One Year Post the Code Compliance Questionnaire – What More Can Be Done to Enhance Global Anti-Doping Quality?

2018 Annual Symposium - 21 March 2018, Lausanne, Switzerland

Frédéric Donzé, Chief Operating Officer
2017 – Launch of Enhanced Monitoring Program

Most Ambitious Code Compliance Monitoring Program for Signatories Ever

- February 2017: Code Compliance Questionnaire (CCQ) sent to 307 International Federations (IFs) and National Anti-Doping Organizations (NADOs) with 3 months to complete

- Complemented with:
  - In-person compliance audit program
  - Available data (eg. from ADAMS) and intelligence received and collected by WADA from various sources
Code Compliance Questionnaire (CCQ)

29. Do you have a Registered Testing Pool (RTP) ?
   - ISTI 4.8.6

29.1 Please provide the number of athletes per sport and discipline.

- Select a sport...
- Select a discipline...

<table>
<thead>
<tr>
<th>Sport</th>
<th>Discipline</th>
<th>No.of Athletes</th>
<th>No of tests under your Testing Authority (TA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tennis</td>
<td>Tennis</td>
<td>150</td>
<td>750</td>
</tr>
</tbody>
</table>
Compliance Audits

- **Selection criteria:**
  - CCQ answers
  - Receipt of credible intelligence suggesting significant non-conformities in the Signatory’s program
  - Physiological risk of doping in a particular sport
  - History of doping in a particular country or sport
  - Country bidding or having won the right to host a major event
  - Etc.

- Auditees selected by WADA’s Compliance Taskforce with oversight from independent Compliance Review Committee
WADA’s Compliance Monitoring – General Principles

- Emphasis on improved anti-doping programs that contribute to enhanced global harmonization and greater protection of the integrity of sport

- Work closely with each Signatory to address any shortfall within timeframes

- Gradual approach and focus on partnership between WADA and each Signatory; recommendation of non-compliance is a last resort
Corrective Actions

- Where a non-conformity with the World Anti-Doping Code or the International Standards is identified through CCQ review or audit
- Corrective actions provided with supporting information and/or resources to address; online guidance and best practice recommendations embedded within CCQ
- Required timeframes for implementation relative to the importance of the actions required
  - Critical = 3 months
  - High Priority = 6 months
  - Other = 9 months
Declaring a Signatory Non-Compliant is a Long Process

- WADA engages Signatory 3, 6, 9 months
- Internal WADA Compliance Taskforce reviews (3 months)
- CRC reviews/recommends (possible 4 months extension)
- Executive Committee asserts Signatory non-compliance

Non-compliance consequences

- WADA and CRC review; and Executive Committee reinstates

If disagrees Signatory can go to CAS

Appeal to CAS
Where are we today?
CCQ – Where Are We Today? (Cont’d)
Corrective Action Report (CAR) Summary

*Updated:* 16-Mar-18

<table>
<thead>
<tr>
<th>IFs</th>
<th>103</th>
<th>CAR issued</th>
<th>CAR to be issued</th>
<th>100% CAs implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Summer Olympic</td>
<td>28</td>
<td>28</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Winter Olympic</td>
<td>7</td>
<td>7</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Recognized</td>
<td>37</td>
<td>21</td>
<td>16</td>
<td>1</td>
</tr>
<tr>
<td>AIMS</td>
<td>21</td>
<td>8</td>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>IPC member</td>
<td>9</td>
<td>9</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>IPC</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>74</td>
<td>29</td>
<td></td>
<td>10</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NADOs</th>
<th>204</th>
<th>CAR issued</th>
<th>CAR to be issued</th>
<th>100% CAs implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa</td>
<td>53</td>
<td>4</td>
<td>49</td>
<td>1</td>
</tr>
<tr>
<td>Americas</td>
<td>40</td>
<td>18</td>
<td>22</td>
<td>2</td>
</tr>
<tr>
<td>Asia/Oceania</td>
<td>60</td>
<td>16</td>
<td>44</td>
<td>2</td>
</tr>
<tr>
<td>Europe</td>
<td>51</td>
<td>36</td>
<td>15</td>
<td>11</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>74</td>
<td>130</td>
<td></td>
<td>16</td>
</tr>
</tbody>
</table>

TOTAL 307 148 159 26
Audits – Where Are We Today?

- Audits
  - 12 Anti-Doping Organizations (ADOs) audited by teams composed of external and WADA auditors:
    - 9 NADOs: Kenya, Brazil, India, Mexico, Argentina, Russia, China, Romania, Portugal
    - 3 IFs: Handball, football, gymnastics
  - 5 audits scheduled in the next 3 months
    - 4 NADOs: Cuba, Bulgaria, France, Kazakhstan
    - 1 IF: Judo
  - 8 more audits (4 IFs and 4 NADOs) to be conducted in 2018
Where Are We Today?

- As of 12 March 2018, overall more than 3,400 corrective actions from CCQ and audits provided by WADA to Signatories
  - 777 Critical
  - 2024 High Priority
  - 619 Other
- Over 1,000 corrective actions implemented while Signatories continue to work on the outstanding ones with WADA’s support
- Significant commitment and cooperation of Signatories
- Every corrective action implemented contributes to bring the global protection of the integrity of sport to a higher level
Major Takeaways
## Major Takeaways – General

### Overwhelming Majority of the Feedback is Positive

<table>
<thead>
<tr>
<th>Excellent Response Rate to CCQ</th>
<th>Constructive Dialogue</th>
<th>Structure of the CCQ</th>
<th>Ongoing Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 74% completion at 3 month deadline (20 May 2017)</td>
<td>• Ongoing discussions and sustained engagement between WADA and Signatories as they complete corrective actions</td>
<td>• Online guidance embedded within CCQ</td>
<td>• WADA provides corrective actions and best practice recommendations back within the CCQ system</td>
</tr>
<tr>
<td>• 100% Signatories completed on 24 November 2017</td>
<td>• Regional Offices have a key role</td>
<td>• Signatories conduct self-assessment and make changes</td>
<td>• Ongoing improvements of CCQ system</td>
</tr>
</tbody>
</table>
2017 Sport Ireland Annual Report:

- “Sport Ireland welcomes the transparency which the new Code Compliance Questionnaire brings, seeing it as an important part of running an effective anti-doping programme. We view this as a positive step towards increasing global compliance with anti-doping.”

*Caroline Murphy, Chair of Sport Ireland’s Anti-Doping Committee*
Major Takeaways – General (Cont’d)

- **An opportunity to make a difference**
  - A number of NADOs have used this exercise to push for a change of legislation in their country and/or to address data privacy challenges with their public authorities

  - Example: Argentina was able to draft and adopt a new law to strengthen the NADO jurisdiction over National Federations in just 2 months
Examples of Achievements
Examples of Achievements

Kenya

- Following its audit, and with Anti-Doping Norway’s and WADA’s support, the NADO implemented all corrective actions in 2017 within the allocated timelines and greatly enhanced its anti-doping program
  - Started blood testing and increased target testing
  - Implemented an Athlete Biological Passport program
  - Established a Therapeutic Use Exemption Committee
  - Developed and implemented an education plan
Examples of Achievements (Cont’d)

World Curling

- This IF implemented all their corrective actions in advance of the 2018 Winter Olympic Games
  - Established a Review Group (including external experts) to assess the findings and implement the corrective actions
  - Worked closely with WADA’s IF Relations Team seeking advice and guidance throughout the process
  - Updated their Registered Testing Pool based upon their Risk Assessment
Brazil

- Following its audit in March 2017, the NADO has implemented all critical and high priority corrective actions, enhanced its structure and is working on its remaining corrective actions
  - Improved its risk assessment
  - Developed a proportionate Registered Testing Pool and increased the number of out-of-competition tests (only 12% of total testing at the time of the audit)
  - Ensured that the new national Unique Tribunal responsible for adjudicating doping cases for all sports became fully operational
Trends and Commonalities
**Trends and Commonalities**

- Common areas of **high compliance** from the CCQ (data based upon CCQ review conducted up to the end of February 2018)

<table>
<thead>
<tr>
<th>Area</th>
<th>% of compliance</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notification of parties with a right of appeal at the conclusion of a case</td>
<td>95%</td>
<td>Critical</td>
</tr>
<tr>
<td>DCO training program in place (for ADOs with sample collection personnel)</td>
<td>92%</td>
<td>Critical</td>
</tr>
<tr>
<td>Use of ADAMS</td>
<td>91%</td>
<td>Critical</td>
</tr>
<tr>
<td>Provide education to athletes and support personnel</td>
<td>91%</td>
<td>Critical</td>
</tr>
<tr>
<td>Documented process in place on how to apply for a TUE</td>
<td>91%</td>
<td>Critical</td>
</tr>
<tr>
<td>Area</td>
<td>% of compliance</td>
<td>Category</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>-----------------</td>
<td>----------</td>
</tr>
<tr>
<td>TUE Committee in place</td>
<td>89%</td>
<td>Critical</td>
</tr>
<tr>
<td>Testing conducted with no-advance notice</td>
<td>86%</td>
<td>Critical</td>
</tr>
<tr>
<td>Process in place to ensure impartial hearings</td>
<td>82%</td>
<td>Critical</td>
</tr>
<tr>
<td>Participants’ consent sought or legal instrument in place</td>
<td>76%</td>
<td>Critical</td>
</tr>
</tbody>
</table>
## Trends and Commonalities (Cont’d)

- **Common areas of non-compliance from the CCQ**

<table>
<thead>
<tr>
<th>Area</th>
<th>% of compliance</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intelligence policy</td>
<td>89%</td>
<td>High Priority</td>
</tr>
<tr>
<td>Sample retention and reanalysis strategy</td>
<td>74%</td>
<td>High Priority</td>
</tr>
<tr>
<td>Effective Registered Testing Pool</td>
<td>66%</td>
<td>Critical</td>
</tr>
<tr>
<td>Implementing the TDSSA effectively</td>
<td>66%</td>
<td>Critical</td>
</tr>
<tr>
<td>Compliant risk assessment</td>
<td>57%</td>
<td>Critical</td>
</tr>
<tr>
<td>Recognition of TUEs</td>
<td>56%</td>
<td>High Priority</td>
</tr>
</tbody>
</table>
### Trends and Commonalities (Cont’d)

<table>
<thead>
<tr>
<th>Area</th>
<th>% of compliance</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education plan</td>
<td>48%</td>
<td>Other</td>
</tr>
<tr>
<td>IF procedure to ensure NF compliance</td>
<td>47%</td>
<td>High Priority</td>
</tr>
<tr>
<td>Matched Doping Control Forms in ADAMS (95% or above)</td>
<td>45%</td>
<td>Critical</td>
</tr>
<tr>
<td>Process to ensure participants receive information on processing of personal data</td>
<td>44%</td>
<td>High Priority</td>
</tr>
<tr>
<td>Compliant Test Distribution Plan</td>
<td>44%</td>
<td>Critical</td>
</tr>
</tbody>
</table>
Challenges

- Significant number of corrective actions
- Heavy workload for WADA’s small team to monitor, support and help Signatories implement corrective actions at the same time, in addition to conducting audits
- Limited WADA human and financial resources (reflected in limited number of audits)
- Due to this heavy workload, many Signatories have received or will receive their Corrective Action Report in 2018
Next Steps
Next Steps – for WADA

- Continue to provide monitoring, Corrective Action Reports and support to NADOs and IFs (continuous monitoring approach)

- Implement monitoring of Major Event Organizations through new International Standard for Code Compliance by Signatories (ISCCS) and Independent Observer missions

- Further develop support material and guidance resources (templates, guidelines, training, etc.) for Signatories in the areas where high non-compliance was identified in the commonalities
Next Steps – for WADA (Cont’d)

- Encourage additional partnerships between developed and developing Signatories to help with the implementation of corrective actions and the enhancement of anti-doping programs worldwide
- Further enhance or explore synergies with other existing compliance monitoring programs (Council of Europe, UNESCO, etc.)
- Enforce ISCCS from 1 April 2018
- Continue to enhance CCQ online platform with a view to circulating the next CCQ to Signatories in late 2021, early 2022
Next Steps – for Signatories

- Implement all corrective actions and best practice recommendations
- Once all corrective actions have been implemented, Signatories are encouraged to continue to self-assess their program on an ongoing basis to ensure it is both efficient and effective
  - WADA’s monitoring will continue through an enhanced number of audits and existing mechanisms such as ADAMS, collection of intelligence, results management and TUE monitoring, and Mandatory Information Requests to Signatories which are enabled by the new ISCCS
Next Steps – for Signatories (Cont’d)

- Use existing and upcoming support resources, including WADA’s, where needed
- Contact WADA if your ADO seeks help or is willing to offer expertise and mentoring to less developed ADOs; WADA can facilitate partnerships
Conclusion – To Date

- This extensive compliance monitoring exercise is absolutely necessary to enhance the global level of anti-doping.
- It is taking time but needs to be done rigorously to engineer sustainable anti-doping progress worldwide.
- With an 8% raise of WADA’s global budget in 2018, more resources can be dedicated to this program in 2018 and hopefully beyond to maintain its success in the long term.
- By embracing this exercise and sustaining this concerted effort, we can continue to improve anti-doping globally and make a difference collectively.
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