

## 2027 CODE & IS UPDATE PROCESS

### Second Draft: Summary of Major Changes

## International Standard for Intelligence and Investigations

### Executive Summary

Following the careful review and consideration of stakeholder comments provided during the [Stakeholder Consultation Phase](#) and through extensive consultations with the anti-doping community during the [Second Drafting Phase](#), the International Standard for Intelligence and Investigation (ISII) Drafting Team has proposed further key changes in a second draft of the 2027 International Standard for Intelligence and Investigation (ISII) as part of the ongoing [2027 Code & IS Update Process](#).

The purpose of this document is to summarize the major changes proposed in the second draft of the 2027 ISII, which predominantly build on those proposed in the [first draft of the 2027 ISII](#) and as summarized in the corresponding [first draft Summary of Major Changes](#).

It is to be noted that any new changes in the second draft of the 2027 ISII, which do not otherwise stem from or build on those changes indicated in the first draft, will be accordingly marked as "New Addition". Particularly, in this respect, the ISII Drafting Team wishes to draw the attention of stakeholders to the following new changes which have been included in this second draft:

- The “Confidential Source” and “Human Source” definitions have been removed and replaced with a new definition: “Confidential Human Source”.

Furthermore, the ISII Drafting Team wishes to mention certain other key developments which arose from its review of stakeholder comments and discussions with the anti-doping community during the Second Drafting Phase:

- The proposed changes in the first draft to Article 4.2.3, requiring the disclosure of Confidential Human Sources to WADA, have been removed from the second draft.
- The threshold for the initiation of an investigation in Article 5.3.1 has been modified to ensure that investigations are initiated on sound reasoning rather than on arbitrary or unfounded suspicions. An explanatory comment has been added to expand upon the modified threshold and the concept of reasonable cause.

The following section will offer a concise article-by-article summary of the changes in this second draft of the 2027 ISII.

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### **Article 3.3: Defined terms specific to the International Standard for Intelligence and Investigations**

#### ***NEW ADDITION***

The defined terms “Confidential Source” and “Human Source” have been removed and combined into a single umbrella term, “Confidential Human Source”. The new term combines the key elements of the two previously used definitions. The new defined term increases clarity around the terminology used and avoids duplication in the use of the two previously used definitions.

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### **Article 3.3: Defined terms specific to the International Standard for Intelligence and Investigations**

#### ***Changes from the First Draft***

Additional examples of Raw Information have been added to the definition, including Doping Control Forms, interviews and video, among others.

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### **Article 4.1: Objective of the ISII**

#### ***Changes from the First Draft***

Notwithstanding certain minor changes to the wording of text of the Article, there have otherwise been no substantive changes to the wording of this Article.

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### **Article 4.2.2: Collection, Storage and Sharing of Raw Information & Anti-Doping Intelligence**

#### ***Changes from the First Draft***

This Article has been modified to require that the sharing of Anti-Doping Intelligence with other Anti-Doping Organizations shall be done in a secure manner. A reference has also been included to the requirement that any sharing of information be done in accordance with any relevant national data protection legislation.

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### **Article 4.2.3: Disclosure of Confidential Sources**

#### ***Changes from the First Draft***

Following the review of stakeholder comments and after consultations with the anti-doping community with respect to the proposed Article, the ISII Drafting Team has decided to remove the requirement proposed in the first draft for ADOs to disclose the identities of their confidential sources to WADA in the event of an investigation by WADA.

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### **Article 4.2.4: Policies and Procedures for Information Security**

#### ***Changes from the First Draft***

A reference has been included in this Article to the respect for any relevant national data protection legislation when sharing information.

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#### **Article 4.2.5: Policies and Procedures for Confidential Sources**

##### ***Changes from the First Draft***

Notwithstanding certain minor changes to the wording of text of the Article, there have otherwise been no substantive changes to the wording of this Article.

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#### **Article 4.3.2: Use of Raw Information and Anti-Doping Intelligence**

##### ***Changes from the First Draft***

The proposed changes to this Article, as indicated in the first draft, remain unamended and there have been no further changes to the wording of this Article in the second draft.

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#### **Article 5.2: Purpose of Investigations**

##### ***Changes from the First Draft***

The proposed changes to this Article, as indicated in the first draft, remain unamended and there have been no further changes to the wording of this Article in the second draft.

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#### **Article 5.3.1: Conducting Investigations**

##### ***Changes from the First Draft***

In this Article the threshold for the mandatory initiation of an investigation has been modified to ensure that investigations are initiated on sound reasoning rather than on arbitrary or unfounded suspicions. The new threshold requires reasonable cause to believe that a breach may have occurred. A comment has been added to this Article to explain the concept of “reasonable cause” and expands on the threshold to be met for the initiation of investigations.

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#### **Article 5.3.2: Investigative Experience**

##### ***Changes from the First Draft***

The second comment to this Article regarding examples of investigative experience has been removed. Additional examples of investigative experience may be included in the ISII Guidelines.

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#### **Article 5.3.7: Conducting Investigations**

##### ***Changes from the First Draft***

Notwithstanding certain minor changes to the wording of text of the Article, there have otherwise been no substantive changes to the wording of this Article.

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## **Article 5.4.2: Cooperating with an Investigation**

### ***Changes from the First Draft***

In this Article it has been noted that the requirement to cooperate with an investigation does not override the rights afforded to Athletes under the Athletes' Anti-Doping Rights Act.

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## **Article 5.5: Investigation Outcomes**

### ***Changes from the First Draft***

Minor changes have been made to the wording of this Article to include whereabouts failures and violations of Ineligibility or Provisional Suspension in the examples of rule violations that may be asserted against an Athlete, Athlete Support Personnel or other Person.

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