

WORKING GROUP on the OPERATIONAL INDEPENDENCE OF NATIONAL ANTI-DOPING ORGANIZATIONS

Terms of Reference

The WADA Working Group on the Operational Independence of National Anti-Doping Organizations (WG) is a specific Working Group¹ created by WADA Management at the request of the WADA Executive Committee (ExCo).

These Terms of Reference (ToR) are approved by the WADA ExCo, following consultation with the WADA Director General.

Purpose

As a result of the [August 2024 report](#) from the investigation carried out by independent prosecutor, Eric Cottier, in relation to 28 positive tests for Trimetazidine involving 23 Chinese swimmers between 1 and 3 January 2021, the WADA ExCo established a Working Group on the Cottier Report Implementation. In the [report of this Working Group](#), which was accepted by the WADA ExCo at its 4 December 2024 meeting, a recommendation (6.2) was presented stating, “.....that the multifaceted issue of NADO operational independence requires a holistic analysis, since it encompasses a variety of aspects, on the one hand related to anti-doping, and on the other to the legal, governance and political fields. In this respect, the WG recommends that the WADA Executive Committee establishes a Working Group to explore further this issue including the structure of the various NADOs and the impact of good governance”.

The original mandate of this WG will be from March 2025 to December 2025. This may be further extended if required. The necessary meeting timelines will be framed accordingly.

The intended outcomes of this new group are outlined below.

Objectives/Key Activities

The WG will:

1. Review the findings related to NADO Operational Independence arising from the

¹ WGs are created on an as-needed basis only, and generally with a defined mandate requiring deliverables within a set timeframe. Where the expected deliverables are not met, an extension of mandate is possible, however it is not expected that WGs continue indefinitely. If it is considered that their work should be ongoing in nature, whether WG should be elevated to an Expert Advisory Group would need to be determined.

independent prosecutor Eric Cottier's interim and final reports (dated [1 July 2024](#) and [5 August 2024](#)), as well as the findings of the Anti-Doping Audit Review Committee to the World Aquatics Bureau dated [13 July 2024](#).

2. Consider current NADO practices and develop specific recommendations to address recommendation 6.2 in the [report of the Working Group on the Cottier Report Implementation](#) including:
 - Review the proposed changes related to the operational independence of NADOs that are part of the 2027 World Anti-Doping Code (Code) and International Standards Update process and assess whether any adjustment could be recommended;
 - Identify additional considerations that may require further assessment and possible consideration for inclusion in future revisions of the International Standards;
 - Review the current [WADA Guide for the Operational Independence of NADOs](#) and propose and draft recommendations for inclusion where relevant;
 - Discuss potential improvements and best practices that could be recommended to WADA and Anti-Doping Organizations to address the perception of some athletes regarding a possible conflict of interest when NADOs are in charge of supervising their own athletes due to take part in international sport events.
3. Provide a road map of the recommendations as well as considerations related to their potential timeline of implementation.

Reporting Structure

The WG reports to the WADA ExCo.

Membership and Composition

The composition of the WG shall in principle not exceed a maximum of six members; however, an exception may be applied if deemed necessary.

The WADA Director General, following consultation with the responsible Director/s in charge of the WG, will recommend members to the WG to be approved by the WADA ExCo.

Members are selected on the basis of their relevant background and experience (e.g. expertise in the areas of NADO governance, testing, etc).

The membership of the WG is published on the WADA website and will be comprised of:

- Independent Chair
- One Athlete representative
- One expert from the Public Authorities
- One expert from the Sport Movement
- One expert from the WADA NADO Expert Advisory Group
- One expert from the WADA Strategic Testing Expert Advisory Group

If required, additional experts and/or members of WADA Management or staff may be called upon on an ad-hoc basis for their contributions.

Member terms reflect the mandate of the WG, i.e., until December 2025. If the work of the WG is not completed within this timeframe, the WADA ExCo can extend its mandate. In such case, the composition and terms of members will be reviewed to ensure their relevance remains.

Chair/Rapporteur

The Chair shall act as the official rapporteur who is responsible for ensuring appropriate coordination with WADA Management, as well as reporting to the WADA ExCo.

WADA Liaison

The WADA Director, Engagement & Development, and the Director of Testing will serve as the liaisons between WADA and the WG.

The Director, Engagement & Development, and the Director of Testing will be observers to the WG in the sense that they contribute to and bring expertise to support the work of the WG but do not have a voting position. Additional WADA Management members may also participate in WG meetings as WADA experts on particular subject matters and to provide general support to the group where required.

Meetings and Working Norms

The WG will generally meet virtually via video or teleconference as many times as is necessary to complete its mandate. If deemed necessary, an in-person meeting may be called.

The WG normally operates on the basis of consensus and maintains as informal a manner as is possible or appropriate for the conduct of business. Consensus will be sought whenever possible. In the event of divergence of opinion or disagreement concerning recommendations, the absolute majority (determined by vote by hand) will rule. In the event of a tie, the Chair has the casting vote. There is presently no formal practice concerning a quorum. The Chair has the responsibility to determine if a quorum is present. Meeting notes will record any dissenting opinion on request.

The Chair may limit discussion of resurfacing issues by referring to previous recommendations or conclusions of previous discussions.

Meeting notes of WG meetings, reports and correspondence relative to the group's work shall be retained at the WADA Headquarters. The work of the group is confidential.

Code of Ethics, Conflict of Interest, Confidentiality and Media

Each WG member has been required to sign a document, pursuant to which they undertake (i) to comply with the Code of Ethics adopted by the WADA Foundation Board (as amended from time to time); (ii) to comply with the Conflict of Interest policy adopted by the Foundation Board (as amended from time to time); (iii) to keep all matters related to WADA confidential; and (iv) to comply with the WADA Media Relations Policy issued by the Agency (as amended from time to time).

A) Code of Ethics

The purpose of the WADA Code of Ethics is to establish clear ethical standards over the activities of WADA Officials (as defined in Section 2 of the Code of Ethics) to allow WADA to achieve its mission and protect its core values. WADA and all its Officials undertake to foster a culture of ethics, loyalty, and integrity within their respective areas of competence.

B) Conflict of Interest

WG members will be bound by the WADA Conflict of Interest policy. They will be required to annually complete and sign a Statement of Absence of Conflict of Interest in accordance with the policy, and to update such statement if and as necessary during the year.

C) Confidentiality

All WG members are required to sign a Confidentiality Declaration upon appointment and again annually. This ensures all members reflect on the confidential nature of their WADA work and confirm their adherence to such confidentiality rules.

D) Communications and Media

All WG members must read and comply with WADA's Media Relations policy. If a member should receive a request for an interview in relation to their role in WADA, or WADA's work in the fight against doping in sport, they should first consult with the WADA Head of Media Relations or (if absent), with the WADA Communications Director.

Budget and Financial Support

WADA will provide budget for the WG in 2025. Should an extension of the mandate be required, additional budget will need to be approved prior to final confirmation of the group continuing.

WADA shall provide the necessary administrative and operational resources for meetings. WADA will cover certain expenses and compensate members for meetings in accordance with its applicable indemnity policy.

It is acknowledged that some experts go above and beyond, including providing extensive advice throughout the year, outside of annual meetings. WADA offers a further indemnity to experts for such work carried out. The specific indemnity details are outlined in the "Overview of WADA Working Groups" document provided to Members each year.

Effective Date

These ToR came into effect in May 2025 and are published on the WADA website.