

## **ANTI-DOPING CHARTER OF ATHLETE RIGHTS**

### **MISSION**

#### ***Clean and fair sport***

To ensure that athletes no matter who they are or where they compete and train have basic human rights (as defined in the UNGP's) and compete in clean, ethical and fair sport and to obtain a binding commitment from their fellow Athletes and all, Athlete Support Personal, Sport Officials, Sport Administrators that doping has no place in sport. In this regard, all Athletes and, Athlete Support Personal, Sport Officials, Sport Administrators agree that results in training and competition must only be obtained on the basis of an Athlete's merit, including their physical abilities, talent and effort, without resort to any means of assistance that constitute a violation of the World Anti-Doping Code (WADC).

### **PREAMBLE**

1. Whereas one of the purposes of the World Anti-Doping Code and the World Anti-Doping Program is to protect the Athletes' fundamental right to participate in doping-free sport and thus promote health, fairness and equal opportunity for Athletes worldwide;
2. Whereas all Athletes, Athlete Support Personal, Sport Officials, Sport Administrators, and Anti-Doping Organizations share the interest of and responsibility to protect the integrity of sport by ensuring that it is doping-free;
3. Whereas protecting the Athletes' right to participate in doping-free sport must be considered as one of the highest priority sporting interests;
4. Whereas it is recognized that protecting Athletes' rights is in the interest of preserving the social institution of sport, as well as its popularity and viability; and
5. Whereas the clean Athletes of the world seek to further protect their rights by obtaining a strengthened and universal commitment from their fellow Athletes, Athlete Support Personal, Sport Officials, Sport Administrators and Anti-Doping Organizations.

It is agreed by all Athletes, Athlete Support Personal, Sport Officials, Sport Administrators, Anti-Doping Organizations and other sport organizations that every Athlete has the right:

### **Actual Rights**

**Actual rights that are set down in the World Anti-doping Code (WADC), International Standards or other applicable documents.**

#### ***Article 1 – Equality of opportunity***

To equal opportunity in their pursuit of sport to perform at the highest potential level in both training and competition, free of participation by other Athletes who dope, or Athlete Support Personal, Sport Officials, Sport Administrators, or Anti-Doping Organizations that otherwise violate anti-doping rules and requirements. (*WADC and International Standards*)

### **Article 2 – Equitable and fair testing programs**

To be subject to testing programs worldwide that are implemented in a manner that ensures that all athletes in all countries are tested in compliance with the World Anti-Doping Code and International Standards. (*WADC, International Standard for Testing and Investigations, international Standard for Code Compliance by Signatories*)

### **Article 3 – Protection of health**

To be free from any pressure by any other Athlete, Athlete Support Personal or other persons, that would jeopardize their physical or emotional well-being through doping. When receiving medical treatment, Athletes have the right to not be prescribed, provided or administered any Prohibited Substance or Method in the course of medical treatment or otherwise by any Participant or Person unless the athlete has been granted an approved Therapeutic Use Exemption. Medical service providers shall not provide treatment to any athlete outside the applicable standard of care for the purpose of enhancing an athlete's performance. Athletes shall be responsible for advising medical personal that they are bound to comply with Anti-Doping rules set forth in the WADC and international standards. (*Fundamental Rational for the WADC*)

### **Article 4 – Right to justice**

To justice, including the right to be heard, the right to a fair and timely hearing before an impartial hearing panel, the right to obtain a decision in a timely manner as well as the fair, consistent and transparent enforcement of applicable Anti-Doping Rules in a harmonized manner in compliance with the WADC and International Standards. (*Article 8 WADC, International Standard for Result Management and Hearings*)

### **Article 5 – Right to accountability**

To be subject to the authority of Anti-Doping Organizations and relevant stakeholders that are ethical and comply with the WADC and applicable International Standards and are free of doping, corruption or illicit conduct and are held accountable in the case of any form of proven corruption, cover-up, conspiracy, complicity or manipulation related to anti-doping. (*WADC and International Standard for Compliance*)

### **Article 6 – Whistleblowers and Substantial Assistance**

To be provided with an anonymous or confidential and independent mechanism to report any potential doping behavior by applicable Athletes, Athlete Support Personal, Sport Officials, Sport Administrators, and Anti-Doping Organizations. (*Article 2.11 WADC*)

### **Article 7 – Right to education**

To receive Anti-Doping Education and information from Anti-Doping Organizations that satisfy the principles and requirements in Article 18 of the Code. (*Article 18 WADC, International standard for education*)

### **Article 8 – Right to data protection**

To the collection, transfer, storage, publication and confidentiality of their anti-doping related data in accordance with the relevant and applicable International Standard, as well as applicable data privacy laws. (*Article 14.6 WADC and GDPR*)

### ***Article 9 - Compensation***

To compensation from an athlete/s or organization that has committed an ADRV and that any prize money that has been awarded to a sanctioned athlete/s is returned to the rightful athlete/s. (*Article 10.9 with comment, and Article 10.10 WADC*)

### ***Article 10 – Anti-Doping Athlete Ombudsperson***

To have an independent WADA appointed Athlete Ombudsperson that shall have the power to advise, report and make recommendations so as to protect Athletes and their rights in relation to this Charter and all anti-doping matters. These services shall be free, confidential, independent and a mechanism will be put in place to allow such communication. The ombudsperson shall report to the WADA Athlete Committee. The structure, reporting, powers, limitations and rules of the office shall be defined in the relevant Terms of Reference.

(Independent WADA Anti-Doping Athlete Ombudsperson Terms of Reference)

## **Aspirational Rights**

**Aspirational Rights are the following rights that are endorsed by athletes, they are not rights that are enforceable unless adopted by an organization so as to ensure best practice and to expand on the above Actual Rights.**

### ***Article 11 – Corruption-free sport***

To have the right to participate in training and competitions that are free from doping-related corruption or any other form of doping-related manipulation that could affect the outcome on the field of play or in training.

### ***Article 12 – Freedom of expression***

To freedom to express opinions with respect to anti-doping without fear of retribution.

### ***Article 13 – Right to participate***

To participate in the creation and modification of the Anti-Doping Rules to which they must comply and that it is fair and right that athletes shall also have a voice and the right to participate in the governance of the Anti-Doping Organizations that they are subject to.

### ***Article 14 – Mutual respect of rights***

To the extent not already explicitly provided, to have the rights described in this Charter respected by their fellow Athletes, Athlete Support Personal, Sport Officials, Sport Administrators, Anti-Doping Organizations, or any other Person/s.