

# 2021 Compliance Annual Report

May  
2022

## Acronyms used in 2021 Compliance Annual Report

ADAMS	Anti-Doping Administration and Management System
ADEL	Anti-Doping Education and Learning
CAR	Corrective Action Report
CAS	Court of Arbitration for Sport
CCC	Code Compliance Center
CCQ	Code Compliance Questionnaire
CIS	Compliance Investigation Section
CISP	Code Implementation Support Program
CRC	Compliance Review Committee
CRMP	Continental Results Management Panel
DCF	Doping Control Form
GLDF	Global Learning Development Framework
IF	International Federation
ISCCS	International Standard for Code Compliance by Signatories
ISE	International Standard for Education
ISRM	International Standard for Results Management
ISTUE	International Standard for Therapeutic Use Exemptions
ITA	International Testing Agency
KPI	Key Performance Indicator
MEO	Major Event Organization
MLA	Minimum Level of Analysis
NADO	National Anti-Doping Organization
RADO	Regional Anti-Doping Organization
RTP	Registered Testing Pool
STEAG	Strategic Testing Expert Advisory Group
TDP	Test Distribution Plan
TDSSA	Technical Document for Sport Specific Analysis
TUE	Therapeutic Use Exemption
WADA	World Anti-Doping Agency

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# 1. Executive Summary

The 2021 Compliance Annual Report is the third report of its kind and is published in line with WADA's [Compliance Strategy](#) launched in 2020. The Compliance Strategy was developed by WADA's internal Compliance Taskforce with the guidance of WADA's independent [Compliance Review Committee](#) (CRC) and endorsed by WADA's [Executive Committee](#) in 2019.

## WADA Internal Structures, Processes and Compliance Monitoring

- WADA conducted a re-organization of its organizational structure to reflect the strategic priorities detailed in its [2020-2024 Strategic Plan](#). The new organizational structure is based on impact areas representing five strategic priorities of WADA, functioning within a matrix model that consolidates functional area expertise from different departments of WADA. Compliance is one of WADA's core activities and is now managed under the impact area for Compliance, Rules and Standards.
- A revised World Anti-Doping Code (Code), supported by eight International Standards (including two new standards for Results Management and Education), came into force on 1 January 2021. This had an impact on compliance in a number of ways. Firstly, all Signatories are required to adopt and implement anti-doping rules and/or legislation to reflect the Code in their anti-doping legal system. Secondly, the revised Code and International Standards increase the number of mandatory requirements Signatories must comply with, and therefore WADA's compliance monitoring program scope increased.
- In December 2020, the Court of Arbitration for Sport (CAS) published its decision confirming the non-compliance of the Russian Anti-Doping Agency (RUSADA). In 2021, WADA established appropriate systems to monitor both the implementation of the RUSADA CAS decision by RUSADA and other Code Signatories. All International Federations (IFs) and Major Event Organizations (MEOs) were contacted to ensure they fully complied with the decision. **Four** fast track compliance procedures were opened, with three successfully closed and one remaining open.
- WADA's [Compliance Investigations Section](#) (CIS) was fully integrated into WADA's compliance operations for a second full year. The CIS provides support to the audit program and opened **seven** compliance case files, including Operation Hercules (regarding the Ukraine National Anti-Doping Organization (NADO) and Operation Echo (concerning the United Kingdom NADO). In addition, WADA's Intelligence and Investigations (I&I) department published a report on the review of the investigation carried out by the United States Anti-Doping Agency (USADA) in relation to the Nike Oregon Project. All cases were referred to the Compliance Taskforce for review and follow up. As a result, **one** fast-track compliance procedure was opened against the Ukraine NADO.
- In line with WADA's Compliance Strategy, following the publication of the 2020 Compliance Annual Report, WADA identified **six** priority areas including **14** objectives in its 2021 Compliance Annual Plan. Of those objectives, **seven** with completion dates in 2021 were met and **one** was postponed due to competing priorities. The remaining **six** objectives are either open-ended or due for completion in 2022 or later and are therefore ongoing.
- WADA revised its [Prioritization Policy](#) and [Signatory Tiers system](#) to expand accountability of compliance requirements to more Signatories and more anti-doping program areas. The policy came into force 1 January 2022.

## Monitoring Signatory Compliance

- In 2021, the novel coronavirus (COVID-19) pandemic continued to impact WADA's compliance monitoring. However, as Signatories activities returned to near normal capacity, compliance enforcement procedures were fully reopened by April 2021.
- **Anti-doping rules and/or legislation:** Throughout 2021, WADA continued to support those Signatories that had not adopted or implemented anti-doping rules in line with the 2021 version of the Code. **93** Signatories received a Corrective Action Report (CAR) in January 2021 as they had not completed this task by the 1 January 2021 deadline. At the end of 2021, **one** NADO was still non-compliant for not having anti-doping rules and/or legislation in place. A further **eight** NADOs were still on the "watchlist" with deadlines to adopt compliant anti-doping rules in January and February 2022.
- **Audits:** WADA conducted **13** audits in 2021. **Eight** audits were conducted virtually and **five** were conducted in-person as travel and public health restrictions permitted. **Eight** audits were conducted on NADOs and **five** on International Federations (IFs) The average number of non-conformities from audit CARs reduced by **11%** and the average number of critical findings reduced by **44%** when compared with 2020.
  - Signatories audited in 2019 continued to implement their corrective actions in 2021, partly due to the impact of the COVID-19 pandemic. At the end of 2021, **one** NADO had still not fully implemented its CAR and was in a compliance procedure.
  - Signatories audited in 2020 had implemented **87%** of corrective actions by the end of 2021. **One** NADO was declared non-compliant by WADA's Executive Committee for not implementing its CAR. A second NADO had corrective actions not implemented for its CAR added as reinstatement conditions as the Signatory had already been declared non-compliant for its anti-doping rules.
  - Signatories audited in 2021 had completed **29%** of corrective actions by the end of 2021.
- **Continuous monitoring program:** Signatories that received a CAR from the continuous monitoring program in 2019 and 2020 continued to implement corrective actions in 2021, partly due to the impact of the COVID-19 pandemic.
  - **One** NADO that received its CAR in 2019 was declared non-compliant by WADA's Executive Committee.
  - **Eleven** Signatories that received their CAR in late 2020 fully implemented their corrective actions. **Two** NADOs were in a compliance procedure at the end of 2021.
  - **One** NADO received a CAR as part of the continuous monitoring program in 2021.
- **Code Compliance Questionnaire (CCQ):** In 2021, the relevant WADA departments updated the CCQ based upon the 2021 Code and International Standards. **Two** CCQs were issued to Major Event Organizations (MEOs) that have events in 2022. The NADO and IF CCQ was finalized at the end of 2021 and will be issued throughout 2022 and 2023 in a staggered approach, based upon the Tier of the Signatory.

## Key findings of Signatory compliance monitoring in 2021

- The unique combination of reopening compliance procedures, the backlog of cases previously frozen due to the pandemic and the requirement for all Signatories to have anti-doping rules in line with the 2021 Code, led to an annual record number of **53** compliance procedures and **five** cases of non-compliance in 2021.
- The high volume of compliance cases and the pattern of Signatories submitting updates late in the compliance process created some resource challenges for WADA.
- The International Standard for Code Compliance by Signatories (ISCCS) has been rigorously tested in 2021 and has proven to be a key tool in ensuring Signatories implement effective anti-doping rules and programs. No Signatory challenged its assertion of non-compliance to CAS in 2021, suggesting that WADA, the CRC and the Executive Committee implemented the ISCCS correctly. Deadlines and compliance enforcement procedures detailed in the ISCCS continue to be effective in maintaining Signatory compliance, in particular, in cases involving anti-doping rules and/or legislation changes to implement the 2021 Code.
- Testing was the anti-doping program area that generated the most non-conformities. However, both Testing and Results Management findings from audits reduced from the previous year. Results Management was aided by Signatories implementing the new International Standard for Results Management (ISRM), suggesting that the new framework of the ISRM and the focus of providing significant resources to Signatories in this area had a positive effect. On the other hand, the areas of Therapeutic Use Exemptions (TUEs) and Education saw an increase in non-conformities. For Education, it can be attributed to an increase of mandatory requirements in this area following the introduction of the new International Standard for Education (ISE) in January 2021. For TUEs, this area will be monitored in 2022.
- Similar to previous years, NADOs generated more non-conformities and took longer to resolve their corrective actions than IFs, often as a result of managing more complex anti-doping programs and operating within a more complicated national legal framework system.

## 2. Introduction

### 2.1 Purpose of the Annual Report

The aim of the 2021 Compliance Annual Report, in line with WADA's [Compliance Strategy](#), is to inform WADA's stakeholders of WADA's compliance activities in 2021, including the implementation of the 2020 Compliance Annual Plan.



The broad term “compliance” with the Code refers to the obligation of a Signatory to develop, maintain and enforce its anti-doping rules and implement its anti-doping programs in line with the Code, International Standards and related Technical Documents. Signatories covered in this report are either an IF, a NADO or a MEO.

The purpose of the Compliance Annual Report is to:

- Enhance transparency and trust in WADA's compliance monitoring activities through the publication of the report on its website.
  - Provide a clear and integrated report on the effectiveness of WADA's compliance management system, measuring objectives against key performance indicators (KPIs) through quantitative and qualitative analysis, including areas for improvement.
  - Support the strategic focus of WADA's compliance program, assess the effectiveness of the Agency's daily operations and identify where resources should be invested.
- Detail the interpretation and implications of the findings, trends and lessons learned over time, towards improving compliance maturity defined in the Compliance Strategy.
  - Identify opportunities for continual improvement of WADA's compliance monitoring and program development activities that will be the foundation for the following year's Compliance Annual Plan. This cycle will be repeated annually.

The Compliance Annual Plan will also synergize with the strategic objectives contained within the WADA 2020-2024 Strategic Plan.

### 2.2 International Standard for Code Compliance by Signatories (ISCCS)

Compliance with the Code by Signatories is governed by the ISCCS, which came into force on 1 April 2018. Following an extensive consultation process, the ISCCS has been revised alongside the Code and other International Standards, and the revised version came into effect on 1 January 2021.

The ISCCS provides the framework for Signatories to achieve and maintain compliance and sets out the processes, timeframes and consequences associated when a non-conformity is identified and not solved.

Recommending a Signatory non-compliant is a last resort, and WADA provides support and guidance from when the non-conformity is first identified through to when the corrective action is addressed.

## 2.3 Prioritization Policy

The ISCCS allows WADA to prioritize its compliance monitoring activities of Signatories through the “Policy for the Initial Application of the International Standard for Code Compliance by Signatories”, also known as the “Prioritization Policy”. This policy prioritizes the category of non-conformities (critical, high priority and general) against the level (or “Tier”) of the Signatory.

The Prioritization Policy was updated in 2021 following a risk-benefit analysis after three years of its implementation. The revised policy expands the compliance accountability of Signatories, with the focus on making more Signatories and more anti-doping program areas subject to compliance enforcement procedures if corrective actions are not implemented. Expansion of compliance accountability is intended not only to enhance the global anti-doping system and level playing field, but also enhance compliance maturity within Signatories, a key objective of WADA’s Compliance Strategy.

To assist the implementation of the revised policy, WADA also updated its Signatory Tier system. For NADOs and IFs, the number of Tiers has been increased from three to four. Objective sporting performance data and the Technical Document for Sport Specific Analysis (TDSSA) are used to determine the Tiers. Tier 1 has the highest compliance accountability and contains those NADOs who represent countries that are successful at Major Sporting Events and those IFs whose sports and disciplines are part of the Olympic and Paralympic Games. For MEOs, the number of Tiers remains unchanged from the previous Prioritization Policy, i.e., three Tiers.

The revised Prioritization Policy and Tiers, which came into effect on 1 January 2022, are designed to achieve the following:

- All Signatories will be obliged to implement corrective actions in a graded and proportionate manner. Tier 4 IFs and NADOs and Tier 3 MEOs will be required, as a minimum, to ensure that sufficient anti-doping education material and resources are available to their athletes.
- Approximately 200 (Tier 1-3 IFs and NADOs and Tier 1-2 MEOs) of the 350 Signatories will fall into a category in which they are required to implement all critical corrective actions, further enhancing the quality of their anti-doping programs and providing athletes with confidence that Signatories are implementing more effective anti-doping programs. This will lead to an increase of 25% of Signatories being held accountable for critical corrective actions.
- Approximately 140 (Tier 1 and 2 IFs and NADOs and Tier 1 MEOs) of 200 Signatories that are required to implement critical corrective actions will also be required to implement high priority corrective actions, an increase from 80 (or 75%), thus increasing the depth of anti-doping programs assessed and improved by Signatories.

## 2.4 Novel Coronavirus (COVID-19) Pandemic

Throughout 2021, the pandemic continued to influence Signatories’ anti-doping programs as well as WADA’s policy and operations. This required an adaptation of compliance activities to prioritize:

- Establishment of a strong legal and regulatory foundation for Code compliance, following publication of a new edition of the Code and introduction of new International Standards

- Correction of the backlog of non-conformities identified in previous years, for which enforcement activities were suspended until April 2021

The Tokyo Olympic and Paralympic Games originally due to take place in 2020 were delivered in 2021. This provided a catalyst for the global anti-doping system to ensure that athletes arriving at the Games had been tested sufficiently and safely in accordance with public health guidance. As a result, global testing numbers returned to pre-pandemic levels, for which Signatories and other agencies involved in testing should be commended.

As travel and public health restrictions partially lifted throughout 2021, the Compliance Review Committee (CRC) supported WADA's proposal to reopen all compliance procedures following its April 2021 meeting. WADA and the CRC continued to meet throughout 2021 mainly through virtual meetings. However, one hybrid meeting was held in October 2021, the first in-person meeting possible since February 2020.

Despite the cancellation of WADA's annual Anti-Doping Organization (ADO) Symposium in 2021, WADA continued to interact with its Signatories through virtual meetings, webinars and where possible, hybrid meetings, as was the case for WADA's Executive Committee meeting in September 2021 and Foundation Board meeting in November 2021.

Towards the end of 2021, a new COVID-19 variant, Omicron, was identified, which could again provide challenges to WADA's operations in 2022. The annual WADA Symposium planned for March 2022 has already been postponed to June 2022.

## 2.5 Other Key WADA Developments in 2021 Impacting Compliance

A number of WADA's activities in 2021 have directly or indirectly impacted the compliance program:

1. In 2021 WADA performed a thorough review of its operations and structure considering its [2020-2024 Strategic Plan](#) and implemented a new organizational structure based on a "matrix model." The matrix model consolidates its strategic priorities within "impact areas" which are supported through resource allocation by functional area expertise provided by the relevant departments of WADA. Two new impact areas relating to compliance were established: one to focus on Compliance, Rules and Standards, and the other one on Program Development (see (2) and (3) below).
2. **Compliance, Rules and Standards** will be responsible for delivering WADA's compliance monitoring program, ensuring Signatories have adopted anti-doping rules and/or legislation in line with the Code, compliance enforcement procedures, and coordinating future revisions to the Code and Standards.
3. **Program Development** is designed to provide targeted support to Signatories that find it challenging to maintain compliant anti-doping programs over time or which lack resources. Several new projects have been identified, supported by the relevant WADA departments, to enhance capacity and capability of Signatories, especially in the areas of Testing and Results Management, where the majority of findings are identified through compliance monitoring. Compliance, Rules and Standards and Program Development will therefore work together towards the continual development of the global anti-doping system.
4. On 1 January 2021, alongside the revised Code and International Standards, two new International Standards came into force - for Results Management and Education. As a result, the number of mandatory requirements contained within the Code and the International Standards has increased, which has therefore expanded the scope of WADA's compliance monitoring.

# 3. Achievement of 2021 Compliance Objectives

The 2021 Compliance Annual Plan was developed from the conclusions of the 2020 Compliance Annual Report. **Six** priority areas were identified, which resulted in **14** objectives. The status and achievements of these objectives by the end of 2021 are:

- **Seven** were completed in 2021
- **Six** are ongoing; either they have an end date in 2022 or later or they are an ongoing activity
- **One** was postponed due to competing priorities.

## Priority Area 1: IMPLEMENTATION OF CAS DECISION ON RUSSIA

Objective	Activities	Planned completion date/Status
1) Monitoring and support	<ul style="list-style-type: none"> <li>- Monitor implementation of the CAS decision on Russia and support Signatories with the implementation of the CAS decision</li> <li>- Monitor RUSADA during their period of non-compliance</li> </ul>	December 2022 Ongoing
2) Retrospective review	<ul style="list-style-type: none"> <li>- Define plan, fact-finding strategy, responsible department and approach</li> <li>- Write report and formulate recommendations based on learnings</li> </ul>	Postponed

### Objective 1:

- Monitoring the implementation of the CAS decision on Russia required a significant amount of resources from within WADA, external legal counsel and Signatories themselves.
- A working group was established within WADA to monitor the implementation of the consequences impacting Russia, including the hosting of events in Russia, uniforms of Russian athletes, anthems and flags associated with Russia (related to the participation of Russian athletes in World Championships) and Russian officials attending events.
  - **89** IFs were reviewed for their protocols during World Championships.
  - Over **70** sets of disciplinary measures drafted by IFs were reviewed to ensure compliance with the CAS decision.
  - **34** events in Russia under the jurisdiction of **15** IFs were identified. **Six** events were withdrawn voluntarily by IFs, **three** events were cancelled, and **one** event had already been held. For the remaining **24** events, WADA requested a re-assignment of **three** events, while it accepted that **21** events could not be withdrawn and re-assigned in view of the legal and/or practical impossibility to do so, including insufficient time to relocate the event before it was held or evidenced lack of interest from other potential hosts. From these **three** events, **one** was withdrawn, **one** was postponed to 2023 and **one** was finally accepted to be held in Russia in view of additional information submitted by the relevant IF.
- Another multi-departmental working group was also set up to monitor RUSADA's operations. Regular contact with RUSADA's management and supervisory board was maintained, as well as WADA's participation as an observer to the recruitment of a new Director General of RUSADA.

### Objective 2:

- Due to the significant resources required in monitoring the RUSADA CAS award and the ongoing nature of the Russian case with the RUSADA CAS award consequences still in place, WADA management and the CRC agreed to postpone a retrospective review of the case until it is complete.

## Priority Area 2: WADA INTERNAL COMPLIANCE MANAGEMENT

Objective	Activities	Planned completion date/Status
3) Revise WADA's compliance structures, processes, and activities in light of WADA's organizational review	<ul style="list-style-type: none"> <li>– Update 2021 Compliance, Rules and Standards operational plan</li> <li>– Recruit and allocate tasks to impact area members</li> <li>– Transition to 2022, operational plan, obtain resources from relevant departments</li> </ul>	Complete
4) Key performance indicators: define robust and relevant KPIs to measure the effectiveness and improvements of WADA's compliance monitoring program	<ul style="list-style-type: none"> <li>– Define KPIs for each main compliance area</li> <li>– Monitor KPIs</li> </ul>	Dec 2022 Ongoing
5) Prioritization Policy and Tiers: review Prioritization Policy and Signatory Tiers to balance between compliance enforcement and program development	<ul style="list-style-type: none"> <li>– Finalize Prioritization Policy</li> <li>– Update Tiers based on performances at Tokyo Olympic and Paralympic Games</li> <li>– Obtain CRC and WADA Executive Committee endorsement</li> <li>– Communicate implications to Signatories</li> <li>– Publish</li> </ul>	Complete Effective 1 January 2022
6) Data analytics: enhance data analytics, including, but not limited to, enhancing the Code Compliance Center online platform and ADAMS monitoring tools	<ul style="list-style-type: none"> <li>– Define requirements for analytics</li> <li>– Work with technical experts to implement requirements as specifications for updated structure and programming of CCQ</li> </ul>	Dec 2022 Ongoing
7) Integrate the Compliance Investigations Section into compliance monitoring and assessment	<ul style="list-style-type: none"> <li>– CIS onboarding, training and participation in audits</li> <li>– Establish processes and procedures for CIS operations regarding compliance programs</li> </ul>	Dec 2023 Ongoing
8) Prepare the CCQ for roll out in 2022	<ul style="list-style-type: none"> <li>– Create working group from WADA departments responsible for relevant Standards included in the CCQ</li> <li>– Update questionnaire</li> <li>– Establish roles and responsibilities between impact area and WADA departments</li> </ul>	Complete MEO CCQ issued IF/NADO CCQ roll out starts March 2022

### Objective 3:

- 2021 and 2022 operational plans were developed including the allocation of resources from the relevant WADA departments that support compliance activities, in line with the new matrix model organizational structure.

#### Objective 4:

- Operational KPIs were identified and monitored throughout 2021 (see section 4 below).
- Higher level, corporate KPIs for compliance are being developed as part of WADA's reorganization process.

#### Objective 5:

- The Prioritization Policy was endorsed by the CRC and approved by WADA's Executive Committee in September 2021 and came into effect on 1 January 2022. The Signatory Tiers were endorsed by the CRC and were published in January 2022.

#### Objective 6:

- The area of data analytics continues to be explored by WADA. Report enhancements have been made to the CCC in 2021 to extrapolate data. However, the enhancement of the analytical aspect is ongoing. WADA established an internal group to coordinate efforts across the Agency to improve data analytics.

#### Objective 7:

- The CIS recruited two new replacement posts, with new members onboarded and integrated into the Compliance Taskforce and audit program.
- The CIS has developed its own priority framework for compliance investigations.
- Regular meetings between the CIS and the compliance impact area are held to exchange information pertinent to investigations.

#### Objective 8:

- Two CCQs, one for MEOs and one for IFs and NADOs, were developed based upon the new requirements of the 2021 Code and International Standards.
- Project management expertise and resources from the Office of the Director General were obtained to make the CCQ project one of the pilot projects that will establish improved working processes, templates and resources for future WADA cross-departmental projects.
- The NADO and IF CCQ was completed at the end of 2021 and will be rolled out in 2022 and 2023 in a staggered approach across the Signatory Tiers, starting with Tier 1 in March 2022.
- MEO CCQs have been issued to two Tier 2 MEOs who have events in 2022. The MEO CCQ is issued in advance of a major event.

### Priority Area 3: NADO IMPROVEMENT OPPORTUNITIES

Objective	Activities	Planned completion date/Status
9) Identify strategies, partnerships and resources to support NADOs in meeting and maintaining their compliance obligations	<ul style="list-style-type: none"> <li>– Create regional target lists based on Tiers of NADOs that require support</li> <li>– Allocate resources and develop project plans</li> </ul>	Complete
10) Support and monitor NADOs for them to achieve and maintain operational independence in line with the revised Code requirements	<ul style="list-style-type: none"> <li>– Create working group to identify and assess operational independence issues</li> </ul>	Complete

### Objective 9:

- With the establishment of the Program Development impact area, a number of projects have been started to assist Signatories in key program areas. The following three projects were active in 2021:
  - The Results Management Continental Panels project supports 12 Regional Anti-Doping Organizations (RADOs) and over 100 NADOs that can potentially delegate Results Management to the RADOs, ensuring that hearing panels have the capacities and capabilities to conduct hearings in a timely manner and that decisions are made in compliance with the Code. In addition, this project will help RADOs and member countries to have independent hearing panels as required in the 2021 Code and the ISRM. 17 Results Management resources (templates, guidelines and policies) were developed in the context of this project in 2021.
  - The Therapeutic Use Exemption (TUE) development project aims to enhance RADOs' and NADOs' TUE programs in three key areas: TUE infrastructure, TUE administrator and TUE Committee (TUEC) capability, and athlete and athlete support personnel TUE awareness. Four TUE resources (including a TUE process, "How to Guide" and templates) were developed in 2021.
  - The MEO pilot project aims to enhance WADA's MEO resources (through guidelines and templates) and to develop effective anti-doping programs by less well-resourced MEOs. During 2021, the pilot conducted a thorough assessment of WADA's MEO resources and identified key areas for improvement.
  - In 2022, a Testing development project will start.

### Objective 10:

- An enhanced requirement for NADO operational independence from sport and government was introduced in the revised Code. In 2020, WADA published guidance to NADOs to comply with the requirement for their operations to be independent from government and sport within their own countries.
- Support was provided throughout 2021 to assist NADOs (27 in total) that came forward with specific concerns or when drafting anti-doping legislation.
- In addition, operational independence was assessed during NADO audits in 2021. Through the CCQ in 2022 and 2023, WADA will conduct a more thorough assessment of all NADOs of the world and provide corrective actions and guidance where required.

## Priority Area 4: ANTI-DOPING PROGRAMS

Objective	Activities	Planned completion date/Status
<b>11) Monitor implementation of the International Standard for Results Management by Signatories and offer support in reducing non-conformities in this area.</b>	<ul style="list-style-type: none"> <li>- Develop guidelines, templates and resources to assist Signatories with the mandatory requirements of Result Management</li> <li>- Conduct training workshops for regional and specific Signatories based on assessment of needs</li> <li>- Train auditors on new and existing Results Management requirements</li> </ul>	Complete

**Objective 11:**

- The introduction of the new ISRM in January 2021 provided a clearer framework for Signatories to conduct the Results Management process in an efficient and compliant way. To complement the ISRM, guidelines were also published, as well as a number of resources including templates and documents that can be used by Signatories to ensure compliance with the Standard.
- The Continental Results Management project covered in Objective 9 provides enhanced capabilities and resources, including the interim measure of Sport Resolutions, a global independent, not-for-profit, dispute resolution service for sports, offering independent hearing panels prior to the establishment of the continental hearing panels.
- As a result, non-conformities in the Results Management area identified during audits reduced by 29% in 2021 compared with 2020.

**Priority Area 5: ONGOING IMPLEMENTATION BY SIGNATORIES OF THE REVISED CODE AND STANDARDS**

Objective	Activities	Planned completion date/Status
12) Continue to implement the Code Implementation Support Program (CISP)	<ul style="list-style-type: none"> <li>- Identify and deliver training and awareness enhancing opportunities. Empower Signatory staff through targeted training programs to enhance understanding, competence and compliance through the new Global Learning and Development framework (GLDF) initiative</li> </ul>	Complete
13) Provide ongoing anti-doping rules review and program support to Signatories	<ul style="list-style-type: none"> <li>- Continue to review and assess rules provided by those Signatories that received a CAR</li> </ul>	Ongoing activity

**Objective 12:**

- Linked to Objective 9 and the establishment of projects to develop capacity of Signatories, the Global Learning Development Framework (GLDF) focused on training individuals from Signatories to enhance their capabilities and competence and provide them with the necessary resources and training to implement effective anti-doping programs. Currently, WADA is piloting training for the following five roles: Results Management, Intelligence and Investigations, Education, Data Privacy and Communications and Media. Programs for Testing, TUE administrators and TUE Committee members will be developed in 2022.
- All CISP resources are now available on the Anti-Doping Education and Learning (ADEL) platform and are frequently being used by Signatories to meet their compliance obligations. Most CISP resources are available in English, French and Spanish. Since the launch of the CISP in May 2020, there have been over 32,000 interactions with CISP resources. The top five viewed CISP resources in 2021 were: Introducing the ISE, Policy for Gathering Anti-Doping Intelligence, ISE Guidelines, Privacy notice and the NADO Risk Assessment and Test Distribution Plan templates.

**Objective 13:**

- The provision of support to Signatories on both the adoption of new anti-doping rules and/or legislation in line with the Code and updated rules provided from time to time by Signatories remains one of WADA’s key activities.
- In 2021, WADA reviewed 504 sets of rules and legislation, all within three weeks of receipt as required by WADA’s ISO certification. At the start of 2021, 93 Signatories still did not have rules adopted in line with the Code. By the end of 2021, this had reduced to nine.

**Priority Area 6: COMPLIANCE RISK MANAGEMENT**

Objective	Activities	Planned completion date/Status
14) Compliance Risk Management	<ul style="list-style-type: none"> <li>- Develop process and templates, with support of external consultant</li> <li>- Train staff in risk management</li> <li>- Draft first formal compliance risk management plan</li> <li>- Endorsement of plan by CRC</li> <li>- Implement ongoing risk management</li> </ul>	July 2022 Ongoing

**Objective 14:**

- WADA initiated an organization-wide risk assessment and business continuity project in 2021. A risk management system specific to the compliance impact area is under development and will continue into 2022.

### 3.1 Summary

- The 2021 Compliance Annual Plan provided a clear strategic framework for WADA Management to follow up on the findings of the 2020 Compliance Annual Report. WADA Management provided a status update to the CRC at each of its meetings in 2021.
- Objectives that were not achieved by 31 December 2021 will be reviewed in line with the organizational review and may roll over into the 2022 Compliance Annual Plan if they are still a priority.

# 4. Performance Against Key Performance Indicators (KPIs)

## 4.1 Strategic KPIs

Strategic KPIs based upon the WADA 2020-2024 Strategic Plan continued to be developed through 2021 and into 2022. Performance targets provided in the 2020 Compliance Annual Report are evaluated below:

Performance targets	Results
<p>Improve the overall compliance maturity of Signatories</p>	<p>In 2021, compliance data was limited to audits, which did see a downward trend in critical non-conformities and findings related to Testing and Results Management. This trend could be explained by increased CISP resources available to Signatories in these areas, as well as Education and Program Development initiatives started in 2021.</p> <p>Another positive outcome from the audit program was that only one of the six (17%) Signatories audited in 2021 that had an unresolved critical non-conformity at the expiry of the applicable deadline entered a compliance procedure. This was an improvement compared with 2020, when 50% of auditees entered a compliance procedure.</p> <p>NADOs, based on average findings per audit CAR, did generate more non-conformities than IFs, often as a result of more complex anti-doping programs, covering many sports and disciplines, and more complex national legal frameworks. Some Tier 1 IFs audited in 2021 continue to receive support from the International Testing Agency.</p> <p>As a result of these outcomes being solely based on audit findings, there are limitations in deriving any conclusions that compliance maturity increased in 2021.</p>
<p>Increase support and resources WADA provides to Signatories on compliance</p>	<p>CISP was introduced in 2020 to provide resources and support for Signatories in implementing the Code but also in meeting their compliance objectives. Over 32,000 interactions with ADEL were reported in 2021 with well over 100 resources (templates, webinars, guidelines and checklists) available to Signatories. WADA departments continued to provide direct support to Signatories across all program areas.</p>
<p>Ensure Signatories are satisfied with WADA's compliance activities towards enhancing global anti-doping programs</p>	<p>There has been a decline in the number of auditees providing feedback following an audit, with only six out of 13 (46%) doing so in 2021. Audit feedback received,</p>

Performance targets	Results
	<p>however, has maintained a high satisfaction score, with an average of 4.8 out of 5.</p> <p>Feedback mechanisms have been added to the Code Compliance Questionnaire (CCQ), and Signatories have the opportunity to provide feedback regarding general compliance in the compliance section of the WADA website.</p>
Meet WADA's ISO9001:2015 objectives through the internal auditing program	The majority of ISO9001 objectives and targets linked to its ISO processes were met. Those that were not met were attributed to the pandemic. An ISO surveillance audit of WADA's compliance monitoring program was conducted in February 2021 by an external auditor in which no non-conformities were identified.

## 4.2 Operational KPIs

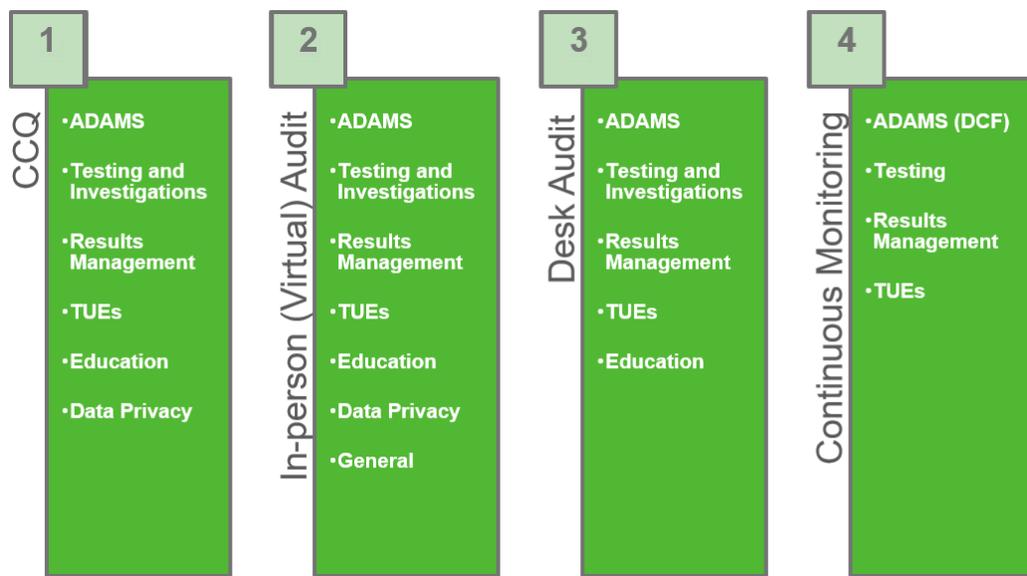
The following operational KPIs were identified in the 2021 Compliance Annual Plan. Two KPIs did not meet their performance target, four did.

Compliance area	KPI	2021 Performance target	Result
General compliance	Number of Signatories referred to the CRC	Reduction by 10% from 17 referrals in 2019	32 Signatories received a referral letter stating that their compliance case had been referred to the CRC to discuss at its next meeting ("CRC referral letter"). 10 resolved the issue prior to the CRC meeting.
Continuous monitoring program	Number of non-conformities raised by continuous monitoring for Tier 1 Signatories	Reduction by 10% from 48 non-conformities raised in 2020	The scope of continuous monitoring reduced in 2021. Six non-conformities were identified in 2021 but only one CAR was issued for continuous monitoring in 2021, compared with 12 CARs from 61 Signatories assessed in 2020.
	Corrective Action Reports (CARs) issued to Signatories four weeks after information received from Signatory	90%	100%
Audit program	Number of Signatories entering the compliance procedure from an audit	Less than 50% of the Signatories audited	1 of 6 (17%) auditees that received a CAR entered a compliance procedure as critical non-conformities were still outstanding.
	CARs issued to Signatories within six weeks of an audit	90%	Nine of 12 (75%) CARs issued by the end of December 2021 met the six-week deadline.
Anti-doping rules review	Feedback provided to Signatories on draft rules within three weeks of receipt	95%	99%

# 5. Compliance Monitoring Program

WADA now has four well-established, complementary compliance monitoring programs.

**Figure 1: Scope of the four compliance monitoring programs**



In 2021, the number of Signatories assessed by the following compliance monitoring programs were as follows:

	NADO	IF	MEO
Continuous Monitoring	1	-	-
CCQ	-	1	2
Audit (in-person/virtual)	8	5	-
Audit (desk)	-	-	-

## 5.1 Continuous Monitoring Program

The continuous monitoring program is an annual review of a Signatory's compliance against a selected number of critical anti-doping program areas detailed below. Data is obtained through WADA's databases such as ADAMS or through an informal information request or a Mandatory Information Request (MIR) in line with the ISCCS.

Program Area	Activity	Measurement
Testing	Compliance with the Technical Document for Sport Specific Analysis (TDSSA)	Signatories not meeting the Minimum Levels of Analysis (MLA) for all sports and disciplines under their jurisdiction.
	Out-of-competition testing	Signatories not collecting any or an insufficient amount of out-of-competition testing based upon the risk of the sports and disciplines under their jurisdiction.
	Registered Testing Pool (RTP)	Signatories not testing athletes in their RTP sufficiently or in line with the TDSSA (see Athlete Biological Passport program implementation below).
	Athlete Biological Passport program implementation	Signatories not sufficiently testing athletes from sports/disciplines with a high Erythropoietin receptor agonists (EPOs) Minimum Level of Analysis
	Sample delivery delays	Signatories that do not ensure samples collected are shipped to a WADA-accredited Laboratory within seven days.
	Entry of Doping Control Forms (DCF) into ADAMS	Signatories not inputting DCFs into ADAMS within 21 days of sample collection.
TUEs	Entry of TUEs into ADAMS	Signatories that have not entered into ADAMS, within 15 days of the decision by a TUE committee, the required information, including a TUE application form, relevant medical information and, where necessary, a translation into French or English.
Results Management	Compliance of Results Management decisions	Signatories that have not complied with the requirements of the Code and ISRM in relation to their Results Management processes.

In 2021, the priority for WADA's compliance resources was placed on the development of the CCQ, anti-doping rules review and the management of ongoing compliance enforcement cases. As a result, continuous monitoring could not be conducted in the same way as previous years, which precluded the possibility to analyze evolution over recent years.

Additional factors impacting the ability to compare findings over time were:

1. The 2020 continuous monitoring program (which assessed Signatories' 2019 anti-doping programs) was conducted in the second half of the year. Due to the COVID-19 pandemic, CARs were only issued in late 2020 and early 2021. Thus, Signatories were still implementing 2020 CARs throughout 2021.
2. Reviewing the anti-doping programs again in 2021 was deemed to be counter-productive as the review would be conducted against Signatories' 2020 anti-doping programs, which had been severely impacted by the pandemic and would not provide an accurate picture of their usual anti-doping program.

As a result, WADA departments were encouraged to bring any non-conformities identified from their own monitoring of Signatories to the internal Compliance Taskforce only after they had tried to resolve the issue with the Signatory directly. This approach led to only one NADO receiving a CAR for continuous monitoring, containing five non-conformities — one in Testing, one in Results Management, two in the TUE area, and one regarding its budget and resources.

As CARs for the 2020 continuous monitoring program were issued in late 2020 and 2021, the majority of corrective actions were implemented throughout 2021. For those CARs, by the end of 2021:

- **Ten** of the **12** Signatories that received a continuous monitoring CAR in 2020 had fully implemented their CAR.
- **46** of the **48** non-conformities have been implemented.
- **Two** Signatories are in a compliance procedure as they still have outstanding corrective actions to implement.

## 5.2 Code Compliance Questionnaire (CCQ)

In 2021, an internal working group was established to update the CCQ in view of the revised Code and International Standards that came into force in January 2021.

WADA now has three different versions of the CCQ, which are adapted to the type of Signatory being assessed:

- **CCQ for NADOs and IFs:** In 2021, the majority of human resources were used updating the NADO and IF CCQ, which will be issued in a staggered approach, starting with Tier 1 in March 2022. The NADO and IF CCQ comprehensively assesses the anti-doping program of NADOs and IFs following the entry into force of the revised Code and International Standards.
- **CCQ for MEOs:** For MEOs, the CCQ is issued in the year prior to the main sporting event so that any shortfalls or improvements can be identified and corrected in advance of the event. This complements the WADA Independent Observer (IO) program, in which experts from different anti-doping areas observe operations at the event itself and make recommendations. Since the MEO CCQ was first issued to the International Olympic Committee (IOC) and the International Paralympic Committee (IPC) in advance of the Tokyo edition of their Games, the IO teams present in Tokyo conducted a review of the implementation of the MEO CCQ CAR. This represented the first full cycle of MEO CCQ review and IO program assessment. The IO reports for the Tokyo Games did not identify any new non-conformities. In 2021, WADA issued two CCQs to MEOs that will host events in 2022.
- **CCQ for new Signatory candidates:** this is a specific questionnaire used to assess an organization that wishes to become a **new Signatory to the Code** and includes all critical anti-doping program areas. An assessment showing the envisaged anti-doping program to be satisfactory is a prerequisite for the organization's application to become a Signatory in line with WADA's [policy on accepting new Signatories](#). In 2021, one IF that completed the new Signatory CCQ successfully completed the process and became a Signatory to the Code.

## 5.3 Signatory Audit Program

WADA has now conducted **66** Signatory audits since its first audit in December 2016 through to the end of 2021. The list of Signatories audited is on the [WADA website](#).

The original plan for 2021 was to conduct **18** audits, which included a number of Signatories planned to be audited in 2020, which rolled over into 2021. However, as the pandemic continued to impact the audit program and since the Tokyo Olympic and Paralympic Games were being held, the audit plan for 2021 was reviewed, leading to **13** audits being conducted.

Due to travel and public health restrictions in place at varying levels across the world, all audits conducted up to September 2021 were done virtually. Virtual audits were successfully introduced in 2020 during the pandemic and have the same scope as an in-person audit but consist of the audit team interacting with the Signatory staff via a teleconferencing system. Documentation is requested in advance for the audit team to review and prepare, making the audit more focused on where the potential shortfalls may be. Virtual audits usually take place over 3 to 5 days with shorter sessions on each day to account for time zones and “virtual meeting fatigue.” Signatories are to be commended on their cooperation in virtual audits, especially those that often took place outside of normal office hours, either early in the morning or late at night.

From September 2021, of the seven audits conducted, five were done in-person. WADA is very grateful to those auditees who made significant arrangements for in-person audits to be conducted in a safe environment for all of the participants.

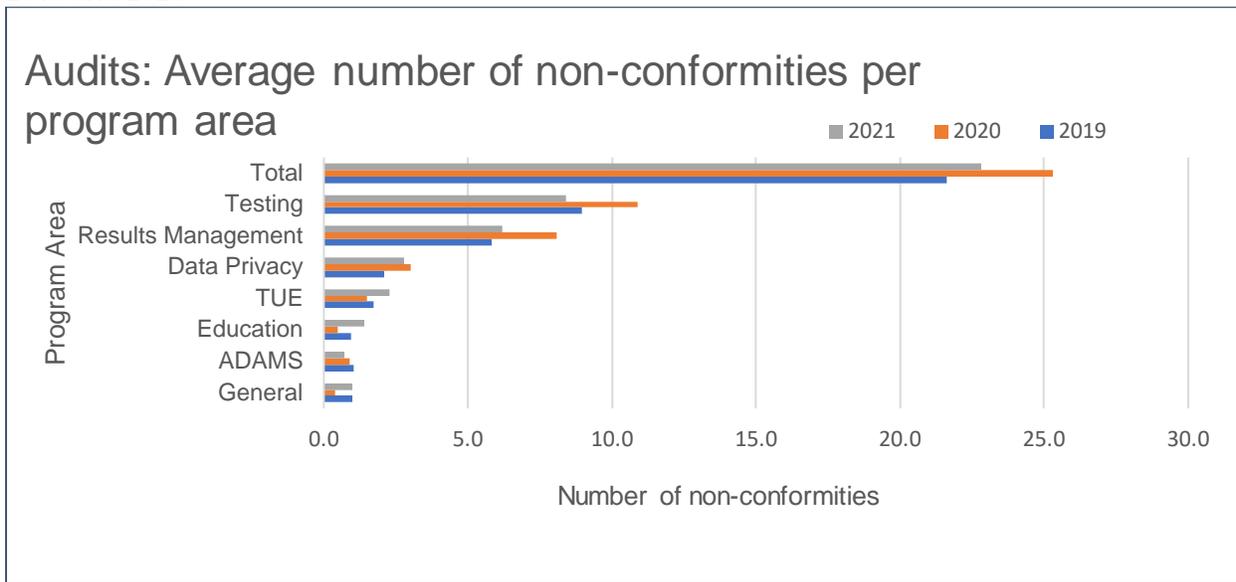
In 2021 therefore, of the **13** audits conducted, **eight** were done virtually and **five** were in-person. Of these audits, by the end of 2021:

- **Eight** audits were conducted on NADOs and **five** on IFs. All winter Olympic sport IFs have been audited in advance of the Beijing 2022 Olympic and Paralympic Games.
- **Nine** CARs were issued by 31 December 2021. The remaining CARs will be issued in early 2022. For the purpose of the data below, non-conformities from **12** CARs are used as **three** of the **four** remaining CARs are in the final drafting phase and the number of non-conformities is confirmed.
- In addition, the full data from 2020 audits is included for analysis. The audit data included in the 2020 Compliance Annual Report only contained six of the eight audits as two CARs had not been drafted at the time the report was written.
- From the **12** audit CARs from 2021:
  - **273** non-conformities and corrective actions were identified, of which **80** (29%) have been implemented.
  - The range of non-conformities in a CAR was between **four** and **44**, with the average being **22.8**. For NADOs, the range was between **four** and **44** with the average being **23.9**. For IFs, the range was between **ten** and **41** with the average being **20.5**.
- **Two** NADOs have fully implemented all corrective actions from their 2021 audit CAR.
- Only **one** auditee (from **six**) audited in 2021 that has an outstanding critical non-conformity upon expiry of the applicable deadlines has entered a compliance procedure.

Due to the fluctuating number of audits conducted annually between 2019 and 2021, and different editions of the applicable Code, the average number of findings is used to compare trends between annual audit findings. For purposes of analysis, WADA conducted 18 audits in 2019, eight in 2020 and 13 in 2021 (of which data from 12 is used).

Year	IFs Audited	Average Findings per CAR	NADOs Audited	Average Findings per CAR	Average findings per CAR (IFs and NADOs combined)	Type of Audits
2019	6	18.3	12	23.3	21.6	18 in-person
2020	1	18	7	26.3	25.3	1 in-person, 2 desk and 5 virtual
2021	4	20.5	8	23.9	22.8	5 in-person and 7 virtual
Total	11	19.1	27	24.2	22.7	

**Figure 2: Audits: Comparison of the average number of findings per CAR by program area between 2019 and 2021**



- The average number of non-conformities per audit CAR has reduced slightly between 2020 and 2021 from **25.3 to 22.8** (11%).
- NADOs generate more findings per audit CAR when compared to IFs. Over the period from 2019 to 2021, the average number of findings is 27% higher for NADOs than for IFs (**24.2** findings versus **19.1**).
- Testing year on year generates the most findings. However, between 2020 and 2021, the number of non-conformities per CAR reduced by 30% on average, from **10.9 to 8.4**, and dropped below 2019's average.
- The number of Results Management non-conformities per CAR reduced slightly more from **8.1 to 6.2** (31%).
- The number of TUE non-conformities per CAR increased from **1.5** in 2020 to **2.3** in 2021 (53%). The range of TUE non-conformities was between zero and six.
- In the area of **Education**, the number of non-conformities per CAR almost tripled from **0.5 to 1.4**, largely due to the introduction of the new International Standard for Education which places more requirements on Signatories. However, five of the 12 auditees registered zero non-conformities for Education due to the existence of an effective Education program.

**Figure 3: Audits: Comparison of the average number of findings per CAR, per non-conformity category between 2019 and 2021**

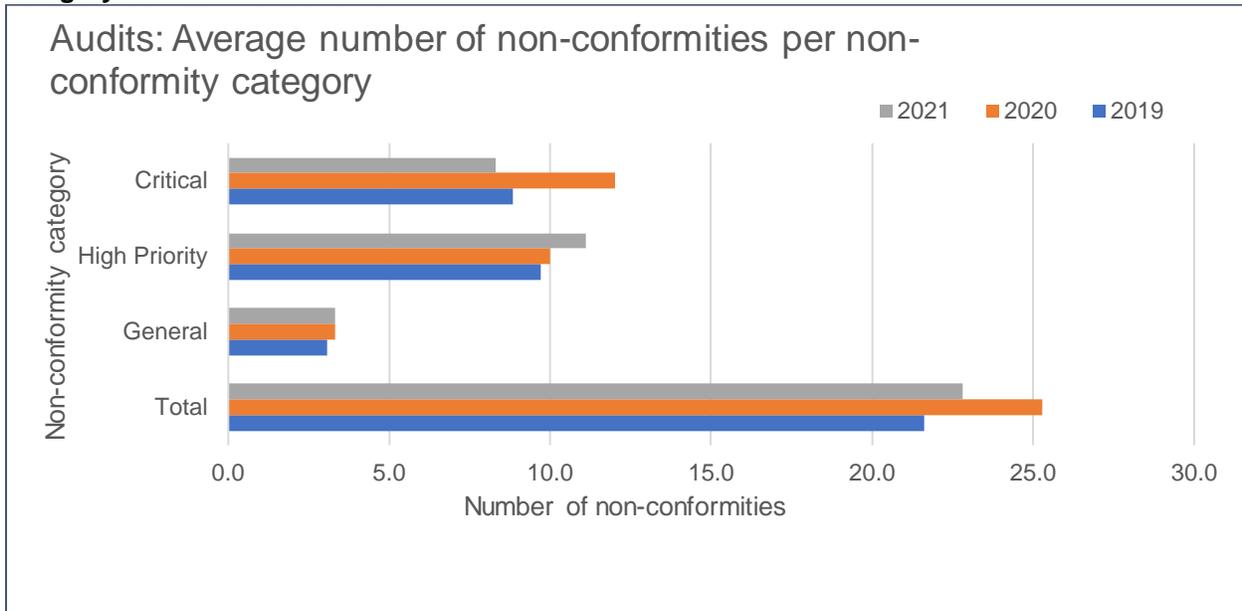
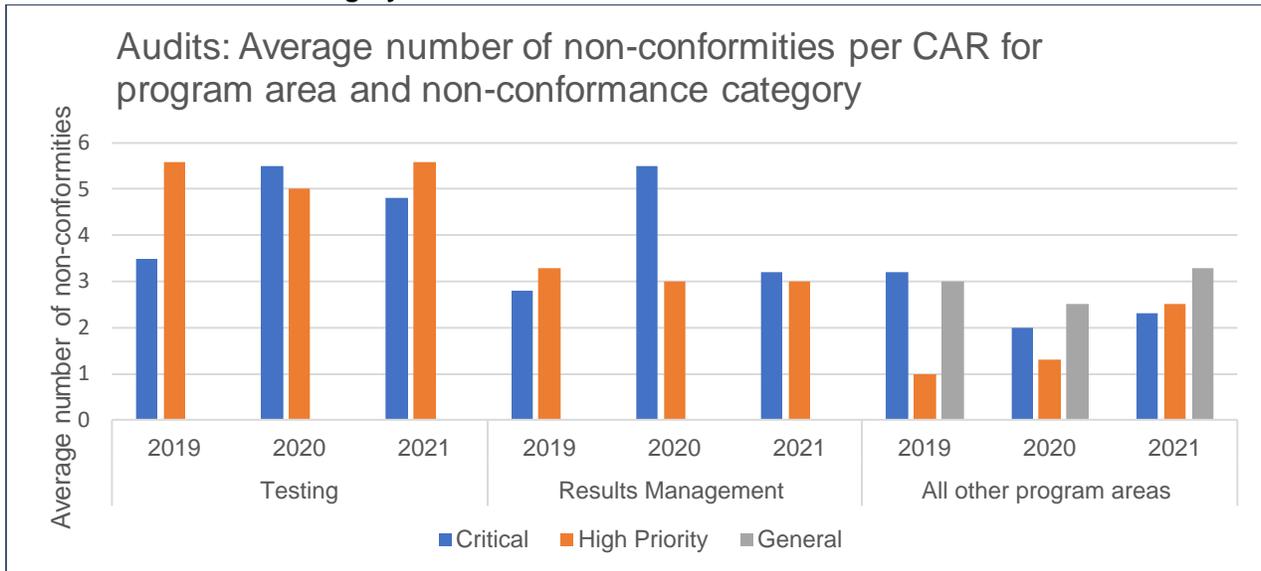


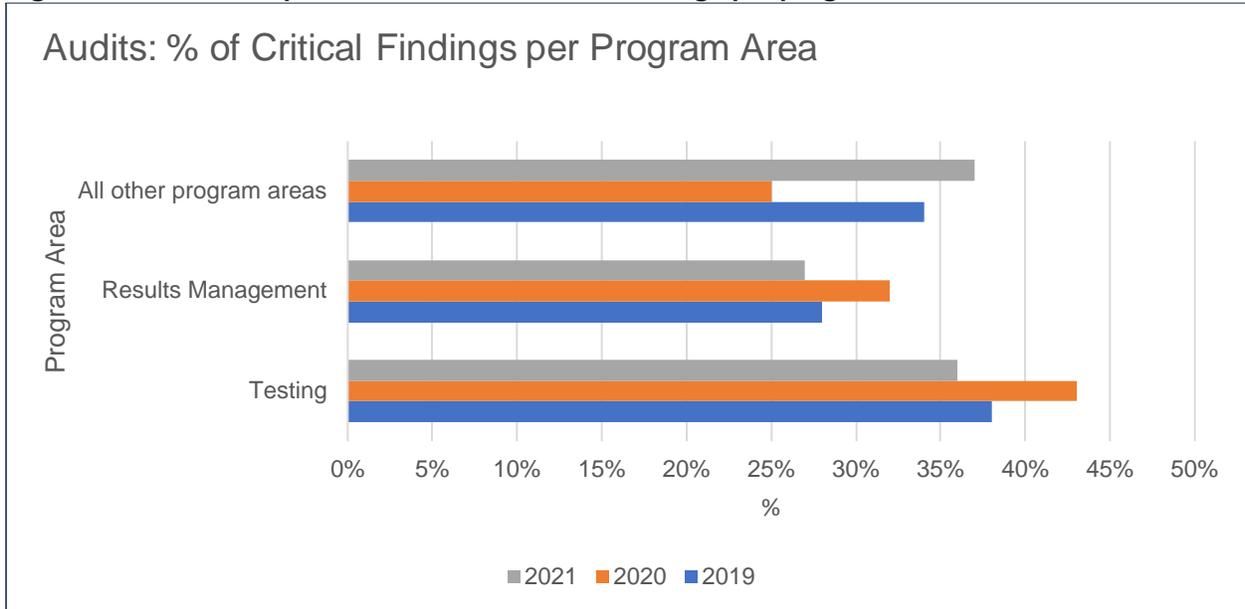
Figure 3 shows that there was a marked reduction in the average number of critical non-conformities per CAR between 2020 and 2021 (44%). High priority non-conformities increased by 11%, indicating a slight year on year increase for this category.

**Figure 4: Audits: Comparison of the average number of non-conformities per CAR for program area and non-conformance category between 2019 and 2021.**



Non-conformities increased slightly for the “all other program areas”, mainly due to the increases in high priority Education, TUE and new high priority requirements such as NADO operational independence.

**Figure 5: Audits: Comparison of the % of critical findings per program area between 2019 and 2021**



Due to the pandemic, Signatories were able to take advantage of the flexible approach initiated by WADA and of the freezing of deadlines associated with the compliance enforcement procedures. As a result, CARs from audits conducted in 2019 and 2020 continued to be implemented throughout 2021.

The status of the 2019 in-person audits by 31 December 2021 is as follows:

- **18** audits were conducted in 2019. **15** CARs have been fully implemented. **Two** CARs have “general” corrective actions outstanding which would not lead to a compliance procedure.
- **One** NADO is in a compliance procedure (they were originally on the “watchlist” for critical corrective actions and, once resolved, entered a new compliance procedure for one remaining high priority corrective action).
- **97%** of corrective actions (377 of 389) are completed.

The status of the 2020 in-person audits by 31 December 2021 is as follows:

- **Eight** audits were conducted in 2020: **five** virtual, **one** in-person and **two** desk audits.
- **Two** CARs are fully implemented and **four** CARs have “general” corrective actions outstanding which would not lead to a compliance procedure.
- **One** NADO was non-compliant for not implementing its CAR and **one** NADO was on the “watchlist.”
- **88%** of corrective actions are completed (177 of 202).

## 5.4 Compliance Monitoring Program Conclusions

In 2021, evaluation of WADA’s compliance monitoring program was based almost solely on data from audits (apart from one CAR as a result of continuous monitoring). Furthermore, the number and type of audits conducted (in-person versus virtual) fluctuated over the last three years and the number of mandatory requirements increased as a result of the introduction of the revised Code and International Standards in 2021. All these factors taken together preclude a robust comparison across the different compliance monitoring programs in 2021.

## Anti-Doping Program Areas

- As in previous years, Testing and Results Management contributed the most non-conformities, with Testing generating the most.
- Between 2020 and 2021 audits, based upon the average number of findings per CAR, Testing and Results Management non-conformities reduced by almost a third.
- The average number of critical non-conformities per audit CAR also trended downwards. High priority non-conformities did however increase when compared to 2020, maybe as a result of additional high priority requirements with the introduction of new International Standards and NADO operational independence requirements.

## New requirements from the revised 2021 Code and International Standards

- With the introduction of the revised Code in 2021 and the introduction of two new International Standards for Education and Results Management, the number of mandatory requirements contained across WADA's regulatory documents increased. The International Standard for Education is an entirely new Standard while the International Standard for Results Management contained previous requirements of the Code, and new requirements, re-structured into an International Standard.
- The clear processes detailed in the International Standard for Results Management, together with the focus on this program area in the 2020 Compliance Annual Plan through the CISP, could explain the reduction in the average number of findings in audit CARs for Results Management.
- Despite the relatively low absolute numbers, TUE and Education non-conformities increased in 2021. For Education, this resulted from the introduction of the new International Standard for Education that created more mandatory requirements that are assessed at an audit. This does not apply for TUE non-conformities, however, as the requirements are similar in the revised International Standard for Therapeutic Use Exemptions to the previous version. This increase in TUE findings will be monitored in 2022.

## Type of Signatory

- In 2021, NADOs generated more non-conformities when compared to IFs during audits, often as a result of more complex anti-doping programs, covering many sports and disciplines, and more complex national legal frameworks.
- In 2021, NADOs averaged 23.9 findings per audit CAR and IFs 20.5. In 2019, NADOs averaged 20.3 findings and IFs 18.3 per audit CAR. In 2020, as only one IF was audited, comparative data is not relevant. However, from the seven NADOs audited, the average number of findings per CAR was 26.3. Across the period 2019 to 2021, NADOs averaged 24.2 findings compared to IFs 19.1.
- IFs continue to benefit from support provided by organizations such as the International Testing Agency (ITA) and NADOs.
- Of the **18** Signatories either declared non-compliant or watchlisted, **16** were NADOs and **two** were IFs. NADOs required more time to implement corrective actions relating to **13** anti-doping rules cases, **two** audit cases and **one** case for continuous monitoring.

## 5.5 Opportunities to Improve

WADA's compliance monitoring programs continue to evolve and mature, although robust comparisons over the last three years are limited by the challenges posed by the pandemic and other factors. However, a number of opportunities to improve the compliance monitoring program have been identified:

- The establishment of the new impact area for Program Development will assist Signatories (NADOs in particular) with their compliance obligations through implementation of key program area projects aimed at improving Signatory capacity and capability. However, time will be needed to see the true impact of new initiatives under this impact area.
- The area of data analytics within WADA will remain on the 2022 Compliance Annual Plan. While some improvements in report generation and analysis for testing have been achieved, these remain resource intensive. New organization-wide data analytics is included in WADA's 2020-2024 Strategic Plan.
- WADA's re-organization into a "matrix model" organization has resulted in new operational planning methods including resource allocations and modelling and project management expertise for all strategic projects.

## 6. Anti-Doping Rules

When a revised version of the Code comes into force, all Signatories are required to update their rules accordingly. Since the World Conference on Doping in Sport in November 2019, when the revised Code and International Standards were approved, WADA encouraged all Signatories to start the process of amending their anti-doping rules and/or legislation in order to incorporate the 2021 Code by 1 January 2021. However, at start of 2021, **93** Signatories had not yet drafted/adopted anti-doping rules and/or legislation that were considered in line with the 2021 Code and International Standards. Therefore, all those Signatories received a Corrective Action Report (CAR) on 11 January 2021. Out of those **93** Signatories, **12** were IFs and **81** were NADOs (or National Olympic Committees acting as NADOs) (**22** in Africa, **one** in the Americas, **21** in Asia, **30** in Europe and **seven** in Oceania).

By the expiration of the three-month deadline contained in the CAR, **66** Signatories had completed the corrective action by drafting/adopting anti-doping rules and/or legislation in line with the 2021 Code and International Standards.

On 21 April 2021, a compliance procedure was opened against **27** Signatories (**six** in Africa, **two** in Asia, **15** in Europe and **four** IFs) that had not yet implemented the 2021 Code and International Standards. Out of the **27** Signatories in the compliance procedure, **13** Signatories were able to implement the 2021 Code and International Standards prior to the conclusion of the compliance procedure. As for the remaining Signatories, **three** were declared non-compliant on 7 October 2021 following WADA's Executive Committee meeting of 14 September 2021, while **11** Signatories were placed on the "watchlist" as per [Article 8.4.5](#) of the ISCCS.

Throughout the year, WADA continued to provide regular assistance and guidance to the relevant Signatories in this process, dedicating significant time and resources to facilitate the implementation of the 2021 Code by all Signatories. This included:

- Virtual meetings;
- In-person meetings (where possible);
- Targeted individual assistance to Signatories where needed; and
- Continuous cooperation programs that WADA has developed with global stakeholders such as the Association of National Olympic Committees (ANOC), the Global Association of International Sports Federations (GAISF), the ITA and the Regional Anti-Doping Organizations (RADOs) to support their respective members or clients in this exercise.

Rules review is a work-intensive activity since WADA must frequently review several versions of the Signatories' draft rules before being able to consider the final draft to be in line with the Code. In this regard, between 1 January 2021 and 31 December 2021, WADA reviewed **504** sets of rules. Some Signatories provided over 10 drafts over a number of months until their rules were deemed to be in line with the Code.

A number of countries have also chosen to implement the Code through domestic legislation, requiring the involvement of their governments, parliaments and/or heads of state. In these cases, which represent less than **10%** of the Signatory NADOs (for both the 2015 and 2021 Code implementation), WADA supported work conducted to amend the relevant legislation in line with the 2021 Code. It should be noted that for all the cases of non-compliance or watchlist regarding NADOs, all had national legislation beyond anti-doping rules.

Throughout 2021, WADA also received anti-doping rules based on the 2021 Code from a number of Major Event Organizations (MEOs). Given the limited jurisdiction of MEOs and the fact that their rules only apply

to the period of their specific event, MEOs were not required to have rules in line with the 2021 Code by 1 January 2021.

The rules reviewing process continues to be certified under WADA's compliance monitoring program ISO9001:2015 certification. Based on its ISO process, WADA has to provide feedback to Signatories on the draft rules submitted for review within a maximum of three weeks from the date of receipt. WADA met this objective 99% of the time throughout 2021. This element was crucial in order to maintain momentum in the drafting process for a number of Signatories.

**Lessons learned:**

Lesson Learned	Action Taken
<p>The volume of rules and/or legislation to review continues to be significant even after a new version of the Code has entered into force, and WADA's resources continue to be stretched, in particular in order to meet the pre-determined timeline for WADA to provide feedback, as per the ISO-certified process. In addition, throughout the year, a number of Signatories that had already drafted rules/legislation in line with the 2021 Code decided to make amendments to those legal instruments or to create new rules. This trend had already been observed in the past in relation to previous versions of the Code.</p>	<p>WADA will continue to ensure that sufficient resources are allocated to this important task. Furthermore, cooperation in this area with other organizations such as GAISF, ANOC, ITA and the RADOs remains crucial in order to facilitate this task for Signatories.</p>
<p>As it appears from the figures outlined above, throughout the year, the issuance of CARs and the opening of compliance procedures have resulted in a strong acceleration of the drafting/adoption processes in cases where the 2021 Code had not yet been implemented in the Signatory's legal system.</p>	<p>In relation to the implementation of the Code in legal systems, WADA will continue to ensure that the processes established by the ISCCS are promptly implemented when needed.</p>
<p>Implementing the mandatory provisions of the Code in the internal legal systems continues to be a challenging exercise for some Signatories, and a considerable amount of time is sometimes required before a final draft is fully in line with the Code. In some cases, the adoption process, which only starts once the draft is declared to be in line with the Code, can also be time-consuming. Compared to the 2015 Code, more countries required more time to adopt and implement the necessary legislation in relation to the 2021 Code.</p>	<p>WADA will continue to stress the importance for Signatories to allocate sufficient time and resources to this task and to alert them that despite the guidance and assistance provided by WADA, this task can be very time-consuming.</p>
<p>As already observed in 2020, based on the feedback provided by Signatories, the COVID-19 pandemic did not appear to be a reason for the delays they experienced in some cases. On the contrary, a number of Signatories continued to indicate in 2021 that the suspension or reduction of some of their activities (e.g., reduced testing) had in fact resulted in additional time and resources being allocated to the rules drafting exercise. The only exception to this concerned the very few Signatories that adopted legislation through a parliamentary process (which, for some, was delayed by the COVID-19 pandemic).</p>	<p>WADA will continue to ensure that appropriate assistance and guidance is provided to all Signatories in this exercise and to provide individualized assistance to the few Signatories requiring amendments to their domestic legislation.</p>

Lesson Learned	Action Taken
<p>As already observed in previous years, one area of concern relates to Signatories that provided a final draft of their rules and/or legislation in line with the Code and then, during the adoption process, made non-compliant amendments without informing WADA. Because of this practice, a number of non-compliant rules and/or legislation were adopted and had to be amended.</p>	<p>WADA will continue to remind Signatories of the need to provide drafts for review prior to the beginning of the internal process leading to their formal adoption and, following WADA's confirmation that the drafts are in line, to consult WADA on every amendment considered during the adoption process.</p>

# 7. Compliance Investigations Section (CIS)

The newly created CIS started its work in November 2020 for a project period of three years. An investigator, an intelligence analyst, and a confidential information manager (who is part of WADA's Confidential Information Unit) were recruited and working procedures put in place.

The CIS developed working procedures, prioritization matrices and an investigation approval chart in line with the Intelligence & Investigations (I&I) Department's policies and standards.

As part of the I&I Department, the CIS investigates independently and cooperates closely with the Compliance Task Force and the Compliance Review Committee.

The CIS attends internal Compliance Taskforce meetings and collaborates closely with members of both the Compliance Rules and Standards and the Testing departments. The CIS has responded to a number of requests from the Compliance Taskforce to research potential compliance issues, through interviewing Signatory staff, prior to reporting back on its findings.

Despite a staffing deficit in 2021, the CIS was able to initiate and support several compliance-related investigations. The CIS also provided support to the audit program and opened seven compliance case files, three of which led to operations: Operation Hercules (Ukrainian NADO), Operation Arrow (Hungary NADO and International Weightlifting Federations), and Operation Echo (UK NADO). As a result of these investigations, one fast-track compliance procedure was opened against the Ukrainian NADO.

WADA's Confidential Information Unit, the entity responsible for running and assessing WADA's Speak Up! Program, received 149 allegations in 2021. 32 (21%) of these allegations related to compliance. Of those 32, following an initial prioritization assessment, seven were investigated by the CIS as mentioned above. The remaining 25 allegations were sent to relevant organizations to investigate or referred to the Compliance Taskforce for information.

At the end of 2021, the CIS was involved in three active confidential compliance investigations.

# 8. Code Compliance (Enforcement) Procedures

When non-conformities are identified, the objective is to assist Signatories through dialogue and support in order to correct their non-conformities and ultimately achieve and maintain compliance with the Code. Declaring Signatories non-compliant is a last resort, as per the ISCCS.

However, if a Signatory does not correct its non-conformities within set timeframes as per the ISCCS, WADA's internal Compliance Taskforce launches an enforcement procedure (compliance procedure), giving the Signatory written notice that a non-conformity has not been corrected and a new timeframe (of up to three months) to correct it.

If the matter is not satisfactorily addressed by the Signatory within this new timeframe, the case is referred by the Compliance Taskforce to the CRC, which may recommend to WADA's Executive Committee that the Signatory be sent a formal notice alleging that it is non-compliant with the requirements of the Code and/or the International Standards.

At its meeting of 17 and 18 February 2021, after reviewing global anti-doping programs and compliance activity from Signatories during the continuing COVID-19 pandemic, the CRC decided to resume compliance procedures for Signatories that still had outstanding corrective actions. This information was communicated to stakeholders on 22 February 2021. Compliance procedures had been suspended in March 2020 upon recommendation of the CRC.

This resulted in an unprecedented number of compliance procedures being opened in 2021.

More precisely, **53** compliance procedures, related to both the implementation of the Code in domestic legal systems and the compliance of the anti-doping programs implemented by Signatories, were opened in 2021.

Of these **53** procedures:

- **Five** were still pending at the end of 2021.
- **32** Signatories received a referral letter that their case would be reviewed by the CRC at its next meeting as the three-month compliance procedure had expired;
  - **10** of these Signatories, which were all NADOs, resolved their compliance issue prior to the CRC meeting.
  - **22** cases were reviewed by the CRC (**17** NADOs and **five** IFs).
- **20** procedures involving **18** Signatories concluded with **five** Signatories being declared non-compliant by WADA's Executive Committee on 7 October 2021 and **13** Signatories being placed on the "watchlist".
- Of the **18** Signatories either declared non-compliant or watchlisted, **16** were NADOs and two were IFs, suggesting that NADOs required more time to implement corrective actions. **13** of these cases related to anti-doping rules, **two** to audit cases and **one** resulted from continuous monitoring.

**Lessons learned:**

Lesson Learned	Action Taken
<p>In 2020, following the suspension of compliance procedures due to the pandemic, a number of Signatories did not progress the implementation of corrective actions to the extent that could have been expected, despite continuous support from WADA.</p>	<p>Following resumption of the compliance procedures in February 2021, the vast majority of Signatories were able to implement the relevant corrective actions and avoid being declared non-compliant. WADA continued to prioritize dialogue and support in order to correct non-conformities and ultimately achieve and maintain compliance with the Code, WADA will continue to ensure that the processes established by the ISCCS are promptly implemented in relation to Signatories that do not fully implement the Code in a timely manner.</p>
<p>The combination of the resumption of compliance procedures in February 2021 after almost one year of freezing and the high number of procedures related to the implementation of the 2021 Code in domestic legal systems created an unprecedented and exceptional situation where WADA had to deal with a very high number of cases at the same time. As a result, WADA's resources were stretched in order to meet the pre-determined timelines and requirements set by the ISCCS in relation to pending procedures.</p>	<p>While it is unlikely that a similar situation will happen again in the future (i.e., having at the same time a new version of the Code entering into force and exceptional measures in place due to a global pandemic), WADA will have to ensure that resources continue to be available. The sustainability of the system is likely to be tested again from the second part of 2022 on, as a result of the issuance of the CCQ in the first part of 2022 to a first batch of Signatories and the assessment of their responses.</p>
<p>As evidenced by the RUSADA case, the possibility provided in the ISCCS for Signatories to dispute allegations of non-compliance to CAS can create substantial extra costs for WADA and these costs are not easily quantifiable in advance.</p>	<p>WADA will continue to be flexible in its budget and resource allocation and to ensure a contingency budget is in place for potential CAS appeals related to compliance.</p>
<p>The high number of compliance procedures opened or pending in 2021 confirmed the effectiveness of the processes set in the ISCCS, where WADA is not the judge but a party to the case, at the same level as the other party which is the relevant Signatory. The experience in implementing the ISCCS has also allowed WADA to identify certain adjustments that could be made to the ISCCS, in order to further strengthen it.</p>	<p>WADA gathers from experience that the procedure set by the ISCCS is solid and effective. That being said, WADA will want to make certain adjustments that could further strengthen the ISCCS.</p>
<p>As evidenced in particular by the RUSADA case, the monitoring of the implementation of the consequences of non-compliance by other Signatories can be a very time-consuming activity for WADA staff.</p>	<p>WADA will continue to ensure that sufficient human resources are allocated to this task.</p>

# 9. Risk Management

Risk management was identified in the 2020 Compliance Annual Plan and rolled over into the 2021 Compliance Annual Plan. In line with its Strategic Plan, WADA undertook a corporate level risk assessment and business continuity project in 2021 and following the completion of this, using the same organization, the project to develop a compliance risk management system started in November 2021. This project will continue into 2022 and will include the creation of a risk management system that better identifies and anticipates risk as well as ongoing review and mitigation strategies to minimize risk.

Throughout 2021, risks identified in 2020 continued to be monitored and new risks were identified through the work of the Compliance Taskforce and the CRC. Mitigating action was taken through WADA's operations, and its effectiveness is summarized below:

Risk	Mitigating Action taken	Effectiveness
Compliance monitoring has limited capacity to uncover sophisticated doping programs such as those that occurred in Russia and in weightlifting.	WADA's I&I department, complemented by the CIS, is now established with high quality investigations and reporting structures.	The CIS attends and participates in the Compliance Taskforce and has contributed significantly to audits and investigations. Seven compliance case files have been opened in 2021.
The COVID-19 pandemic impact on testing programs might lead to doping havens being established in countries where no testing is taking place.	<p>WADA's Strategic Testing Expert Advisory Group (STEAG) has continued to meet and develop safe testing guidance advice to Signatories.</p> <p>WADA also worked alongside stakeholders such as the ITA as part of the pre-Tokyo and Beijing Olympic Games Taskforces to identify and address anti-doping testing gaps across the world.</p>	Testing levels in 2021 returned to pre-pandemic levels.
The high number of non-compliance cases in 2021 could lead to resource challenges in WADA and Signatories, and the ISCCS could be undermined	WADA's structure re-organization provided greater focus on compliance activities.	<p>The effectiveness of WADA's re-organization and its impact on compliance activities will be assessed throughout 2022.</p> <p>The role of the Compliance Taskforce to coordinate, discuss and allocate resources accordingly became even more effective in 2021.</p> <p>In 2021, no Signatory declared non-compliant appealed their case to CAS, which can be seen as a measure that the ISCCS is robust and effective in dealing with cases of non-compliance and that the</p>

Risk	Mitigating Action taken	Effectiveness
<p>The implementation of the RUSADA CAS case could lead to resource challenges in WADA and Signatories</p>	<p>WADA created two internal working groups to monitor the implementation of the CAS decision by Signatories and RUSADA itself. The workload of these two working groups, in particular the one monitoring the implementation of the CAS decision by Signatories, was unprecedented and underestimated. Additional resources were identified and procedures implemented to ensure this important task was prioritized.</p>	<p>ISCCS was correctly implemented by WADA, the CRC and the Executive Committee.</p> <p>The Russia case continues to have a major impact on WADA's and Signatories' resources. Implementing the CAS decision has been a challenge, in particular for Signatories with events in Russia. All IFs and MEOs have been contacted to ensure they met the CAS decision requirements and in most cases, non-conformities were resolved amicably. However, WADA did have to initiate <b>four</b> fast track compliance procedures against Signatories that did not act on WADA's requests for amendments in their actions. <b>Three</b> were successfully closed and <b>one</b> was open at the end of the year.</p> <p>These two working groups will continue their work throughout 2022 and it is anticipated that efficiency savings will be made through lessons learned in 2021.</p>
<p>Signatories, in particular NADOs, maintaining fully compliant anti-doping programs after a CAR has been completed.</p>	<p>Creation of a new impact area in WADA's re-organization to focus on Program Development, with a particular focus on NADOs in key program areas.</p>	<p>Projects initiated for Results Management and TUEs in 2021, and Testing in 2022, to provide additional support and resources to NADOs in developing their anti-doping programs.</p> <p>Signatories also benefited from GLDF training programs and CISP resources on ADEL with critical non-conformities in Testing and Results Management reducing in 2021's compliance monitoring program.</p>
<p>Signatories with no anti-doping rules in place at the start of 2021 have no legal basis to implement the 2021 Code and International Standards</p>	<p>WADA provided significant resources and focus to assist those Signatories that still did not have anti-doping rules adopted and in line with the 2021 Code.</p>	<p>At the start of 2021, 93 Signatories did not have anti-doping rules in place. By the end of 2021, one Signatory had been declared non-compliant and eight were on the watchlist.</p>

# 10. Special Issues

## Russia

In 2021, the Russian doping case moved into the implementation phase of the CAS decision consequences following the CAS decision in December 2020. The onus of monitoring the implementation of the decision by Signatories became the responsibility of WADA and required significant and unprecedented resources. The impact on other Signatories was also significant, with many being required to move events from Russia, having to review and adjust their protocol procedures to comply with requirements regarding Russian uniforms and flags, and undertake assessments regarding the suitability of Russian officials on their committees. The monitoring as detailed in this report has been vigorous and intensive and has ensured that the global anti-doping system has been preserved in line with the CAS decision.

Alongside this, WADA also created a cross-functional working group to monitor RUSADA's operations. Good relationships were established with RUSADA's senior management and supervisory board. WADA was also an observer to the recruitment of a new Director General for RUSADA. The first recruitment process was flagged as ineffective by WADA. WADA's conclusion was welcomed by RUSADA's supervisory board and, therefore, a second process was initiated and concluded successfully, with an outcome supported by WADA. In 2022, WADA will continue to monitor RUSADA's compliance with the Code as well as Signatories' implementation of the CAS decision.

## Weightlifting

The sport of weightlifting, and in particular the International Weightlifting Federation (IWF), remained under review by WADA in 2021 with WADA's legal team working closely with the ITA, who now manages the entire IWF anti-doping program.

The ITA contributed substantially in managing old results management cases and has closed the majority to the satisfaction of WADA. Proceedings have also started against a number of former IWF officials and criminal investigations are ongoing.

From a compliance perspective, WADA continues to monitor the IWF closely, and regular updates are provided to the CRC and WADA's Executive Committee.

## Ukraine

WADA's I&I department published the [outcomes](#) of their two-year Operation Hercules investigation into the Ukrainian NADO on 26 October 2021. Two main allegations were substantiated, namely the unjustified use of advance notice testing and the incorrect recording of test data into ADAMS. Following the publication of the report, the case was taken over by the Compliance Taskforce, which appointed a cross-functional internal working group. As a result, a fast-track compliance procedure was opened, and the CRC was to review the case in early 2022

# 11. Integrated Assessment of Findings and Areas of Special Focus

## 11.1 WADA Internal Structures, Processes and Compliance Monitoring

- WADA has undertaken a re-organization in line with its Strategic Plan and has made compliance one of its eight core activities. A new impact area for Compliance, Rules and Standards has been formed to oversee its compliance mandate.
- The WADA compliance program has continued to evolve and adjust to the challenges presented by the ongoing pandemic and the transition period of the re-organization. WADA has developed flexible, effective and robust compliance monitoring programs.
- The establishment and integration of the CIS further enhances WADA's capacity to identify and investigate compliance issues and deal with them in a more timely and effective way, in line with the ISCCS.
- WADA continued to implement its CISP throughout 2021 with the publication of guidelines for each International Standard, templates, webinars and other resources.
- As compliance procedures resumed in 2021 following the COVID-related suspension, a record level of non-compliance cases was observed due to the unique combination of the backlog of cases due to the pandemic and freezing of deadlines and the requirement for anti-doping rules aligned with the new Code to be in place by 1 January 2021. The processes and decisions made by the Compliance Taskforce, CRC and WADA's Executive Committee, in line with the ISCCS, were effective and were not challenged by Signatories at CAS. Deadlines and compliance enforcement procedures continue to be effective in maintaining Signatory compliance, in particular, in cases involving anti-doping rules and/or legislation changes to implement the 2021 Code.
- The Russia case continued to be resource-intensive both for WADA's monitoring and for Signatories that were required to implement the CAS decision.

## 11.2 Monitoring Signatory Compliance

The key findings of Signatory compliance monitoring in 2021 are:

- WADA continued to monitor Signatories' anti-doping programs through audits while providing significant resources and support to Signatories in amending their anti-doping rules and via CISP.
- In light of the large backlog of compliance cases after lifting of the COVID-related suspension of enforcement procedures, ongoing anti-doping rules review and the development of a new CCQ for 2022, the approach to the continuous monitoring program was adjusted for 2021.
- At the end of 2021, one year after the deadline, nine NADOs still did not have anti-doping rules and/or legislation adopted and in line with the 2021 Code. All NADO cases of non-compliance and watchlist involved countries that chose to implement the Code using legal instruments beyond anti-doping rules.
- Based on audit data, the average number of critical non-conformities per CAR reduced in 2021 when compared to 2020.
- Testing and Results Management continued to generate the most non-conformities. However, both reduced in 2021 audits compared to 2020 audit data. The new Program Development impact area and the GLDF have had a positive impact in reducing non-conformities in these areas. Education non-conformities increased due to new requirements contained in the International Standard for Education. TUE non-conformities also increased. This will be monitored more closely with the CCQ in 2022 and 2023.
- From the audit program, NADOs continue to generate, on average per CAR, more non-conformities than IFs and face greater challenges adopting anti-doping rules due to the more complex nature of their anti-doping programs and more complex legal frameworks. NADOs have also taken longer to implement corrective actions and therefore have remained in compliance procedures for longer periods of time. It is expected that the introduction of the new Program Development impact area will provide additional support to NADOs. However, it will take some time for the initiatives and projects in this area to see results.

# 12. Implications for WADA's Compliance Monitoring Program in 2022

On the basis of the findings and trends identified in 2021, WADA's compliance focus in 2022, which will be detailed in the 2022 Annual Compliance Plan, will be:

## Implementation of CAS decision on Russia

- Continue to support and monitor Signatories with the implementation of the CAS decision.
- Monitor RUSADA reinstatement plan.

## WADA Internal Compliance Management

- **Key performance indicators:** further define robust and relevant KPIs to measure the effectiveness and improvements of WADA's compliance monitoring program.
- **Risk management:** implement the compliance risk management system and plan.
- **Data analytics:** data extraction, reporting and analysis to identify trends and improvements.
- **Operational planning:** including resource modelling and project management in line with the new organizational structure.
- **CIS:** Support the CIS in their compliance investigations.

## Program Development

- Continue support of Program Development initiatives that will improve compliance maturity of Signatories through preventative and sustainable measures.

## Compliance Monitoring Programs

- **CCQ:** oversee and coordinate the distribution, review and assessment as well as issuing of corrective action reports. Monitor trends for TUE findings more closely.
- **Rules review:** continue reviewing new and revised anti-doping rules and/or legislation, including those submitted via CCQ.

## ISCCS Effectiveness and Revision

- Identify improvements through experience of implementing the ISCCS.
- Conduct stakeholder consultation.

## CRC Operations

- Support and implement operational process improvements identified by the CRC.