

# Confidential Source Policy

Formerly known as:  
Whistleblowing Program  
Policy and Procedure for Reporting  
Misconduct<sup>1</sup>

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<sup>1</sup> The CODE, ISTI and other WADA documents continue to refer to the WADA Confidential Source Policy as the Policy and Procedure for Reporting misconduct.

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## Confidential Source Policy – Key takeaways

### **If you believe you have information that can help protect clean sport, please Speak Up!**

The World Anti-Doping Agency's (WADA's) Speak Up! program was created for anyone who wishes to report doping misconduct. Speak Up! is a secure communications tool, which can be accessed through our [online portal](#) or by [mobile app](#).

### **Your confidentiality is our highest priority**

Each doping allegation we receive is carefully assessed by a dedicated Confidential Information Manager (CIM). Our CIMs are highly trained professionals with extensive backgrounds in confidential source management. They are trained to protect our most important assets: the people we work with.

### **We pride ourselves on the quality of our confidential source relationships**

Confidential sources are regularly updated throughout our assessment and [Investigative Process](#). Our program is built on trust and two-way communication. We work with confidential sources to obtain impactful results without sacrificing your security or anonymity

### **Anyone can make a disclosure**

We will not force you to reveal your identity, but if you do, we will work hard to earn your trust.

### **WADA confidential sources have rights and responsibilities**

Working with WADA as a confidential source means [accepting certain responsibilities](#), such as being fully transparent about your motivations. Our assessment process takes time and involves making yourself available to answer questions. It also comes with important rights, which are detailed [further in this document](#).

### **Becoming a WADA whistleblower**

A WADA whistleblower is the highest level of confidential source within our program. A WADA whistleblower must formally acknowledge their rights and responsibilities and agree to follow direction meant for their protection.

### **We are committed to working with you!**

To be a WADA whistleblower means you have committed to assist WADA and respect this policy. In turn, WADA is committed to working with you, to treating your information with utmost professionalism, and to protecting your identity above all else.

### **Contact Us**

Should you have any questions about this policy or our process, we encourage you to contact us in full confidence via:

The WADA [Speak Up! portal](#)

Email at <mailto:CIU@wada-ama.org>

# 1. Introduction & scope

In keeping with WADA's commitment to protect clean athletes, the Agency encourages anyone who is aware of, or suspects any breach of the World Anti-Doping Code (Code) to share this information with WADA.

WADA recognizes the value of whistleblowing in deterring and detecting doping within sport. With the establishment of a dedicated Confidential Information Unit (CIU) in 2018, WADA has made significant progress in strengthening its confidential source and intelligence gathering program.

This policy – formerly known as the Policy and Procedure for Reporting Misconduct – which was first approved by WADA's Foundation Board on 20 November 2016 and updated on 25 November 2021 outlines how the WADA CIU will gather and assess confidential information and work with confidential sources. It applies to all activities conducted by the CIU of WADA's Intelligence and Investigations (I&I) Department. WADA also encourages Code Signatories to use this policy as a framework for their own confidential source programs.

This Policy will be subject to regular review and assessment to ensure it reflects evolving best practices. WADA encourages feedback on the Policy and recommends stakeholders consult its [website](#), for the latest version.

# 2. Key terms used in this policy

For the purposes of this Policy:

A **confidential source** is a natural or legal person that has made a disclosure to WADA.

WADA's first level of confidential source is an **informant**.

Informants can range from an anonymous person who provides a one-time disclosure to an identified person who has engaged in numerous exchanges with WADA's CIU.

WADA's second level of confidential source is a **whistleblower**.

An informant becomes a whistleblower once they enter into a whistleblower agreement with WADA. Through this agreement, whistleblowers formally acknowledge their rights and responsibilities and can be granted additional protections. Whistleblowers can range from a person who has a finite access to confidential information to a person who provides ongoing confidential information over an extended period (months/years).

A **respondent** is a natural or legal person identified in a disclosure as a person to whom misconduct can be attributed.

A **misconduct** constitutes any alleged Anti-Doping Rule Violation (ADRV), any alleged Code non-compliance violation, or any act or omission that could undermine the fight against doping.

A **disclosure** is any report of misconduct or provision of information related to a potential misconduct through WADA's reporting channels.<sup>2</sup>

### 3. WADA Confidential Information Unit

WADA's I&I Department is mandated to collect and investigate allegations of anti-doping misconduct under the World Anti-Doping Program. WADA I&I is led by a Director, who oversees three operational units: an Investigations Unit (IU), a CIU and a Compliance Investigation Section (CIS).

WADA I&I's general operation and management, including its independence from the rest of the Agency, the investigative principles it respects, and the external audits it is subject to, are described in WADA's [Investigations Policy](#). These measures apply to the CIU.

The CIU is comprised of a unit head and CIMs, and is responsible for managing all incoming misconduct allegations, protecting confidential sources, and collecting and distributing intelligence in support of WADA's IU, CIS and other Code signatories.

While the CIU, IU and CIS work closely together in support of WADA's I&I operations, only the CIU and the Director of the I&I Department know the identities of confidential sources. This important measure provides confidential sources with an enhanced level of security while preserving the integrity of WADA's investigative process.

### 4. CIU Process

The following chart summarizes the CIU's process to support confidential sources and manage and assess the information they provide. More detail on each step is provided in [Appendix 1](#).

Note: Not all cases are linear; in certain cases, one or more steps may not apply, or additional steps may be necessary.

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<sup>2</sup> Please see the Speak Up! FAQs/privacy policy for additional information on who can make a disclosure and what is subject to a disclosure.

# CIU Process

<p><b>1</b></p> <p><b>Disclosure of Misconduct</b></p> <p>A member of the public discloses a doping misconduct. The CIU acknowledges receipt and classifies the person as an informant.</p>	<p><b>2</b></p> <p><b>Information Assessment</b></p> <p>CIU assesses the initial disclosure for veracity, source motivations, and applicability to the Code.</p> <p>CIU may contact the informant to seek clarity on their disclosure and/or request permission to pass on their allegations to an external organization.</p>	<p><b>3</b></p> <p><b>Virtual or In-person Interview</b></p> <p>CIU may request a virtual or in-person interview to obtain additional info and assess whistleblower (WB) suitability.</p>	<p><b>4</b></p> <p><b>WADA IU or ADO Investigate</b></p> <p>If CIU considers that the case falls within another ADO's mandate or that WADA's IU/CIS should open a case file, the allegations are passed on for further investigation.</p>
<p><b>5</b></p> <p><b>Whistleblower Status Granted</b></p> <p>The CIU assesses whether WB status is appropriate. If both parties agree, a formal WB agreement process is initiated (WB briefing: rights, responsibilities, and protections).</p>	<p><b>6</b></p> <p><b>Ongoing Communications</b></p> <p>The confidential information manager (CIM) and WB work together to collect additional information of benefit to the investigation.</p>	<p><b>7</b></p> <p><b>Closure &amp; Ongoing Support</b></p> <p>Investigation is closed. Upon request, the CIM provides the WB with a briefing of the investigation and if applicable discusses rewards and further protection measures.</p> <p>Communication channels remain open for exchange of information and support.</p>	

## 5. Rights and responsibilities

Informants, whistleblowers and WADA each have rights and responsibilities under this Policy. These rights and responsibilities are detailed in [Appendix 2](#).<sup>3</sup>

## 6. Communications

Confidential sources will be given access to a secure means of communicating with the CIU.

At all stages of the process, all relevant communication (emails, phone interviews, encrypted video conference, in-person meetings, etc.), which involve the exchange of information related to a disclosure of misconduct will be documented within the CIU's secure database.

<sup>3</sup> Note: Respondent rights are also included within this section.

Intelligence exchanges with individuals or organizations outside of WADA (e.g. law enforcement) will be via encrypted means (where reasonably practicable) and will satisfy the highest security standards, in addition to satisfying the [International Standard for the Protection of Privacy and Personal Information \(ISPPPI\)](#).

## 7. Protection measures<sup>4</sup>

### 7.1 Protection identity and confidentiality

The CIU ensures the identities of confidential sources (informants and whistleblowers) are safeguarded and remain confidential at all times.<sup>5</sup> A confidential source's identity is never shared outside the CIU and the Director of the I&I Department, unless:

- authorized in writing by the confidential source, or
- in the unlikely event that it is required by law

Confidential source identities are protected throughout an investigation ([see Investigation Process](#)). Before an investigation report or any information about a case is shared outside of the WADA I&I Department, a CIM reviews all relevant documents to ensure they do not present a risk to any confidential source(s). The CIM assigned to the case has final say on all issues related to confidential source security.

The CIU strongly recommends that all WADA confidential sources consult with the CIU prior to engaging in activity, which could risk exposing their identity to the public. If a confidential source willingly exposes his/her identity to the public, the CIU will not be able to continue to protect his/her identity.

### 7.2 Protection against retaliation

WADA will not tolerate any retaliation against a confidential source, whether directly or indirectly, including dismissal, suspension and demotion, loss of opportunities, boycotts, punitive transfers, reductions in or deductions of wages, harassment or other punitive or discriminatory treatment.

Article 2.11 of the Code, titled "Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities" was added to the Code for that very purpose.

Should a respondent find out or guess the identity of a confidential source and should WADA reasonably believe that respondent has engaged in an act of retaliation, WADA will provide such information to the relevant Anti-Doping Organization (ADO) to pursue a Code Article 2.11 ADRV against the respondent.

In addition to a Code Article 2.11 violation, WADA will pursue legal opportunities to halt and prevent further acts of retaliation, where appropriate, with the support of reliable stakeholders and/or relevant law enforcement

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<sup>4</sup> Except for the charge or decision regarding a Code Article 2.11 ADRV, the decision to provide the other protection measures mentioned in *Section 7* are at the sole discretion of WADA and not appealable.

<sup>5</sup> See *Section 9: Procedures for handling INNACURATE, MISLEADING, or MALICIOUS Disclosures*, for source disclosure procedures in case of purposeful disclosure of false or misleading information.

authorities. A prerequisite for receiving this protection is the whistleblower giving consent for WADA to reveal her/his identity to the applicable authority (see 7.1 above).

### 7.3 External legal assistance<sup>6</sup>

WADA may provide whistleblowers with external legal assistance depending upon the specificities of the whistleblower's situation. If granted, WADA shall cover the costs of this assistance up to a reasonable amount decided by WADA.

### 7.4 Physical protection

WADA cannot provide physical protection to a whistleblower and family. However, if WADA determines that that a whistleblower is in danger, WADA will assist, where appropriate, in raising and addressing this matter with the support of reliable stakeholders, and/or relevant law enforcement authorities. A prerequisite for receiving this protection is the whistleblower giving consent for WADA to reveal her/his identity to the applicable authority.

## 8. Support and rewards for confidential sources<sup>7</sup>

### 8.1 Substantial assistance benefits

When a confidential source is facing an ADRV, the confidential source might be eligible for substantial assistance benefits, as described in Article 10.7.1 of the Code.

### 8.2 Financial assistance

WADA may, where appropriate and at its sole discretion, provide material and financial assistance to a confidential source as compensation for expenses, for harm or loss as a direct result of the act of disclosing misconduct, and/or for services rendered on behalf of WADA's Intelligence and Investigations Department. In such cases, WADA has the discretion to assess evidence available and decide on the level of appropriate financial assistance accordingly. If assistance is provided, this fact, and the details of what was provided, must remain confidential. In accordance with proper confidential source management standards, WADA's CIU will retain a record of all financial assistance/compensation within its secure database.

In accordance with proper confidential source management standards, WADA's CIU will retain a record of all financial assistance/compensation within its secure database.

### 8.3 Financial reward

Upon a whistleblower's specific request, WADA may decide to grant, at its sole discretion, a financial reward to a whistleblower in appreciation of the support in aiding the fight against doping in sport. Such a request will

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<sup>6</sup> Note: External legal assistance and physical protection assistance are only available to WADA whistleblowers, not informants.

<sup>7</sup> Except for the rights to appeal granted by the Code for Article 10.7.1, the decision to provide the other support and rewards mentioned in this Section are at the sole discretion of WADA and not appealable.

only be considered upon conclusion of any investigation or disciplinary, criminal, professional or other proceedings in relation to an alleged misconduct.<sup>8</sup>

When considering a request for a financial reward, WADA will assess if the information provided by the whistleblower is sufficient for an ADO, a professional body, or a criminal authority to instigate proceedings against the respondent or if it constitutes an extraordinary assistance to the fight against doping in sport. In the process of granting a financial reward, WADA also considers and decides at its sole discretion on disbursement and level of the reward, including the amount and means of disbursement, taking into consideration factors such as the quality of the information provided, the general assistance and behavior of the whistleblower throughout the process, the whistleblower's personal situation and the situation of the whistleblower's family.

Any financial reward provided is subject to confidentiality by all parties, in accordance with the terms of a financial reward agreement.

## 9. Vetting procedures and sanctions

### 9.1 Procedures for handling inaccurate, misleading, or malicious disclosures

The CIU performs routine vetting of all confidential source information for veracity, consistency, and accuracy. The CIU regularly corroborates confidential source information through open-source intelligence, external and internal databases, partner information, and other confidential sources. Should the CIU deem a confidential source's information inaccurate, misleading, or malicious, the CIU will perform a thorough review of the confidential source file and may classify all reporting from that source as questionable. See next sections for consequences of a malicious or knowingly false disclosure.

### 9.2 Sanctions Arising from Knowingly False Disclosures of Misconduct

Where it becomes known that a confidential source has made a malicious disclosure or a knowingly false disclosure, the whistleblower relationship and Whistleblower Agreement will be terminated immediately, and any other confidential source rights outlined in this Policy ([Appendix 2](#)) will also be lost, including sharing the source's identity to a partner ADO or law enforcement organization.<sup>9</sup> The investigation of the confidential source's disclosure of an alleged misconduct will be closed.

The same may constitute "tampering" in accordance with Code Article 2.5 and the applicable ADO may initiate proceedings for this anti-doping rule violation and appropriate consequences.

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<sup>8</sup> Financial rewards are only available to whistleblowers, not informants.

<sup>9</sup> In the unlikely event that this occurs, the CIU will disclose the identity of the confidential source and any relevant contextual information to the ADO or law enforcement organization. This information will be shared to prevent a partner from pursuing false or misleading information and/or perform a damage assessment. Prior to sharing this information, the CIU will obtain written acknowledgement from the partner organization to: A) Safeguard WADA's information at all times and B) Refrain from sharing WADA's information to a 3rd party, without the CIU's express permission. Further, the CIU will notify the confidential source of this disclosure.

## 9.3 Sanctions arising from a confirmed case of Misconduct

Consequences resulting from confirmed ADRVs shall be pursued in accordance with Code Article 10. The consequences include, but are not limited to, disqualification, ineligibility, fines, and repayment of prize money.

WADA's I&I Department may, if appropriate, refer the case to criminal authorities, professional bodies and other relevant parties.

Respondents that become the subject of an ADRV investigation should be notified.

## 9.4 Sanctions arising from retaliation

Should WADA reasonably believe that a respondent has engaged in an act of retaliation against a confidential source, WADA will provide such information to the relevant ADO to pursue a Code Article 2.11 ADRV against the respondent. Consequences include disqualification, ineligibility, fines, and repayment of prize money.

In addition to a Code Article 2.11 violation, WADA will pursue legal opportunities to halt and prevent further acts of retaliation, where appropriate, with the support of reliable stakeholders and/or relevant law enforcement authorities.

# 10. Privacy and security

## 10.1 Secure storage

- Electronic Data

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

- Physical Evidence

Reliable evidence is the cornerstone of the entire confidential source system. As set forth in Code Article 3.2, any kind of reliable means shall be accepted:

- Physical evidence (documents, photos, video, products and/or related packaging, discarded medical equipment, etc.),
- Audio, etc.

All physical evidence is identified, assessed, recorded, and annexed to the relevant case file. All physical evidence originating from confidential sources will be kept within in a dedicated safe, with access limited to members of WADA's CIU and the Director of the I&I Department.

## 10.2 Privacy

WADA is committed to protecting the privacy of confidential sources and respondents. Personal information that WADA receives, uses or shares in connection with its confidential source and information program will be handled in accordance with the [Speak Up! Privacy Policy](#), [ISPPPI](#), and applicable law. For questions or concerns about privacy, WADA can be reached at [privacy@wada-ama.org](mailto:privacy@wada-ama.org).

## Appendix 1: CIU Process

# CIU Process



1

### Disclosure of Misconduct

A member of the public discloses a doping misconduct. The CIU acknowledges receipt and classifies the person as an informant.

2

### Information Assessment

CIU assesses the initial disclosure for veracity, source motivations, and applicability to the Code. CIU may contact the informant to seek clarity on their disclosure and/or request permission to pass on their allegations to an external organization.

3

### Virtual or In-person Interview

CIU may request a virtual or in-person interview to obtain additional info and assess whistleblower (WB) suitability.

4

### WADA IU or ADO Investigate

If CIU considers that the case falls within another ADO's mandate or that WADA's IU/CIS should open a case file, the allegations are passed on for further investigation.

5

### Whistleblower Status Granted

The CIU assesses whether WB status is appropriate. If both parties agree, a formal WB agreement process is initiated (WB briefing: rights, responsibilities, and protections).

6

### Ongoing Communications

The confidential information manager (CIM) and WB work together to collect additional information of benefit to the investigation.

7

### Closure & Ongoing Support

Investigation is closed. Upon request, the CIM provides the WB with a briefing of the investigation and if applicable discusses rewards and further protection measures.

Communication channels remain open for exchange of information and support.

### **Step 1: Disclosure of Misconduct**

Any member of the public can make a disclosure of alleged misconduct.

WADA treats all members of the public who make a disclosure of misconduct as an informant. This means the people who contact WADA are afforded basic protections, such as the right to have their identity protected.

Although WADA will accept disclosures through any of its communications channels (Email, Phone, Letter etc.), WADA strongly encourages informants to disclose misconduct through Speak Up! (website or mobile app) as it is a secure communications channel. Speak Up! is easy-to-use and offers step-by-step instructions in multiple languages.

All disclosures submitted through any of WADA's reporting channels are received by WADA's CIU. After a disclosure of misconduct is submitted, the writer will receive an acknowledgement of receipt and may be called upon to answer additional questions.

Informants are welcome to contact the CIU directly either through Speak Up! or at [CIU@wada-ama.org](mailto:CIU@wada-ama.org) to seek further advice prior to making a formal disclosure.

### **Step 2: Information Assessment**

All disclosures of misconduct received by WADA are assessed by the CIU. The CIU evaluates the veracity of the information, the informant's motivations for disclosing the information, and whether the alleged misconduct falls within the scope of the Code.<sup>10</sup>

As part of assessing the disclosure, the CIU may engage in a fact-finding process, which could involve further communications with the informant.

The information assessment process requires trust between both parties – the CIU and the informant. This is developed through first contact via the Speak Up! platform, through further contact(s) via phone or encrypted video conference, and when applicable, through an in-person meeting(s).

Part of the information assessment process requires that the informant make themselves available to answer follow up questions. If the informant has made an anonymous disclosure, the CIU will perform an assessment based upon the initial information only.

### **Step 3: Virtual or In-Person Interview**

When applicable, the final stage of the information assessment process involves a virtual or in-person interview. Informants are encouraged to make themselves available to address the following subjects:

- Their motivations for disclosing the alleged misconduct
- Their access to the information provided (first-hand, second-hand or other)
- Their relationship with the respondent(s)
- Any concerns (including their security) they may have with regards to their disclosure or WADA's Investigative Process.

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<sup>10</sup> The CIU has full discretion when conducting or terminating its information assessment process.

WADA's CIU stores the answers to interview questions within the unit's secure database. This information assists the CIU in determining whether a disclosure of misconduct falls within the I&I Department's mandate and whether the case should be transferred to WADA's IU, CIS or a partner ADO for investigative follow up.

#### **Step 4: Transfer for Investigation**

Following a thorough assessment of an informant's information, the CIU uses [WADA's I&I decision matrix](#) to determine whether the case should be transferred internally to WADA's IU or CIS or externally to a partner ADO. Whether an internal investigation led by the IU/CIS or an external investigation led by a partner ADO, the CIU maintains close communication with the investigative body to ensure the informant or whistleblower's information is maximized.<sup>11</sup> Furthermore, this communication enables the CIU to advise on any investigative measures which could negatively impact the source. WADA's investigative process is explained in its [Investigations Policy](#).

#### **Step 5: Whistleblower Status Granted**

When does an Informant become a whistleblower?

An initial interview allows the CIM to assess an informant's information, motivations, as well as any associated risk involved with a disclosure. Furthermore, it allows the CIM to assess whether granting whistleblower status is warranted.

The information assessment process takes time. Until the information assessment process is complete and whistleblower status granted, an informant is not considered a whistleblower.

#### **Granting Whistleblower Status**

There is no obligation for an informant to become a whistleblower and the decision to enter a whistleblower relationship must be mutual. "Whistleblower status" offers additional rights to an informant who wishes to further cooperate with the CIU. The granting of whistleblower status is at the discretion of the CIU, which will consider several factors in its decision, such as:

- Whether the alleged misconduct falls within the scope of the Code or is related to the Code,
- Whether the alleged misconduct is time-barred by the Code's statute of limitations,
- If the information provided is relevant or assists in the fight against doping in sport,
- If the disclosure is made in good faith and on reasonable grounds,
- The likelihood that sufficient evidence can be obtained to corroborate the alleged misconduct and/or of a resulting ADRV,
- If the information provided is precise enough,
- If the potential threat to safety and wellbeing of the confidential source or his/her family is greater than the significance of the information,
- If the risk that the confidentiality of the source cannot be maintained and the resulting investigation and/or legal proceedings would require the revelation of the informant/whistleblower's identity.

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<sup>11</sup> Whenever possible the CIU seeks prior authorization from the confidential source prior to transferring their case to an external organization.

The CIU may consider other factors in deciding whether to offer whistleblower status. If whistleblower status is not granted, the informant will be notified accordingly.<sup>12</sup> In a case where whistleblower status is not granted, cooperation between the CIU and the informant can continue, and all communication channels will remain open.<sup>13</sup>

### **Whistleblower Agreement**

A prospective whistleblower will be provided with a web link to WADA's Confidential Source Policy, which outlines the rights, responsibilities and protections afforded a WADA whistleblower.

Prior to granting whistleblower status, the confidential information manager provides the informant with a briefing covering the following topics (collectively, the "Whistleblower Terms"):

- Whistleblower rights and responsibilities
- Whistleblower protection measures
- Whistleblower financial assistance and rewards
- An overview of the of the whistleblower relationship

In addition, the CIM will address any questions or concerns the informant may have about WADA's Confidential Source Policy & the CIU Process.

Before whistleblower status is granted, the whistleblower must accept the Whistleblower Terms. This includes a written acknowledgement of receiving the CIM briefing (above) and agreeing, in writing, to abide by the whistleblower responsibilities and other Whistleblower Terms.

Formal acknowledgement is carried out through WADA's secure Speak Up! platform. All relevant information relating to whistleblower status will be kept in a confidential source file within the CIU's secure database. Only members of the CIU and the Director of I&I have access to this file.

### **Step 6: Ongoing Communications**

The CIM assigned to the whistleblower's case file will work with the whistleblower to maximize the impact of their information. As such, the CIM will remain available to receive and assess any additional whistleblower disclosures of misconduct. In turn, the whistleblower must make themselves available to answer a CIM's follow up questions and any other information requests.

In addition to the sharing of information, the CIM will remain available to address any whistleblower security concerns as well as provide a whistleblower with advice on security and communications best practices. The CIM will work with the whistleblower to ensure the whistleblowers identity and confidentiality is always protected. Whistleblowers are strongly encouraged to follow a CIM's directions at all times.

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<sup>12</sup> WADA's decision whether or not to grant whistleblower status is not appealable.

<sup>13</sup> If whistleblower status is refused due to an informant providing false or misleading information, the CIU reserves the right to cease all communications. Nonetheless, the Speak Up! communications platform will remain open to receive information.

## **Step 7: Closure of Investigation & Ongoing Support**

When a WADA investigation is officially closed, upon request, the CIM assigned to the whistleblower's case file will provide the whistleblower with a summary briefing of the investigation.<sup>14</sup> In addition, the CIM will make themselves available to address the whistleblower's questions and address any concerns they may have. The CIU is committed to providing whistleblowers with support throughout the investigative process including after an investigation is concluded.

The IU (or the ADO to whom WADA's CIU transferred information) has responsibility for notifying the respondent that they were the subject of an investigation as soon as reasonably possible without jeopardizing the integrity of their investigation or the investigation of law enforcement authorities/other relevant parties. This would normally occur following the conclusion of an investigation.

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<sup>14</sup> WADA investigations are closed for a variety of reasons, such as: a case is transferred to law enforcement or another ADO, ADRVs are established and a results management process initiated or there is insufficient evidence to substantiate allegations.

## Appendix 2: Rights & Responsibilities

### 1. Informant Rights

An informant has the right to:

- Protection of his/her identity and protection against retaliation (see Confidential Source Policy Section 7, sub-sections 7.1 & 7.2 above).
- Seek advice from WADA's CIU before deciding to disclose a misconduct.
- Make a disclosure of misconduct or pass any other relevant information to the CIU through the channels provided by WADA (see Appendix 1/CIU Process Step 1 above).
- Receive an acknowledgement of receipt of a disclosure, if possible.
- Receive substantial assistance benefits or other support, if eligible (see Confidential Source Policy section 8 above).
- Receive a timely notification of the decision as to whether whistleblower status has been granted, and, where possible, justification for the decision.
- In certain cases, participate in a virtual or in-person interview with the CIU at no cost to him/her.

### 2. Informant Responsibilities

It is the responsibility of the informant to:

- Make a disclosure of misconduct in good faith and on reasonable grounds, with an honestly held belief that the disclosure is accurate.
- Refrain from taking any action or providing any information that could put him/her, his/her family, or any third party, in danger and immediately inform the WADA CIU if the informant or any other person is in danger or at risk of reprisals resulting from the informant's contact with the CIU.
- To not provide information or further disclosures that malicious or knowingly false as it could lead to a tampering ADRV in accordance with Code Article 2.5.
- Give accurate information to WADA's CIU and, where appropriate or upon request from the CIU, clarify information or provide additional information that may be needed.

### 3. Whistleblower Rights

In addition to the rights afforded to informants, a whistleblower has the additional rights to:

- Be offered whistleblower protection measures and rewards, where appropriate and subject to the terms of the whistleblower agreement (see Appendix 1/CIU Process Step 5 and 6 above).
- Seek advice from a designated WADA CIM on any concerns during the investigation process.
- Receive updates on how the investigation is progressing on a case-by-case basis, if appropriate.
- Be notified of the final outcome and findings related to the whistleblower's disclosure, when the WADA CIU considers it appropriate.
- Upon request and if appropriate, be given a summary briefing of the investigation, including potential sanctioning of the respondent, upon conclusion of investigation.
- To remain in contact with CIU after an investigation is closed, specifically for identity protection matters.
- Terminate the whistleblower agreement and lose the rights, rewards, and protections afforded by

having whistleblower status.

#### **4. Whistleblower Responsibilities**

In addition to informant responsibilities, the whistleblower has the additional responsibility to:

- Comply with the terms and conditions of the whistleblower agreement.
- Not commit any ADRV or any act or omission that could undermine or prejudice the ongoing or future investigations.
- Seek approval from WADA's CIU prior to intervening in any way in or taking any action related to the ongoing investigation.
- Maintain strict confidentiality of the investigation at all times (even after its conclusion) and take steps to protect his/her identity in accordance with the whistleblower agreement. A breach of confidentiality will immediately terminate the whistleblower agreement and result in a loss of the whistleblower rights listed above.

#### **5. Respondent**

Respondents have the right to:

- Protection of their identity so long as misconduct is not substantiated, and relevant proceedings have not been commenced.
- Benefit from a presumption that the misconduct has not occurred.

#### **6. WADA Rights**

WADA may, subject to applicable laws:

- Refer any information received from a confidential source, including a disclosure and evidence, to the ADO with authority to sanction the respondent in accordance with the Code.
- Where appropriate, refer any information received from a confidential source, including a disclosure and evidence, to relevant national and international law enforcement or other regulatory authorities.<sup>15</sup>
- Refer malicious or knowingly false disclosures to the ADO with authority to sanction the person who made the disclosure in accordance with article 2.5 of the Code.
- Seek additional information from a confidential source when needed, including virtual or in-person interviews that will follow the same process as described in article (see [Appendix 1](#)/CIU Process Step 2, 3 and 6 above). Seek approval from WADA's CIU prior to intervening in any way in or taking any action related to the ongoing investigation.

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<sup>15</sup> A disclosure of misconduct that is identified as a potential criminal or professional violation may be referred to INTERPOL in the framework of the Memorandum of Understanding signed between WADA and INTERPOL, and/or to the relevant law enforcement authorities, professional bodies or other relevant parties.

- End the investigation process and terminate the whistleblower agreement if deemed appropriate, notably – if the whistleblower fails to fulfill his/her obligations under the whistleblower agreement.

## **7. WADA Responsibilities**

WADA shall:

- Make adequate arrangements to ensure the effective implementation of this Policy, with a particular focus on respecting the rights of the parties to a disclosure, including protecting confidential sources (see Confidential Source Policy section 7 above) and rewarding them (see Confidential Source Policy section 8 above).
- Where it refers information obtained under this Policy to an ADO or other relevant party, advise recipients of their responsibilities with respect to this information, including their responsibility to protect the rights of the parties to a disclosure.
- Make this Policy and relevant procedures publicly available in English, French and Spanish on its website.
- Ensure that the I&I Department members are in good professional standing and that they are given adequate discretion, independence, resources and training to carry out their jobs effectively.
- Establish a secure and safe way of communicating with confidential sources.
- Ensure that any information provided by the confidential sources, either electronic or physical in nature, is securely stored.