

2027 Code & International Standard Update Process : Stakeholder Engagement Phase - International Standard for the Protection of Privacy and Personal Information (ISPPPI)

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Concept #1 – Retention Periods (19)

International Tennis Integrity Agency
Nicole Sapstead, Senior Director, Anti-Doping (United Kingdom)
Sport - Other

SUBMITTED

The ITIA supports extending retention periods for whereabouts information beyond 12 months to enable a full review and possible investigation to be conducted where athletes whereabouts give cause for concern

Sport NZ
Jane Mountfort, Principal Policy and Legal Advisor (New Zealand)
Public Authorities - Government

SUBMITTED

This submission is made on behalf of Sport New Zealand, which is the Crown agency responsible for advising the New Zealand government on anti-doping policy and ensuring New Zealand's compliance with the International Convention against Doping in Sport 2005.

Sport NZ agrees in principle with the proposal.

COCOM
Stephanie Sirjacobs, Legal adviser (Belgium)
NADO - NADO

SUBMITTED

Je confirme que douze mois c'est court pour une fois, mais attention à ne pas tomber dans la démesure avec 10 ans.

Organizacion Nacional Antidopaje de Uruguay
José Veloso Fernandez, Jefe de control Dopaje (Uruguay)
NADO - NADO

SUBMITTED

No comments

Anti-Doping Sweden
Jessica Wissman, Head of legal department (Sverige)
NADO - NADO

SUBMITTED

Anti-Doping Sweden (ADSE) support a review of the retention period. If there are signatories that have experienced that the data is deleted too early so that results management process/investigations suffer, then the period need to be extended. In case of an Anti-Doping Rule Violation, an eventual pattern of an athletes last minute whereabouts changes should be considered. Whereabout information before the first failure (potentially more than 12 months) would be relevant to investigate for such a pattern.

In ADSE's opinion, a maximum additional six-month period could be added- as this is the maximum time limit for the results management process, in accordance with article 4.2 in the ISRM.

ADSE want to emphasize that an extension of the data retention period needs a clear explanation of why the

current period is deemed insufficient.

Sport Integrity Australia
Chris Butler, Director, Anti-Doping Policy and International Engagement (Australia)
NADO - NADO

SUBMITTED

The ISPPPI Drafting Team intends to review the retention period applicable to whereabouts data, in particular, as the current twelve-month retention period for retaining whereabouts data is insufficient and hinders results management processes for whereabouts failures and other investigative efforts.

- We support this proposal, noting the need to balance the value of retaining information for anti-doping purposes, the need to protect personal information and also taking into account national regulations. It is essential for ADOs to have access to historical data to enable longitudinal analysis of patterns and trends. This includes being able to retroactively identify indicators, to help build models that assist us to proactively flag behaviours of potential concern in contemporaneous data.
- In the Australian context, we are required to manage and retain personal information in accordance with Australian privacy legislation and the Australian Archives Act.
- A possible solution may be to align retention periods with the 10 years for sample retention.

The ISPPPI Drafting Team also intends to consider whether new rules are required to govern the retention of intelligence and investigations-related data, as well as whether retention triggers in the Annex can be clarified.

- We support the proposal to review the appropriateness of the rules governing the retention of intelligence and investigations-related data and whether retention triggers in the Annex can be clarified. As noted above, it is essential for this data to be accessible to enable the full extent and value of intelligence data being used in a longitudinal sense. We would support alignment with the 10-year statute of limitations.

NADA Austria
Alexander Sammer, Head of Legal (Austria)
NADO - NADO

SUBMITTED

According to the Concept #1 we welcome the proposed clarifications and amendments.

Agence française de lutte contre le dopage
Adeline Molina, General Secretary Deputy (France)
NADO - NADO

SUBMITTED

La période de 12 mois de rétention des données de localisation est trop courte pour deux raisons:- pour traiter une violation de règle antidopage relative justement aux données de localisation ; - pour mener des investigations nécessaires lorsque des renseignements sont collectés postérieurement à cette période.

Drug Free Sport New Zealand
Nick Paterson, Chief Executive (New Zealand)
NADO - NADO

SUBMITTED

Whereabouts information

We support the concept. We would like to retain whereabouts filing information for longer than the current one-year period to feed into data analysis around filing behaviours as well as support investigations.

We would also like to retain city and country whereabouts information for longer and for purposes other than the Athlete Biological Passport, for example, to feed into risk analysis workstreams.

Anti-Doping Norway

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

NADO - NADO

SUBMITTED

We support addressing the Retention periods. We would welcome a specification of the retention period for information related to potential whereabouts failures and/or whereabouts failures that are not recorded.

Canadian Centre for Ethics in Sport

Elizabeth Carson, Senior Manager, Canadian Anti-Doping Program (Canada)

NADO - NADO

SUBMITTED

The CCES supports WADA's intended review of the retention periods outlined in Annex A as a whole, with specific attention paid to the retention timelines for whereabouts information to ensure that the information necessary to pursue a whereabouts failure or potential ADRV remains available.

USADA

Allison Wagner, Director of Athlete and International Relations (USA)

NADO - NADO

SUBMITTED

Article 10 and Annex A: Retention Periods

Issue: Annex A of the ISPPPI sets out retention periods for various types of anti-doping related data in an effort to minimize data protection and control. However, the twelve-month retention periods outlined in Annex A specifically for TUE and whereabouts data are insufficient. Limiting TUE and whereabouts data hinders results management processes for whereabouts failures and other investigative efforts.

Recommendation: Only maintaining an athlete's whereabouts or TUE applications and supplemental medical information for a period of twelve months limits the stakeholder's ability to track patterns over time for investigative and strategic testing purposes, and potentially catch legitimate dopers. Destroying or otherwise anonymizing whereabouts and TUE data after only twelve months may also decrease fairness to an athlete in the results management process alleging that they have applied for a TUE or were at a given location in the past.

Additionally, while USADA recognizes the importance of data protection and minimization, it cannot be overlooked that these retention periods have resulted or will result in a significant financial and operational impact for many stakeholders, and for many smaller stakeholders may be near-impossible to maintain.

USADA's view aligns with those stakeholders who assert that the current twelve-month retention period for retaining whereabouts data is insufficient and hinders results management processes for whereabouts failures and other investigative efforts. USADA supports a review of the retention period applicable to whereabouts data and recommends this review also include TUE data. USADA believes there is room for compromise between maintaining data long enough to adequately pursue legitimate ADRVs, which can be brought 10 years after occurrence, while protecting both athlete's data and the results management process. Notably GDPR does not impose such a strict retention period; this retention period was of WADA's own making.

Japan Anti Doping Agency

YUICHI NONOMURA, Result Management (??)

NADO - NADO

SUBMITTED

We acknowledge that one year is not enough. We might need WA information for a longer time than one year to establish connections with ABP. We suggest two years as it is not good to have it for too long.

Swiss Sport Integrity
Ernst König, CEO (Switzerland)
NADO - NADO

SUBMITTED

Issue: Some stakeholders have suggested that the current twelve-month retention period for retaining whereabouts data is insufficient and hinders results management processes for whereabouts failures and other investigative efforts.

Exactly. Swiss Sport Integrity agrees and has already criticized this and stands behind it. If the whereabouts data is destroyed immediately after twelve months, this can prevent the finding and prosecuting of a whereabouts failure that is discovered later on (because the data does not exist anymore). Discoveries from investigations cannot be exploited in such a case. A longer period of retention is needed. In Switzerland, ten years retention would be standard. This would also make it possible to prove an infringement under Art. 2.5 if someone continuously adjusts whereabouts at short notice and a pattern of evading doping testing is discovered.

RUSADA
Kristina Coburn, Compliance Manager (Russia)
NADO - NADO

SUBMITTED

RUSADA supports the concept to clarify retention periods.

Another related issue is the lack of regulation of the period for processing personal data of parents or other persons acting on behalf of a young athlete, such as coaches, relatives, authorized person, who act on behalf of a minor athlete and in such cases submit their data in DCFs, consents and other related documents.

It will be beneficial amendment to the Standard to include a clause regulating the retention period for such personal data, for example stating that the personal data of a minor athlete representative shall be processed until the athlete reaches majority age or unless the processing of their personal information is terminated due to the necessity.

Anti Doping Danmark
Silje Rubæk, Legal Manager (Danmark)
NADO - NADO

SUBMITTED

ADD supports the proposal to extend the current twelve-month for storage of whereabouts data to provide better working conditions for Result Management

UK Anti-Doping
UKAD Stakeholder Comments, Stakeholder Comments (United Kingdom)
NADO - NADO

SUBMITTED

We propose that the data retention period for whereabouts information is increased to 10 years, or the duration an Athlete is on a Testing Pool, whichever is longer. Whereabouts data is important intelligence for ADOs, as it can provide valuable information relating to Athlete behaviours, Sample tank decisions, as well as ABP and other investigations.

We also propose that all Testing data (including that relating to incomplete or unsuccessful Testing) is retained for 10 years, for the same reasons stated above.

NADA India
NADA India, NADO (India)
NADO - NADO

SUBMITTED

The current twelve-month retention period has proven to be insufficient and has hindered critical operational processes, particularly in the context of results management for whereabouts failures and other investigative efforts.

The extension of the retention period for whereabouts data is a necessary step in ensuring that the program remains effective and is capable of addressing the needs and challenges faced by various stakeholders. There are several compelling reasons to support this extension. Extending the retention period will provide ample time to thoroughly investigate any discrepancies or failures in athletes' whereabouts submissions, which will lead to a more accurate and fair process, ultimately upholding the integrity of the sport.

Timely access to historical whereabouts data is essential for investigations into potential anti-doping rule violations or any other misconduct. A more extended retention period will ensure that investigative efforts are not hampered by data unavailability.

It is essential to strike a balance between data protection and the requirements of anti-doping and integrity efforts. An extended retention period, while safeguarding athletes' privacy, also contributes to fair competition by allowing thorough investigations without unnecessary constraints.

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

SUBMITTED

We support this review and agree that the mandated retention period for whereabouts data is currently insufficient. Such data often becomes valuable intelligence to better calibrate testing strategies and to conduct investigation activities, amongst others.

We also support a review of the nomenclature and triggering points used in Annex A, to provide greater clarity to ADOs.

Concept #2 – Personal Information Disclosures (16)

International Tennis Integrity Agency
Nicole Sapstead, Senior Director, Anti-Doping (United Kingdom)
Sport - Other

SUBMITTED

As part of the review of the categories of recipients referenced in Article 8, it would be appreciated if a consequential review of the guidelines relating to ad hoc requests and data sharing agreements is also conducted (to reflect any changes to the categories of recipients).

Sport NZ
Jane Mountfort, Principal Policy and Legal Advisor (New Zealand)
Public Authorities - Government

SUBMITTED

This submission is made on behalf of Sport New Zealand, which is the Crown agency responsible for advising the New Zealand government on anti-doping policy and ensuring New Zealand's compliance with the International Convention against Doping in Sport 2005.

Sport NZ supports the principle of this concept being to ensure that information disclosures to third parties occur only where necessary and with appropriate safeguards in place.

Sport NZ notes that an alternative approach to alignment of personal information protection provisions between standards could be to enshrine fundamental principles in the ISPPPI and ensure that all the other standards are not inconsistent with it.

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

SUBMITTED

Supported

There is a need for greater clarity and safeguards regarding the disclosure of personal data.

In particular, the following points should be considered:

- to narrow down the scope of recipients by specifying the categories to whom personal data may be disclosed. This would provide greater clarity and ensure that personal data is only disclosed to authorised parties.
- to set clear safeguards for ADOs on the disclosure of personal data to other parties and include measures such as data minimisation, purpose limitation, access control, data security and data retention.
- to clearly define procedures for coordinating with law enforcement authorities

In this context, WADA is invited to refer to the “Model Contractual Clauses for the transfer of personal data” (T-PD(2022)1rev10final, <https://rm.coe.int/t-pd-2022-1rev10-en-final/1680abc6b4>) adopted by the Committee of “Convention 108”, notably its Clause 15, 22, 23 even outside the transborder data flow context as those conditions were agreed by 55 Parties to the Convention 108 including observers such as the European Union.

Organizacion Nacional Antidopaje de Uruguay
José Veloso Fernandez, Jefe de control Dopaje (Uruguay)
NADO - NADO

SUBMITTED

No comments

Anti-Doping Sweden
Jessica Wissman, Head of legal department (Sverige)
NADO - NADO

SUBMITTED

ADSE supports the suggestion to review the categories of recipients to reflect the existing practices. There is a need for greater clarity and safeguards regarding the disclosure of personal information. A specification of the categories of recipients to whom personal information can be disclosed could be included in the ISPPPI Article 8.

Sport Integrity Australia
Chris Butler, Director, Anti-Doping Policy and International Engagement (Australia)
NADO - NADO

SUBMITTED

We support the proposal to review disclosures under Article 8 of the ISPPPI to ensure the rules are appropriate and aligned with current practices and provisions of the Code and other International Standards.

We also support a review of disclosures to LEA in line with the new ISII and taking into account national and international laws.

NADA Austria
Alexander Sammer, Head of Legal (Austria)
NADO - NADO

SUBMITTED

We welcome the proposed amendments in Concept #2.

Drug Free Sport New Zealand
Nick Paterson, Chief Executive (New Zealand)
NADO - NADO

SUBMITTED

We support the concept . The ISPPPI should be clear that personal information can be shared with other ADOs or IFs to assist with anti-doping activities so long as sufficient safeguards are in place i.e., WADA has deemed compliance with the ISPPPI.

This information sharing could include testing decisions, intelligence sharing, education completion recognition.

Canadian Centre for Ethics in Sport
Elizabeth Carson, Senior Manager, Canadian Anti-Doping Program (Canada)
NADO - NADO

SUBMITTED

The CCES agrees with WADA's intention to review and better align the rules pertaining to the disclosure of personal information to other parties with disclosures to Anti-Doping Organizations and third parties permitted under the Code and other International Standards.

USADA
Allison Wagner, Director of Athlete and International Relations (USA)
NADO - NADO

SUBMITTED

Recommendation: USADA has gone through the process of detailing a robust list of entities who may receive personal information. It is available via USADA's privacy policy here: <https://www.usada.org/privacy-statement/>. Any list developed by WADA should include the lists in USADA's privacy policy.

Japan Anti Doping Agency
YUICHI NONOMURA, Result Management (??)
NADO - NADO

SUBMITTED

We agree with the suggestion because we think that personal information should be handled with great care.

RUSADA
Kristina Coburn, Compliance Manager (Russia)
NADO - NADO

SUBMITTED

RUSADA supports this proposal.

Swiss Sport Integrity
Ernst König, CEO (Switzerland)
NADO - NADO

SUBMITTED

Issue: The ISPPPI Drafting Team intends to review the categories of recipients referenced in Article 8 to better reflect existing practices within the anti-doping ecosystem while prescribing appropriate safeguards for disclosure. Requirements related to disclosures to law enforcement authorities may also require review in light of the new International Standard for Intelligence and Investigations, in coordination with the drafting team for this Standard. Swiss Sport Integrity is in favor of an adaptation of Art. 8 but would like to mention that especially for data disclosure to law enforcement authorities, the legal regulations from its Swiss laws (SpoFöG, SpoFöV, IBSG and IBSV) would take precedence to the ISPPPI. Data exchange (both ways, from and to Swiss Sport Integrity) is explicitly allowed and encouraged in Switzerland.

Anti Doping Danmark
Silje Rubæk, Legal Manager (Denmark)
NADO - NADO

SUBMITTED

ADD also support to update the categories of the recipients of personal data to which we may send, so that they reflect reality (ex. the standard for Intelligence and Investigations).

UK Anti-Doping
UKAD Stakeholder Comments, Stakeholder Comments (United Kingdom)
NADO - NADO

SUBMITTED

We support ensuring that any changes made to the ISPPPI are carefully considered in light of the data sharing requirements in the ISII.

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

SUBMITTED

We support this review.

Concept #3 – Privacy-by-Design Concepts (16)

International Tennis Integrity Agency
Nicole Sapstead, Senior Director, Anti-Doping (United Kingdom)
Sport - Other

SUBMITTED

It would be helpful if the expansion of Article 9.6 also considers/covers privacy risks related to the potential use of artificial intelligence (AI) in tools/tech.

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

SUBMITTED

Strongly supported

Privacy-by-design is a critical approach to ensuring that personal data is protected when new tools and technologies are developed and used for anti-doping purposes.

The proposed expansion should provide clear guidance on how to effectively implement privacy-by-design principles. This guidance should cover three key aspects:

- Risk identification and assessment: ADOs should proactively identify and assess the privacy risks associated with new tools and technologies before deploying them. This will allow them to understand the potential impact on individuals' privacy and take appropriate safeguards. A requirement for a data protection impact assessments would be appropriate considering the sensitivity of the data concerned.
- Default privacy settings: ADOs should establish default settings that minimise the collection, use and disclosure of personal information. This will ensure that only necessary data is collected, that it is used only for legitimate purposes, and that it is protected from unauthorised access.
- Transparency and Choice: ADOs must provide individuals with clear and accessible information about how their personal data is collected, used and shared. Individuals should have the right to control how their data is used and, where appropriate, to opt out of data collection and sharing.

This approach will help to build confidence in the anti-doping system and enable it to effectively combat doping in sport.

WADA is invited to refer to the guidelines on artificial intelligence and data protection when appropriate (<https://rm.coe.int/2018-lignes-directrices-sur-l-intelligence-artificielle-et-la-protecti/168098e1b7>). Participatory impact assessments, use of synthetic data, algorithmic vigilance are tools and instruments proposed along with a risk-based approach which takes into account the possible impact in a wider socio-economic context and the functioning of democracy, rule of law and protection of human rights.

Organizacion Nacional Antidopaje de Uruguay
José Veloso Fernandez, Jefe de control Dopaje (Uruguay)
NADO - NADO

SUBMITTED

No comments

Anti-Doping Sweden
Jessica Wissman, Head of legal department (Sverige)
NADO - NADO

SUBMITTED

ADSE supports the suggestion to expand ISPPPI Article 9.6 to assess privacy risks and integrate privacy-by-design considerations when leveraging new tools or technologies to conduct anti-doping activities.

Sport Integrity Australia
Chris Butler, Director, Anti-Doping Policy and International Engagement (Australia)
NADO - NADO

SUBMITTED

We support a review of the requirements for assessing privacy risks and the proposal to integrate privacy-by-design considerations into new initiatives. This is consistent with national privacy laws.

Drug Free Sport New Zealand
Nick Paterson, Chief Executive (New Zealand)
NADO - NADO

SUBMITTED

We support the concept provided that risk assessment requirements remain for existing e.g., legacy, systems.

We also suggest that WADA is more proactive with releasing privacy assessment information/certification for ADAMS.

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

SUBMITTED

We welcome further guidance and elaboration of privacy-by-design in an anti-doping context including when leveraging new tools or technologies. However, we understand the current 9.6 to not be limited to new tools and technologies, but having a broader scope. This scope should not be narrowed in to only cover tools and technologies. Privacy-by-design is also relevant in the context of developing new rules such as in the ongoing update of the WADC and international standards e.g. in relation to whereabouts information, introduction of new biometric data in ADAMS etc. I.e. each drafting team should take privacy by design into consideration when drafting.

Canadian Centre for Ethics in Sport
Elizabeth Carson, Senior Manager, Canadian Anti-Doping Program (Canada)
NADO - NADO

SUBMITTED

The CCES supports WADA's intention to integrate privacy-by-design considerations into the Standard.

USADA
Allison Wagner, Director of Athlete and International Relations (USA)
NADO - NADO

SUBMITTED

Recommendation: USADA supports this concept, noting that ADOs adopt technology at different rates and at different capacities.

Japan Anti Doping Agency
YUICHI NONOMURA, Result Management (??)
NADO - NADO

SUBMITTED

We agree with the suggestion if it is highly beneficial for ADOs to utilize the concept of 'Privacy-by-design Concepts'.

Swiss Sport Integrity
Ernst König, CEO (Switzerland)
NADO - NADO

SUBMITTED

Issue: The ISPPPI Drafting Team intends to expand on ISPPPI Article 9.6 which requires Anti-Doping Organizations to assess privacy risks and integrate privacy-by-design considerations when leveraging new tools or technologies to conduct anti-doping activities.

Swiss Sport Integrity is of the opinion that the existing text of Art. 9.6 ISPPPI is sufficient. The term "privacy by design" has already been mentioned and it is recommended that this shall be implemented. We would like to encourage WADA to think about the fact that in some countries, data protection is always a question of what is feasible with the resources there are. Such measures as privacy by design are in everyone's interest to keep the trust in the anti-doping system. However, we can well imagine that in some countries, where data protection does not go that far than in Europe for example, and where anti-doping is not a priority, there is simply a lack of resources to implement this literally.

If WADA should implement the proposed expansion, it should provide clear guidance on how to effectively implement privacy-by-design principles.

RUSADA
Kristina Coburn, Compliance Manager (Russia)
NADO - NADO

SUBMITTED

RUSADA supports this proposal.

In addition, we suggest to consider the situations when the written consent is absent or when such consent does not contain all the necessary information and it is unclear whether an athlete or other individual is deemed to have given his/her consent to process with their personal data. It would be beneficial to clarify whether an athlete or other person have to give his/her consent every time they interact with ADO (or not). In this case, how shall the processing period be determined - for each consent and personal data acquired separately, or preserved together with other documents of the person in respect of whom personal data is processed?

Adding a clause to the Standard that states an athlete's mere participation in competitions (public sporting events) is sufficient to express the ADO their consent to use their personal data would be a desirable change.

Anti Doping Danmark
Silje Rubæk, Legal Manager (Danmark)
NADO - NADO

SUBMITTED

Add risk assessment requirements when we choose new technologies that include personal data.

NADA India
NADA India, NADO (India)
NADO - NADO

SUBMITTED

Integrating privacy-by-design considerations when leveraging new tools or technologies to conduct anti-doping activities is essential for ensuring that the rights and confidentiality of athletes are respected.

Integrating privacy-by-design is crucial to ensure anti-doping activities comply with data protection regulations. Privacy-by-design helps in collecting only necessary data, reducing the risk of privacy breaches and it demonstrates a commitment to ethical practices and transparency in anti-doping efforts. Athletes should be informed about the data collection and testing processes. Obtaining informed consent is a fundamental aspect of privacy by design and so the athletes would know how their data will be used, who will have access to it, and for how long it will be retained.

Additionally, adopting a privacy-by-design approach will involve collecting only the necessary data for anti-doping activities. Minimizing data collection can help protect the privacy of athletes and reduce the risk of misuse or breaches.

Privacy by design is an ongoing process. As new technologies and tools emerge, anti-doping organizations must continually assess and adapt their practices to maintain the highest standards of privacy protection.

UK Anti-Doping
UKAD Stakeholder Comments, Stakeholder Comments (United Kingdom)
NADO - NADO

SUBMITTED

Any expansion on the requirements of ISPPPI Article 9.6 should come with clear guidance to ADOs on how privacy-by-design might be practically achieved.

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

SUBMITTED

We support this addition.

Concept #4 – Name change (16)

International Tennis Integrity Agency
Nicole Sapstead, Senior Director, Anti-Doping (United Kingdom)
Sport - Other

SUBMITTED

Perhaps consider International Standard for Data Privacy or International Standard for Personal Information.

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

SUBMITTED

The following names are proposed:

- The International Standard for processing personal data/information.
- International Standard for Protection of Privacy
- Anti-Doping Data Protection (ADP)
- Data Protection Standard (DPS)
- Anti-Doping Privacy Standard (APS).

COCOM
Stephanie Sirjacobs, Legal adviser (Belgium)
NADO - NADO

SUBMITTED

ok pour simplement ISPPPI (international standard for the protection of personal information) ; en FR SIPIP

Organizacion Nacional Antidopaje de Uruguay
José Veloso Fernandez, Jefe de control Dopaje (Uruguay)
NADO - NADO

SUBMITTED

No comments

Anti-Doping Sweden
Jessica Wissman, Head of legal department (Sverige)
NADO - NADO

SUBMITTED

ADSE supports the proposal for a new, shorter name on the ISPPPI standard.

Suggestions: The International Standard for Privacy (ISP) or The International Standard for processing personal information (ISPPPI)

Sport Integrity Australia
Chris Butler, Director, Anti-Doping Policy and International Engagement (Australia)
NADO - NADO

SUBMITTED

We fully support this proposal.

A simple solution would be "International Standard for Privacy"

NADA Austria
Alexander Sammer, Head of Legal (Austria)
NADO - NADO

SUBMITTED

We would prefer International Standard for Data Protection.

Drug Free Sport New Zealand
Nick Paterson, Chief Executive (New Zealand)
NADO - NADO

SUBMITTED

We support the concept and propose International Standard on Information Management.

Canadian Centre for Ethics in Sport
Elizabeth Carson, Senior Manager, Canadian Anti-Doping Program (Canada)
NADO - NADO

SUBMITTED

The CCES supports a name change and suggests simplifying the name to “International Standard for Privacy.”

USADA
Allison Wagner, Director of Athlete and International Relations (USA)
NADO - NADO

SUBMITTED

Recommendation: USADA supports WADA’s consideration of a shorter name and proposes the International Standard for Data Protection (ISDP) or the International Standard for Data Privacy (ISDP) as the new name.

Swiss Sport Integrity
Ernst König, CEO (Switzerland)
NADO - NADO

SUBMITTED

Issue: The ISPPPI Drafting Team intends to propose a new, shorter name for the International Standard and welcomes stakeholder proposals.
Swiss Sport Integrity would like to suggest the following shorter name for the ISPPPI: "International Standard on Data Protection (ISDP)".

RUSADA
Kristina Coburn, Compliance Manager (Russia)
NADO - NADO

SUBMITTED

A new name for the International Standard is suggested: “The International Standard for Personal Data Protection”.

Anti Doping Danmark
Silje Rubæk, Legal Manager (Denmark)
NADO - NADO

SUBMITTED

ADD have no proposals for a name change.

UK Anti-Doping
UKAD Stakeholder Comments, Stakeholder Comments (United Kingdom)
NADO - NADO

SUBMITTED

We propose 'International Standard for Data Protection'.

Caribbean Regional Anti-Doping Organization
Sasha Sutherland, Executive Director (Barbados)
NADO - RADO

SUBMITTED

International Standard for the Protection of Information (ISPI) where the P is footnoted as ISPPPI.

- International Standard for Privacy (ISP)
- International Standard for Personal Privacy (ISPP)- International Standard for Data Privacy (ISDP)

Other Comments / Suggestions (6)

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

SUBMITTED

Comment #1

Explicitly state that the rules also apply to physical personal data (where the information is structured in such a way that it is easy to find information about an individual for later use). This could preferably be included in the section on defined terms (3.3) and section 4.

Comment #2

Expand the definition of "personal information" to include information relating to the athlete's health. Broadening the definition of "personal data" to include this information could ensure that athletes' privacy is protected in accordance with current data collection and processing practices in the context of doping in sport and applicable data protection legal frameworks.

Comment #3

Where relying on consent as the legal ground for the processing, to ensure that the consent is specific, free, informed, and unambiguous. Establish a clear process for obtaining athletes' consent to the processing of their personal data.

Comment #4

Establish a complaint mechanism for athletes who believe that their personal data has been processed inappropriately or the rights to data protection infringed.

Comment #5

Provide more guidance on how to comply with data protection laws in different countries. The ISPPPI is a global document, but data protection laws vary from country to country. Providing more guidance on how to comply with data protection laws in different countries would be one way to help anti-doping organisations meet their legal obligations.

Comment #6

Amend the Comment to Article 14.3.2 to ensure that NADOs are not obliged to publish sanctions if such publication contravenes national legislation. Encourage WADA to continue to develop with national data protection authorities a more harmonised approach regarding the implementation of Article 14.3.2.

Comment #7

Ensure consistency of the data protection regime applicable in respect of the standards on results management which contain references to the processing of photographs (biometric data where uniquely identifying an individual).

Similar consistency and safeguards are expected from WADA as a data controller, notably in respect of contracts with external partners which imply the processing of personal data held by WADA by such third parties (including IT

firms).

Organizacion Nacional Antidopaje de Uruguay

José Veloso Fernandez, Jefe de control Dopaje (Uruguay)
NADO - NADO

SUBMITTED

No comments

Anti-Doping Sweden

Jessica Wissman, Head of legal department (Sverige)
NADO - NADO

SUBMITTED

ADSE proposes that it should be expressly stated in the ISPPPI that the regulations also apply to physical personal data (if the information is structured so that it is easy to find information about an individual person for later use). Preferably this could be included in the section defined terms (3.3) and section 4.

To maintain the ISPPPI's compliance with evolving data protection standards, regular updates should be made with the latest data protection laws enacted in various countries.

Anti-Doping Norway

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

SUBMITTED

We have taken note that some of the concepts related to other IS may require development of the ISPPPI and may not in all circumstances be compatible with applicable data protections laws. As an example, is the use of photos to identify athletes (as suggested in the IST). In e.g. the European GDPR, this would constitute biometric data, the processing of which may be subject to further conditions introduced by member states.

Dopingautoriteit

Robert Ficker, Compliance Officer (Netherlands)
NADO - NADO

SUBMITTED

In our comments regarding the Code we elaborate on privacy and personal information (Article 14.3.2 Code)

RUSADA

Kristina Coburn, Compliance Manager (Russia)
NADO - NADO

SUBMITTED

Processing of personal data of minor athletes.

Unresolved was the issue of getting the consent to process minor athletes` personal data.

The ISPPPI Article 6.4 does not provide a clear understanding of what constitutes sufficient and legal consent in the absence of the parents` formal authority. As well as, in cases when it becomes apparent that the representative provided consent in a way that was not compliant with applicable legislation, is it still justified to proceed with doping control and process the obtained data of the minor athlete?

It would be useful to indicate that any sports organization that a minor athlete trains or attends has the authority to serve as an authorized representative to divulge appropriate personal information about a minor athlete during doping control procedure.

2027 Code & International Standard Update Process : Stakeholder Engagement Phase - International Standard for the Protection of Privacy and Personal Information (ISPPPI)

Bram van Houten, Policy adviser, Ministry of Health, Welfare and Sport (Netherlands)
Public Authorities - Government

SUBMITTED

Concept #2 – Personal Information Disclosures

We would advise WADA to allow for discrepancies in national possibilities to implement requirements on the disclosure of personal information. Any requirement on this issue should respect the scope of existing national legislation and national regulations on data processing and privacy, and the limitations they present to what a nado can and cannot do.

Additionally, the GDPR does not ban this type of publication, but does not allow it either. It is for national legislators of EU Member States to decide whether to allow this or not. The national legislator is autonomous and sovereign in this regard. As a result, this type of publication is not possible everywhere.

Furthermore, to regulate in this way will create non-compliance in the current system, since nado's may not have the powers the Code might require on this point, and with art 8.4.3.1 ISCCS will be held to account for any lack of powers. The nado has no part and no responsibility in the decision-making of legislation, and should not have to suffer consequences for any actions or lack thereof.

As such all these points mentioned in this concept should have a non-mandatory nature, to avoid compliance procedures that could risk harming the system.

The construct of setting a requirement and allowing for exceptions, as is currently in place for art. 14.3.2 Code and comment 91 for example, creates tension over which interpretation of existing national legislation to follow and is therefore not a suitable solution. We would therefore suggest to give any requirement on this subject (if any) a non-mandatory nature.

Other Comments / Suggestions

Generally, this standard should remain strictly within the scope of existing national legislation and national regulations on data processing and privacy, and the limitations they present to what a nado can and cannot do. This means not only the EU General Data Protection Regulation (GDPR), but also the subsequent national implementation (or lack thereof) in legislation by EU Member States. These are matters in which the national legislator is autonomous and sovereign, regardless of any requirement set by any private entity.