

2027 Code & International Standard Update Process: Stakeholder Consultation Phase - International Standard for Data Protection (ISDP) / International Standard for the Protection of Privacy and Personal Information

Showing: All (79 Comments)

Article 3 (4)

Ministry of Health, Welfare and Sport

SUBMITTED

Bram van Houten, Policy adviser (Netherlands)
Public Authorities - Government

General Comments

At the start of the Code-update process it was explained by WADA that stakeholders are welcome to comment and offer suggestions on any part of the Code or Standards, as they saw fit.

The Netherlands' Government would like to comment on article 1 of the ISPPPI, but since it is only made possible to offer comments or suggestions to those sections and articles of the Code and Standards where WADA proposes changes, we cannot enter our contribution under the right article in WADA Connect. We therefore offer our suggestion for article 1 ISPPPI here.

We would suggest an addition to the introductory text on the scope of the international standard in article 1.0. The article already references applicable law, which is good. But it highlights only those instances where applicable might require stakeholders to go beyond the standards of the ISPPPI. We believe it is good to highlight that the law applies in any circumstance, including those rare circumstances where applicable prevents the processing of data.

Suggested changes to the wording of the Article

We suggest to include, after the final sentence of the third paragraph of this article:

"All gathering, processing, sharing, publishing and/or retention of personal data as part of the World Anti-Doping Program shall be done in line with applicable law."

Reasons for suggested changes

We believe it is good to highlight that the law applies in any circumstance, including those rare circumstances where applicable prevents the processing of data.

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other Person working with, treating or assisting an Athlete participating in or preparing for sports competition.

Should remain in as they can be written on DCF and ADAMS.

Anti Doping Danmark

SUBMITTED

Silje Rubæk, Legal Manager (Danmark)
NADO - NADO

General Comments

"...Article 3.6 mentions certain new defined terms including "Testing Pool and Whereabout Pool".

Correction: "Testing Pool" is mentioned in Article 3.1

Chair

SUBMITTED

Athlete Council, WADA (Canada)
Other

General Comments

Overall Comment for the ISDP

As a general comment, we support the name change of this standard to the IS for Data Protection.

Article 3.3 (1)

Chair

Athlete Council, WADA (Canada)

Other

SUBMITTED

General Comments

3.3 Defined Terms: Personal Information

It should be made clear whether athlete Whereabouts information is categorized as Personal Information or Sensitive Personal Information, so that it is managed appropriately by ADOs.

Article 4 (2)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)

NADO - NADO

SUBMITTED

General Comments

See article 4.4 for comments

Anti Doping Danmark

Silje Rubæk, Legal Manager (Danmark)

NADO - NADO

SUBMITTED

General Comments

Article 4.10.9.1

If the Athlete does not have a fixed location in which they conduct their training activities such as road cycling or road running, then the Athlete is required to include the address of the location where the Athlete will start and finish the training activity as well as the general timeframes. d) If the Athlete is not currently training **or will not train on a particular day** or days during the quarter, they shall specify that in their Whereabouts Filing and detail whether it is a rest day, travel, vacation, injured or other.

Comment: Does that mean that the Athlete for every day where no training is recorded has to specify what the Athlete does?

Article 4.1 (2)

CHINADA

MUQING LIU, Coordinator of Legal Affair Department (CHINA)

NADO - NADO

SUBMITTED

General Comments

Compliance with Local Laws

Given the differences in data protection levels or data protection laws across countries, it is recommended that WADA provide more guidance on how anti-doping organizations should comply with local data protection laws

when dealing with cross-border data transfers.

Suggested changes to the wording of the Article

Compliance with Local Laws

It is recommended that WADA provide more guidance on how anti-doping organizations should comply with local data protection laws when dealing with cross-border data transfers.

Reasons for suggested changes

Compliance with Local Laws

Given the differences in data protection levels or data protection laws across countries, it is recommended that WADA provide more guidance on how anti-doping organizations should comply with local data protection laws when dealing with cross-border data transfers.

Anti-doping Bureau of Latvia

Mārtiņš Dimants, Director (Latvia)
NADO - NADO

SUBMITTED

General Comments

1. **Article 4.1, Commentary** - This comment should remain part of the standard, as it addresses the rare situation where the International Standard for Data Protection (ISDP) may conflict with other data protection laws, such as the General Data Protection Regulation (GDPR). In such cases, NADOs should be permitted to apply the higher-level regulation. Where contradictions arise, it is not feasible to apply both sets of rules simultaneously.

Article 4.4 (2)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Will be very hard for countries with low level of staff. It will be added to their work load and may lead to other areas to be at risk

Suggested changes to the wording of the Article

shall to should

Reasons for suggested changes

see general comments

CHINADA

MUQING LIU, Coordinator of Legal Affair Department (CHINA)
NADO - NADO

SUBMITTED

General Comments

Responsibilities of Privacy Protection Person

Article 4.4 provides that Anti-Doping Organizations shall designate a Person who is accountable for privacy protection. We recommend that this Article further clarify the roles and responsibilities of the Person so designated.

Suggested changes to the wording of the Article

Responsibilities of Privacy Protection Person

We recommend that this Article further clarify the roles and responsibilities of the Person so designated.

Article 5 (5)

Sport Ireland

Cóleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Anti-Doping Organizations shall embed data protection considerations in the design of processes and systems used in Anti-Doping Activities, for instance, to develop a Test Distribution Plan and make decisions about Target Testing. Embedding privacy-by-design in the Personal Information lifecycle and mitigating identified data protection risks means considering relevant controls from collection through to destruction of Personal Information, for example, ensuring the ability of an IT system to automatically apply applicable retention periods.

ADAMS currently does No?. Is there any future plans to improve this function or API developed to help NADO been on top on this if they use other systems?

ONAU

JOSE VELOSO, Antidoping Medical Director (Uruguay)
NADO - NADO

SUBMITTED

General Comments

IMPORTANT SUPPORTED This is a new article in this International Standard, although most of its requirements are already present in the current ISPPPI. The first requirement of the article establishes a general obligation to assess and mitigate the data protection risks associated with the processing of personal information.

Japan Anti-Doping Agency

Chika HIRAI, Director of International Relations (Japan)
NADO - NADO

SUBMITTED

General Comments

Agree to the proposed introduction of Privacy by Design concept.

"Guideline (or model rules) should be considered to ensure that privacy management and operational systems are uniformly implemented across countries.

Furthermore, the requirements of international standards should be carefully considered to avoid excessive demands, taking into accounts that each country has laws governing the management of personal information and that these laws are being implemented.

NADA India

NADA India, NADO (India)
NADO - NADO

SUBMITTED

General Comments

Privacy-by-design is a fundamental concept in modern data protection frameworks, ensuring that privacy considerations are integrated into systems from the outset.

Provide guidance or templates for Anti-Doping Organizations (ADOs) on how to effectively implement privacy-by-design, especially for smaller organizations with limited resources.

CHINADA

SUBMITTED

MUQING LIU, Coordinator of Legal Affair Department (CHINA)
NADO - NADO

General Comments

Article 5.0 Privacy-by-Design

We support the change to Article 5.0 (Implementing Privacy-by-Design), which will help anti-doping organizations better implement privacy protection when using new tools or new techniques. We recommend that WADA provide more specific instructions on the implementation of privacy-by-design.

Suggested changes to the wording of the Article

Article 5.0 Privacy-by-Design

We recommend that WADA provide more specific instructions on the implementation of privacy-by-design.

Article 5.2 (1)

Sport Integrity Australia

SUBMITTED

Andrew McCowan, Assistant Director Project Management Office (Australia)
NADO - NADO

General Comments

[SIA agrees](#) with the addition of the requirement to conduct a 'data protection impact assessment (or its equivalent)', which aligns with the *Privacy (Australian Government Agencies – Governance) APP Code 2017* requirement to conduct a Privacy Impact Assessment for certain new projects, systems, or policies that involve the handling of personal information and may have privacy implications for individuals.

Suggested changes to the wording of the Article

No suggested changes

Article 5.3 (1)

Anti Doping Danmark

SUBMITTED

Silje Rubæk, Legal Manager (Danmark)
NADO - NADO

General Comments

Article 5.3.1

"-Before attempting to call an athlete, who is in a whereabouts pool, the DCO must first have visited all of the locations that the athlete has filed as part of their Whereabouts Filing".

And **redline version comments to 5.3.1**: "The use of a phone to contact an Athlete outside of its permitted use (in the last five (5) minutes of the Athlete's 60-minute time slot for those in a Registered Testing Pool) shall only be used in exceptional circumstances and shall be recorded in ADAMS as advance notice. A DCO shall not call an Athlete **outside of the 60-minute time slot** unless they have been instructed to do so by the Testing Authority and where exceptional circumstances exist. However, before attempting to call the Athlete the **DCO must first have visited all**

of the locations that the Athlete has filed as part of their Whereabouts Filing that are outside of the 60 minute time slot and attempted to locate the Athlete e.g. training location(s), overnight address and any other whereabouts locations the Athlete may have provided or to which the Anti-Doping Organization may have Anti-Doping Intelligence on as to where the Athlete could be located either prior to the test attempt or which was obtained by the DCO during the attempt to Test and which are outside the Athletes whereabouts locations (where applicable). Exceptional circumstances shall be limited to those listed below.”

Comment 1: Is this exceptional call allowed in the time slot? (if DCO confirms that the athlete is not at home in the time slot)

Comment 2: The requirement of having visited all locations filed before calling the athlete. Please clarify “all locations” within which period.

Article 6 (2)

NADA India

NADA India, NADO (India)

NADO - NADO

SUBMITTED

General Comments

Simplification is beneficial as long as privacy and data security are not compromised, allowing ADOs to focus on core privacy requirements.

Offer clear examples or case studies (preferably, through the revised Guidelines) of relevant and proportionate data processing to ensure consistency in implementation across ADOs.

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)

NADO - NADO

SUBMITTED

General Comments

Agree

Article 6.1 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)

NADO - NADO

SUBMITTED

General Comments

Agree

Article 6.2 (4)

NADA Austria

Dario Campara, Lawyer (Austria)

NADO - NADO

SUBMITTED

General Comments

Language

Sadly enough, wars are a reality in countries in Europa and other parts of the world. Because words have meanings and contribute to an overall idea and understanding of a program, militaristic language should not be used in the clean sport community.

In anti-doping we do not fight or combat, we promote clean sport by working collaboratively to develop and deliver the World Anti-Doping Program which protects the right of all athletes and their support personnel to participate in a doping-free environment.

Additionally, omitting this kind of language from the WADC, Standards, Guidelines, etc. helps to harmonize the wording across the regulations since only the WADC, the ISRM, the ISDP and the ISCCS use words like fight, combat or the scourge of doping.

Thus, the words "fight" must be removed from the ISDP (namely in the Articles 6.2 and 11.6).

Canadian Centre for Ethics in Sport

SUBMITTED

Bradlee Nemeth, Manager, Sport Engagement (Canada)
NADO - NADO

General Comments

Article 6.2: Examples should be provided to clarify what certain contexts would be considered appropriate and necessary for ADOS to collect additional personal information.

Sport Ireland

SUBMITTED

Cóilleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

International Testing Agency

SUBMITTED

International Testing Agency, - (Switzerland)
Other - Other (ex. Media, University, etc.)

General Comments

This is supported; however, we recommend evaluating whether the requirement for a "documented" risk assessment imposes an undue burden on ADOs, particularly in light of new trends in the process of new types of personal data to support the fight against doping (e.g., performance data, etc.). Consider removing "documented".

Article 7 (2)

RUSADA

SUBMITTED

Viktoriya Barinova, Deputy director (Russia)
NADO - NADO

General Comments

Frequency of obtaining consents to the processing of Personal Information:

It is required to supplement the Standard with new article 7.5 stating that the mere fact of the athlete's participation in competitions (public sporting events) is sufficient to express consent to the processing of his/her data by the ADO.

Reasons for suggested changes

The Standard does not describe the point at which an Athlete/other Person is deemed to have consented to the Processing of Personal Information in the absence of written consent and/or in cases where such consent does not contain all necessary information. Is it necessary to request such consent for each contact between the Athlete and the ADO? In this case, is the period of processing calculated separately for each consent and the Personal Information obtained?

Sport Ireland

SUBMITTED

Cóilleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 7.1 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 7.2 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 7.3 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 7.4 (2)

RUSADA

Viktoriya Barinova, Deputy director (Russia)
NADO - NADO

SUBMITTED

General Comments

Article 7.4. The Standard does not provide an understanding of what kind of consent will be considered sufficient and valid in the absence of formalized authorization from parents? Is it acceptable to proceed with the Doping Control procedure and process the resulting personal information of a Minor Athlete if it appears that the representative's informed consent was not obtained in compliance with applicable law?

It seems permissible to explicitly state that any sports organization where the Minor Athlete is studying/training has the right to act as an authorized person to provide information about the minor during doping control.

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 8 (1)

Sport Ireland

SUBMITTED

Cóilleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 8.1 (1)**Sport Ireland**

SUBMITTED

Cóilleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 8.2 (1)**Sport Ireland**

SUBMITTED

Cóilleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 8.3 (1)**Canadian Centre for Ethics in Sport**

SUBMITTED

Bradlee Nemeth, Manager, Sport Engagement (Canada)
NADO - NADO

General Comments

Comment to Article 8.3: Consider removing the last sentence of the comment as it is repetitive in re-stating the factors of age and mental capacity that are already stated in the article.

Article 9 (4)**Council of Europe**

SUBMITTED

Council of Europe, Sport Convention Division (France)
Public Authorities - Intergovernmental Organization (ex. UNESCO, Council of Europe, etc.)

General Comments

1. Art. 9:

Sharing Personal Information Responsibly

It is expected that these amendments will hold anti-doping organizations accountable and allows them to choose those that best guarantee the protection of the privacy of personal information

2. Art. 9

The publication of sanctions should be done in accordance with the GDPR and national law. The current situation, where NADOs may be forced to violate national law in order to comply with WADA's interpretation of Article 14.3.2, is untenable. Recommendation that the comment to Article 14.3.2 be amended to clarify that NADOs are not required to publish sanctions if doing so violates national law. This amendment would ensure that NADOs are able to comply with their obligations under both the Code and national data protection laws.

NADA India

SUBMITTED

NADA India, NADO (India)
NADO - NADO

General Comments

Streamlining this process makes it easier for ADOs to ensure compliance when sharing personal data with external agents.

Provide a checklist for ADOs to use when engaging with third-party agents to ensure they meet all security and privacy requirements.

RUSADA

SUBMITTED

Viktoriya Barinova, Deputy director (Russia)
NADO - NADO

General Comments

It is necessary to supplement the Standard with article 9.4, which will specify a list of anti-doping rule violations in which the disclosure of PI of minor athletes is allowed under sanction or indicate a complete prohibition of disclosure for protected persons.

Reasons for suggested changes

A minor athlete is also a protected person and disclosure of information about him/her is inadmissible, as stated in paragraph 14.3.7. of the Code, however, neither the Code nor the Standard specifies the parameter at which publication is possible, therefore, there is some uncertainty and no unified position has been formed.

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 9.1 (2)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Anti-Doping Norway

SUBMITTED

Martin Holmlund Lauesen, Director - International Relations and Medical (Norge)
NADO - NADO

General Comments

We note that the reference to access to sharing data where this is necessary to assist law enforcement or other authorities, is deleted. We take it that it this does not prevent us from doing so

Article 9.2 (1)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 9.3 (1)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 10 (1)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 10.1 (2)

Canadian Centre for Ethics in Sport

SUBMITTED

Bradlee Nemeth, Manager, Sport Engagement (Canada)
NADO - NADO

General Comments

Article 10.1: The article is quite vague, particularly the reference to “All necessary security safeguards,” leading the reader to believe there is a comprehensive list to reference to ensure that appropriate security is in place. Could the Guideline for Privacy be updated to include a descriptive list of known security safeguards that should be considered.

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 10.2 (1)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 10.3 (1)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 10.4 (1)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 11 (3)

NADA India

SUBMITTED

NADA India, NADO (India)
NADO - NADO

General Comments

The focus on data minimization is consistent with privacy best practices and supports compliance with data protection regulations across the globe.

Ensure that ADOs receive clear instructions on documenting exceptions and justifications for extending retention periods.

Consider creating templates for recording exceptions.

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

International Testing Agency

SUBMITTED

International Testing Agency, - (Switzerland)

Other - Other (ex. Media, University, etc.)

General Comments

The changes and revised wording of Article 11 and Annex A are very welcome and fully supported.

Article 11.1 (1)**Sport Ireland**

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)

NADO - NADO

General Comments

Agree

Article 11.2 (1)**Sport Ireland**

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)

NADO - NADO

General Comments

Agree

Article 11.3 (1)**Sport Ireland**

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)

NADO - NADO

General Comments

Agree

Article 11.4 (1)**Sport Ireland**

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)

NADO - NADO

General Comments

Agree

Article 11.5 (2)**Sport Integrity Australia**

SUBMITTED

Andrew McCowan, Assistant Director Project Management Office (Australia)

NADO - NADO

General Comments

SIA has no suggested change to 11.5, noting that SIA welcomes the expansion of the scope within article 11.5, and that, as a Commonwealth Government Agency, SIA is required to adhere to the Archives Act and any other applicable laws.

Suggested changes to the wording of the Article

No suggested changes

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 11.6 (2)

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Sport Integrity Australia

SUBMITTED

Andrew McCowan, Assistant Director Project Management Office (Australia)
NADO - NADO

General Comments

Articles 11.5 and 11.6 contain specific and limited exceptions to Annex A retention periods, as well as a requirement to assess the risk of and document any applicable exception. SIA recommends that the WADA drafting team provide relevant conditions for clarity

Suggested changes to the wording of the Article

No suggested changes

Article 12 (2)

Canadian Centre for Ethics in Sport

SUBMITTED

Bradlee Nemeth, Manager, Sport Engagement (Canada)
NADO - NADO

General Comments

In the Table of Contents, the Page number for Article 12 has an error.

Sport Ireland

SUBMITTED

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Article 12.1 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 12.2 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 12.3 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 12.4 (1)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

Agree

Article 12.5 (2)

Sport Ireland

Cólleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

SUBMITTED

General Comments

University of the West Indies

SUBMITTED

J. Tyrone Marcus, Lecturer in Law (Trinidad and Tobago)

Other - Other (ex. Media, University, etc.)

General Comments

The current wording of Article 12.5, read together with the current Articles 7 and 9, is a welcome improvement, especially in situations where an Anti-Doping Organization or Results Management authority breaches confidentiality provisions as happened in CAS 2019/A/6637 Njisane Philip v PANAM Sports. The gap that still remains, however, has to deal with remedies. An Appellant athlete, apparently, is left without any or any effective remedy if his or her privacy has been breached. In CAS 2019/A/6637, the Respondent breached what was equivalent to WADC 2015 Code Article 14.3.2 as well as Article 6.1 of the ISPPPI, but the CAS Panel had no remedy to offer the Appellant. The CAS panel elaborated on this issue from paragraphs 103-120 of their award, which are relevant to possible drafting changes to this article.

Suggested changes to the wording of the Article

It is proposed that the following words be added at the end of the present Article: "Competent authorities shall include the Court of Arbitration for Sport or similar arbitral tribunals with jurisdiction to hear and determine the respective cases. These authorities shall have the inherent discretion to offer effective remedies or impose proportionate penalties as they deem fit and proper in the circumstances of the particular case."

Reasons for suggested changes

As noted in the general comments above, the question of remedies for breaches of confidentiality was raised in CAS 2019/A/6637 Njisane Philip v PANAM Sports. Paragraph 121 is noteworthy in stating as follows: "*As discussed above, none of the applicable PASO ADR, WADC, or ISPPPI rules and regulations expressly create or establish any remedies for a CAS Panel to impose as relief for any harm caused to an athlete whose confidential personal information was prematurely disclosed to the public by an ADRV results management authority.*" The CAS Panel went on to highlight their constraints in paragraphs 122 to 128 culminating in a very pertinent comment at paragraph 129 in the following words: "*Accordingly, considering the remedies that will foreseeably be sought out by athletes and other persons pursuant to Article 11.5 ISPPPI and for the benefit of future CAS Panels, this Panel invites and expects legislators of the ISPPPI to duly consider the findings of this award and, as is their prerogative, determine the extent to which an amendment of Article 11.5 ISPPPI is necessary, notably with regards to its jurisdictional applicability, scope of relief before CAS and remedies resulting therefrom, in order to bring greater clarity to this provision.*"

Neither the International Standard for Data Protection nor the International Standard for Code Compliance for Signatories, as currently drafted, appear to offer remedies to individuals whose confidentiality has been breached, including any penalties to be faced by Anti-Doping Organizations or Results Management authorities who are in breach.

Annex A (10)**Swiss Sport Integrity**

SUBMITTED

Ernst König, CEO (Switzerland)

NADO - NADO

General Comments

3 - TUEs (retention period)

SSI would recommend to have a longer retention period from date of TUE expiry, e.g. 5 to 10 years. If an athlete needs a TUE, then gets demoted and does not need to renew it (for example, not in the TUE pool anymore), it would be easier to assess a retroactive TUE if the initial TUE still is available. This would serve the athlete, especially with retroactive TUEs, as he would not have to go through all the stages of a retroactive TUE again. Therefore, with the consent of an athlete, a longer retention period should be possible.

RUSADA

SUBMITTED

Viktoriya Barinova, Deputy director (Russia)

NADO - NADO

General Comments

Annex A of the Standard lacks information on the period of processing of personal information of parents (other persons on behalf of a minor (coach, relative, person with authority)), who act on behalf of a Minor and provide in such cases their data in protocols and consents and related documents.

It is required to supplement Annex A of the Standard with a clause stating that data about the representative of a Minor shall be processed until the latter reaches the age of 18 or until the termination of data processing due to the necessity of such processing or to indicate a specific period for processing personal information of such persons.

NADA India

SUBMITTED

NADA India, NADO (India)

NADO - NADO

General Comments

Offer guidance on how to securely manage results management information when an individual transitions between different roles in sport (e.g., athlete to coach).

Provide more detailed guidelines on how to securely store and manage educational records, given their relevance for long-term anti-doping activities.

Once intelligence activities mature, consider defining a harmonised retention period across all ADOs to ensure consistency.

Anti Doping Danmark

SUBMITTED

Silje Rubæk, Legal Manager (Danmark)

NADO - NADO

General Comments

Regarding the retention time for Doping Control Forms of a maximum of 10 years and the possibility to be extended '*in case of pending or reasonably anticipated anti-doping rule violations, investigations, or other legal proceedings*'.

As part of the strategic focus on data analysis, investigations and individual risk profiles on athletes is information from Doping Control Forms essential. Since the career of an athlete in many cases extends beyond the ten year period, ADD suggest to keep the Doping Control Forms for a longer period i.e. 20 years. Having such data available for risk assessment and potential investigations is essential for the ability to execute modern anti-doping work, where data analysis and investigations have become high-prioritized strategic areas and will be in the future

CHINADA

SUBMITTED

MUQING LIU, Coordinator of Legal Affair Department (CHINA)

NADO - NADO

General Comments**Annex A Retention times**

We support the changes to the retention periods, extending the retention period for whereabouts information to 10 years to better facilitate Results Management and Investigations. Additionally, given the low sensitivity of education-related information, we recommend that education-related information and specific information of ADRVs be retained long-term or permanently to promptly detect other potential ADRVs and combat multiple violations.

Suggested changes to the wording of the Article**Annex A Retention times**

We recommend that education-related information and specific information of ADRVs be retained long-term or permanently to promptly detect other potential ADRVs and combat multiple violations.

Sport Ireland

SUBMITTED

Cóilleen Devine, Director of Anti-Doping & Ethics (Ireland)
NADO - NADO

General Comments

Agree

Agence française de lutte contre le dopage

SUBMITTED

Adeline Molina, General Secretary Deputy (France)
NADO - NADO

General Comments

The AFLD is satisfied with the proposed 10-year retention period for whereabouts information.

Anti-Doping Norway

SUBMITTED

Martin Holmlund Lauesen, Director - International Relations and Medical (Norge)
NADO - NADO

General Comments

While we can see the merits of ensuring deletion of personal data related to Education, we want to make sure that data such as the examples provided will not be mandatory to collect and retain. In particular in light of the very broad definition of athlete in relation to anti-doping information and education: "for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*"

Chair

SUBMITTED

Athlete Council, WADA (Canada)
Other

General Comments

Retention Times

We are apprehensive about the proposal to change the retention time for athlete Whereabouts information from one year to ten years. On one hand, we understand the motivation to align the retention time for Whereabouts information with the ten-year time limit for re-testing, and we note the feedback from stakeholders about the usefulness of Whereabouts information in investigations. On the other hand, a ten-fold increase in the retention time of athlete whereabouts information constitutes a major breach of athlete privacy. Such an increase must be accompanied by a proportional upgrade of ADO security systems.

Some stakeholders offered alternative maximum retention times of 18 months and two years, demonstrating the vast difference in what ADOs perceive as relevant and proportionate. We do not support the retention of athlete Whereabouts information beyond what is relevant and proportionate.

International Testing Agency

SUBMITTED

International Testing Agency, - (Switzerland)
Other - Other (ex. Media, University, etc.)

General Comments

The changes and amended retention periods in Annex A are fully supported.