropriate, within the limits of its budget. If additional funds are required, a request will be made to the WADA Director General.

7. LEGAL

If any legal issue is raised during the course of an investigation, the WADA Intelligence and Investigations Department shall seek legal advice from the Director of the WADA Legal Department.

8. INDEPENDENT SUPERVISOR

In order to ensure that all of the work performed by the WADA Intelligence and Investigations Department is conducted in accordance with this Policy, an Independent Supervisor will be appointed to audit the Department's work.

The Independent Supervisor will be appointed by the WADA Executive Committee, following a recommendation made by the WADA Director General.

This Independent Supervisor shall have extensive and relevant experience in the field of law enforcement investigations and/or criminal prosecution, and, if possible, some knowledge of anti-doping rules and procedures.

The Independent Supervisor will be appointed for a period of three (3) years, renewable for one (1) subsequent three-year term.

The name of the Independent Supervisor will be published on WADA's website.

9. AUDITS

a. Annual Audit

The Independent Supervisor will conduct an annual audit of the WADA Intelligence and Investigations Department.

Such an audit will ensure that the Department's work continuously and rigorously satisfies best practices, follows the applicable laws and regulations, and protects the rights and privacy of individuals.

The Independent Supervisor will submit to the WADA Director General and the WADA Executive Committee a written report once a year prior to the first annual WADA Executive Committee meeting.

The conclusions of the audit report will be made public on WADA's website once approved by the WADA Executive Committee.

b. Additional audits

The WADA Executive Committee, if requested by a majority of its members, the WADA President or the WADA Director General may request that in addition to the regular annual audit, an extraordinary/special audit be undertaken by the Independent Supervisor at any time.

The Independent Supervisor will submit to the WADA Director General and the WADA Executive Committee a written report once the special audit is completed. The conclusions of the special audit report will be made public on WADA's website once approved by the WADA Executive Committee.

10. STORAGE

a. Electronic data

The WADA Intelligence and Investigations Department's operational data – i.e. data that is used to support an ongoing investigation, including personal data – will be stored within a secure and encrypted environment within WADA, but entirely separate from any other WADA Department or other WADA databases. Access will be strictly limited in accordance with Article 14.6 of the World Anti-Doping Code and the [International Standard on the Protection of Privacy and Personal Information](#) (ISPPPI).

b. Physical evidence

All physical evidence, including but not limited to documents, photos, videos, products and/or related packaging, discarded medical equipment, etc., will be identified, assessed, and recorded. All physical evidence will remain in a dedicated safe box with restricted access.

11. COMMUNICATION

Intelligence exchanges with individuals or organizations outside of WADA (e.g. law enforcement) shall be via encrypted means (where reasonably practicable) and will satisfy the highest security standards, in addition to satisfying the ISPPPI.

12. CONFIDENTIALITY

The overall investigation process shall remain confidential at all times until its conclusion and until a final report is provided to the WADA Director General.

During the course of an investigation, the WADA Intelligence and Investigations Department may liaise with other WADA Departments to obtain advice and information.

Any disclosure of information from the WADA Intelligence and Investigations Department to another WADA Department shall be on a need-to-know basis and any persons who receive such information shall maintain its strict confidentiality.

13. POST-INVESTIGATION

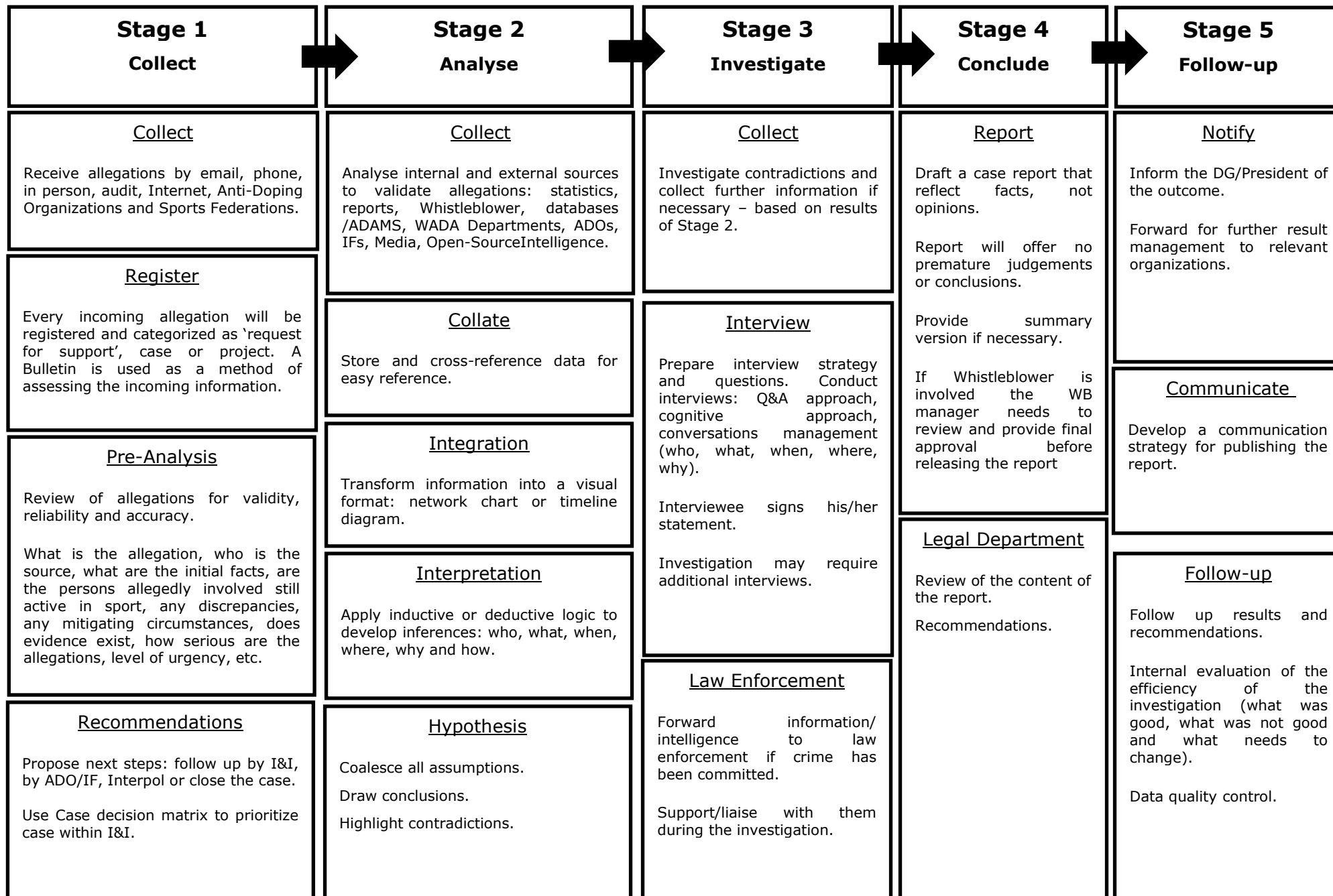
Upon the completion of an investigation, the Intelligence and Investigations Department will inform WADA Director General of the conclusion of the investigation, along with any relevant details. The Intelligence and Investigations Department will also provide the WADA Director General with a report that includes recommendations and references. The Director General will in turn report to the Executive Committee and the Foundation Board as part of regular reporting.

Any relevant information that formed the basis of the investigation will then be provided to the relevant Anti-Doping Organization for prosecution and adjudication of the matter.

If the matter relates to non-compliance with the World Anti-Doping Code, the relevant information will be provided to the WADA's internal Compliance Task Force.

WADA may, if appropriate, refer the case to law enforcement authorities, professional disciplinary bodies and other relevant parties.

Appendix 1 - INVESTIGATIVE PROCESS



Appendix 2 - CASE DECISION MATRIX

Irrefutable evidence (video, audio, computer)	Red	Red	Red	Red	Red	Red	Red
Evidence (documents, statements) from multiple sources	Orange	Red	Red	Red	Red	Red	Red
Evidence (documents, statements)	Green	Orange	Orange	Orange	Red	Red	Red
Multiple similar detailed allegations from known sources	Green	Orange	Orange	Orange	Orange	Red	Red
Detailed allegation from known source	Green	Green	Green	Green	Green	Orange	Red
Multiple similar allegations from known sources	Green	Green	Green	Green	Green	Orange	Orange
Allegation from known source	Green	Green	Green	Green	Green	Orange	Orange
Anonymous allegation	Green	Green	Green	Green	Green	Green	Green
Hearsay from known source	Green	Green	Green	Green	Green	Green	Green
Anonymous hearsay	Green	Green	Green	Green	Green	Green	Green
Assumption	Green	Green	Green	Green	Green	Green	Green
Red: WADA I&I Department investigates Orange: WADA I&I Department considers to investigate Green: Case to be forwarded to respective ADO	Sports entourage (<i>except Doctors, Coaches</i>)	Athlete	Group of Athletes/Team	Coaches, Doctors	Reported by Media	Organization (ADO, IF)	Crime (Bribery, corruption)