



COMPLIANCE ANNUAL REPORT 2019

March 2020

Acronyms used in Compliance Annual Report 2019

ADAMS	Anti-Doping Administration and Management System
ADeL	Anti-Doping e-Learning
CAR	Corrective Action Report
CAS	Court of Arbitration for Sport
CCC	Code Compliance Center
CCQ	Code Compliance Questionnaire
CISP	Code Implementation Support Program
CRC	Compliance Review Committee
DCF	Doping Control Form
IF	International Federation
ISCCS	International Standard for Code Compliance by Signatories
ITA	International Testing Agency
KPIs	Key Performance Indicators
MEO	Major Event Organization
MLA	Minimum Level of Analysis
NADO	National Anti-Doping Organization
RADO	Regional Anti-Doping Organization
RTP	Registered Testing Pool
TDP	Test Distribution Plan
TDSSA	Technical Document for Sport Specific Analysis
TUE	Therapeutic Use Exemption
WADA	World Anti-Doping Agency

Contents

1.0	Executive Summary	4
2.0	Introduction	5
2.1	Purpose of the Annual Report.....	5
2.2	International Standard for Code Compliance by Signatories (ISCCS).....	6
2.3	Compliance Activities in 2019.....	6
3.0	Achievement of Objectives.....	7
4.0	Performance Against Key Performance Indicators (KPIs)	10
5.0	Compliance Monitoring Program.....	10
5.1	Continuous Monitoring.....	11
5.2	Code Compliance Questionnaire (CCQ).....	14
5.2.1	MEO CCQ.....	14
5.2.2	“Other Organizations” CCQ.....	14
5.2.3	2017 CCQ.....	15
5.3	Signatory Audit Program.....	16
5.4	Compliance Monitoring Program Conclusions	18
5.5	Opportunities to improve.....	19
6.0	Anti-Doping Rules	19
7.0	Code Compliance (Enforcement) Procedures	21
8.0	Risk Management	23
9.0	Special Issues.....	24
10.0	Integrated Assessment of Findings and Areas of Special Focus	25
10.1	WADA Internal Structures, Processes and Compliance Monitoring	25
10.2	Monitoring Signatory Compliance	25
11.0	Implications for WADA’s Compliance Monitoring Program in 2020.....	25

1.0 Executive Summary

The WADA Compliance Annual Report 2019 is the first edition of this report and is published in line with [WADA's Compliance Strategy](#) which will be launched in 2020. The Compliance Strategy was developed by WADA's internal Compliance Taskforce with the guidance of WADA's independent Compliance Review Committee (CRC) and endorsed by WADA's Executive Committee in 2019.

WADA Internal Structures, Processes and Compliance Monitoring

- WADA operated its compliance activities under the International Standard for Code Compliance by Signatories (ISCCS) and the accompanying Prioritization Policy for its first full year following its coming into force in April 2018. Together with its investigative powers and capabilities, WADA is better equipped to identify compliance issues and deal with them in a more timely and effective way than ever before.
- WADA has increased its resources across all departments involved in compliance and investigations, as well as its four regional offices, and has developed robust internal processes with well-trained and knowledgeable staff who have gained significant experience.
- Significant, high-profile, WADA-led investigations have contributed to a number of compliance activities by WADA departments, Standing Committees and governing bodies. In particular, the Russian investigation has required an unprecedented amount of human and financial resources.
- WADA now has at its disposal a number of effective and robust compliance monitoring programs. In 2019 WADA launched three new compliance monitoring programs – the Major Event Organization (MEO) Code Compliance Questionnaire (CCQ), the continuous monitoring program, and the desk audit program.
- The underlying information technology infrastructure was enhanced and rebranded into the Code Compliance Center (CCC). Previously the system was called the CCQ but was rebranded to CCC to reflect its enhanced purpose and content. CCQs and audits are securely stored and managed within the CCC.

Monitoring Signatory Compliance

- A significant amount of a Signatory's anti-doping program is now monitored and assessed by the compliance monitoring program. In 2019 over **3,000** corrective actions were implemented by Signatories across the different programs.
- In-person audits continued, and WADA has now conducted **45** in-person audits since 2016.
- The CCQ was also completed for the first time by **17** "Other Organizations" and assessed by WADA.
- Anti-doping rules were reviewed and approved for **64** Signatories who amended their rules (in line with the 2015 World Anti-Doping Code (Code) currently in force).
- **44** compliance enforcement procedures ("compliance procedures") were opened in 2019, including 8 where the non-conformity was identified in 2018. **15** Signatories were referred to the CRC, however, in **13** cases, the issues were resolved prior to the CRC meeting. **2** Signatories were recommended for an assertion of non-compliance to the WADA Executive Committee by the CRC.

Key findings of Signatory compliance monitoring in 2019

- Testing has been identified as the main source of non-conformities. Strategies have been developed to assist Signatories, including through a more flexible approach to certain activities such as compliance with the Technical Document for Sport Specific Analysis (TDSSA).
- The link between improving the quality of testing programs and financial resources has been identified. A better understanding of costs associated with a quality testing program is required to assist Signatories to increase their budgets and resources. Tools, expertise and guidance to assist Signatories monitor testing in the lead-up to major events down to the individual athlete level needs to be established and to become a business as usual activity within a Signatory.

- The creation of the International Testing Agency (ITA) and the support of other Signatories, through partnerships or third-party service providers, is a significant improvement to the overall compliance of Signatories' activities but also, and more importantly, to the quality and independence of those programs.

2.0 Introduction

2.1 Purpose of the Annual Report

This is the first edition of the Compliance Annual Report, a commitment defined in WADA's [Compliance Strategy](#). The broad term "compliance" with the Code refers to how a Signatory can demonstrate and maintain its anti-doping rules and program implementation in line with the Code, International Standards and related Technical Documents. A Signatory is either an International Federation (IF), a National Anti-Doping Organization (NADO) or a MEO.

The purpose of the Compliance Annual Report is to:

- Provide a clear and integrated report on the effectiveness of the compliance management system, measuring objectives against key performance indicators (KPIs) through quantitative and qualitative analysis including areas for improvement.
- In support of the strategic focus of WADA's compliance program, to assess the effectiveness of the daily operations and identify where resources should be invested.
- Detail the interpretation and implications of the findings, trends and lessons learned over time, towards compliance maturity defined in the Compliance Strategy.
- Identify opportunities for continual improvement that will be the foundation for the following year's Compliance Annual Plan. This cycle will be repeated annually as WADA seeks to develop compliance maturity through continual improvement of its own compliance activities and the global anti-doping system.

Figure 1: The relationship between the Compliance Annual Report and Annual Plan



NOTE: The Compliance Annual Report will be published on the WADA website; the Compliance Annual Plan will be an internal, planning tool.

2.2 International Standard for Code Compliance by Signatories (ISCCS)

Compliance with the Code by Signatories is governed by the ISCCS, which came into force on 1 April 2018 and is currently one of six International Standards that complement the Code. The ISCCS provides the framework for Signatories to achieve and maintain compliance and sets out the processes, timeframes and consequences associated when a non-conformity is identified and not implemented. Recommending a Signatory non-compliant is a last resort, and WADA provides support and guidance throughout a compliance procedure.

The ISCCS¹ allows WADA to prioritize its compliance monitoring activities on Signatories through the “Policy for the Initial Application of the International Standard for Code Compliance by Signatories” also known as the “Prioritization Policy²”. This policy, which accompanied the release of the ISCCS in April 2018, prioritizes the category of non-conformities (critical, high priority and other) against the level or Tier of the Signatory (three Tiers were identified, Tier 1 representing the highest performing countries and sports). Therefore, logically, those Signatories who represent countries that are successful at Major Sporting Events and sports which are part of the Olympic and Paralympic Games are prioritized by WADA.

The operational work undertaken by WADA’s internal Compliance Taskforce is conducted under the supervision of the external, independent Compliance Review Committee (CRC), a WADA Standing Committee. The role of these groups is explained in the Compliance Strategy.

2.3 Compliance Activities in 2019

Compliance activities for 2019 were identified through the Compliance Taskforce and endorsed by the CRC. Those activities were to:

1. Monitor the ongoing investigation into potential data manipulation by Russian authorities and for the CRC to make appropriate recommendations to WADA’s Executive Committee.
2. Continue to review Signatories’ anti-doping rules to ensure compliance with the Code and International Standards.
3. Continue to implement existing, established compliance monitoring programs such as the in-person audit program and the CCQ.
4. Identify new compliance monitoring programs to bridge the gap between the 2017 CCQ (which measured the self-assessed compliance by Signatories with the 2015 Code and International Standards) and the next CCQ planned for 2022 (to measure self-assessed compliance with the 2021 Code and International Standards).
5. Further develop and enhance the infrastructure of WADA’s compliance activities through maintaining WADA’s monitoring program’s ISO9001:2015 certification and the ongoing development to the underlying information technology system (the CCC).
6. Develop a Compliance Strategy to outline WADA’s compliance activities to a wider audience and provide a framework for assessing the effectiveness of WADA’s compliance management system, resource allocation and risk management.

¹ Article 8.2.2 and 8.2.4 of the ISCCS allow WADA to prioritize its compliance monitoring activities

² Prioritization Policy: <https://www.wada-ama.org/en/resources/code-compliance/isccs-prioritization-policy>

7. Strengthen partnerships on Signatory compliance with key stakeholders such as the Council of Europe.
8. Conduct a thorough review of the effectiveness of the ISCCS, including the accompanying Prioritization Policy, through the 2021 Code review consultation process.

During 2019, several new challenges emerged. The challenges and the actions taken included:

Challenge	Action Taken
The significant resources, both human and financial, involved in the Russian investigation, which limited the scope of WADA's Intelligence and Investigations Department's (I&I) activities almost entirely to Russia and reduced significantly the ability of I&I to potentially investigate other Signatories. The Russian case also required three additional, extraordinary in-person meetings of the CRC.	Additional budget and resources were obtained from WADA's general budget throughout the year to manage the Russian investigation and the additional CRC meetings.
Challenges confirming dates for audits.	The notification time of audits was increased to three months in advance to assist with confirming dates. This has been effective.
Challenges identified through the MEO CCQ regarding the MEOs' jurisdiction and the timeframe for implementing corrective actions in advance of the Event.	The process for Tier 2 and 3 MEOs is currently being discussed and will be amended for Major Events in 2021 and beyond
The "one size fits all" requirements of the Code and International Standards led to some concerns from Signatories that their resources are not being taken into consideration, that the additional workload associated with compliance activities is too burdensome, and the consequences too severe.	WADA Regional Offices provided ongoing support in addition to encouraging Signatories to direct sufficient resources into their anti-doping programs.

3.0 Achievement of Objectives

As this is the first edition of the Compliance Annual Report, there is no documented 2019 Annual Plan identifying objectives from the previous year. However, from WADA's management priorities and internal compliance operations plan, there were a number of strategic objectives identified. Achievements against those objectives are detailed below.

Objective 1: Achieve and maintain compliance of Signatories to improve the quality of global anti-doping programs.

Achievements:

- WADA completed the monitoring of CCQs for Signatories in Tiers 1 and 2 under the framework of the Prioritization Policy. That involved implementing a remaining 213 corrective actions for Tier 1 and 694 for Tier 2. WADA continued to monitor and support the implementation of approximately 2,000 CCQ corrective actions for Tier 3 Signatories. From the 15 in-person Audit Corrective Action Reports (CARs) issued in 2019, 315 corrective actions were identified, with 116 implemented. Combined, that is over 3,000 actions in which the global anti-doping system has been improved in 2019.

- As an indirect result of WADA’s compliance activities, and for other reasons as well, several Signatories signed agreements with the ITA or an equivalent independent third-party service provider to further strengthen their anti-doping programs and ensure a more sustainable, independent, effective program.
- Through its compliance monitoring programs, WADA assessed 190 Signatories across varying Code and International Standard requirements.

Compliance Program	Signatories assessed	IFs	NADOs	MEOs
Continuous monitoring	152	77	75	-
In-person audit	18	6	12	-
Desk audit	1	-	1	-
CCQ	19	17	-	2
Total	190	100	88	2

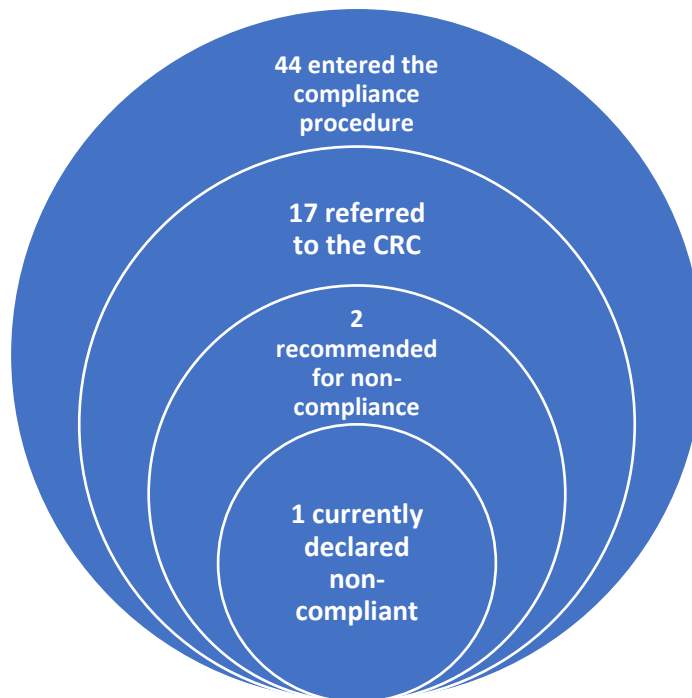
- WADA assessed 64 sets of Signatories’ anti-doping rules based upon updates against the 2015 Code and International Standards.
- Following the review of the outcomes of WADA’s compliance monitoring activities, 11 supporting documents, checklists and templates were developed and made available on WADA’s Anti-Doping e-Learning (ADeL) platform for Signatories to use to improve their anti-doping programs and comply with Code and International Standard requirements. Examples include a Risk Assessment checklist and Intelligence Policy template.

Objective 2: Achieve compliance maturity within the global anti-doping system, where compliance activities become automatic and “business as usual” for Signatories.

Achievements:

- To support the achievement of the long-term objective of global compliance maturity, many Signatories have increased financial resources (10 as a result of a CAR issued from audits or continuous monitoring) or re-organized their activities to ensure ongoing, sustained compliance with the Code and the International Standards.
- WADA’s compliance monitoring program has evolved quickly and in a short period of time, moving Signatories from solely structural compliance (anti-doping rules in place) to evolving operational compliance (anti-doping programs in line with the Code and International Standards). The Prioritization Policy that accompanies the ISCCS has been effective in this transition.
- WADA itself has increased its resources to manage compliance monitoring in a number of departments and units, including its four Regional Offices, in order to provide ongoing support to Signatories. The establishment of 7 WADA-facilitated partnerships between NADOs has seen significant improvements in anti-doping programs, especially in developing NADOs that were audited by WADA. The Regional Anti-Doping Organization (RADO) program continues to develop and support capacity and expertise in member countries towards maintaining compliance.
- Fewer Signatories entered the compliance procedure in 2019 (44) compared to 2018 (59) which could reflect an increase in compliance maturity. Of the 44 Signatories who entered the compliance procedure, 17 cases were referred to the CRC and 2 resulted in a recommendation of non-compliance from the CRC to the Executive Committee. This demonstrates that the overwhelming majority of Signatories are able to successfully address their outstanding issues in the framework of the ISCCS.

Figure 2: Signatories who required additional time to correct non-conformities in 2019



It is important to acknowledge that compliance activities within the majority of Signatories have not yet become routine or automatic, and there is still a reliance on WADA to monitor, review and notify Signatories. Despite the impressive global progress in Signatories' compliance, different Signatories have evolved at varying paces. WADA's objective is to continue to support Signatories towards compliance maturity proactively, with WADA providing in-person support through the Regional Offices, the RADO program, the ongoing development of helpful templates and checklists and monitoring dashboards in ADAMS to enable them to become self-sufficient. The journey towards compliance maturity is therefore ongoing.

Objective 3: Make the benefits of WADA's compliance activities transparent for athletes

Whilst the focus of WADA's compliance monitoring program has been on Signatories, the most important stakeholders – the clean athletes – may not be aware of how they benefit from WADA's compliance monitoring program.

Achievements:

- The first full year of implementation of the ISCCS provides reassurance that, for the first time, Signatories are subject to the same, stringent measures as athletes. The revisions to the Code and the ISCCS strengthen the legal framework by providing transparent, proportionate, pre-determined processes as well as graded and consistent sanctions to those Signatories that, despite all the support provided, find themselves in a non-compliance situation.
- The outcome of the Russian investigation has shown that WADA has the will, expertise and legal framework to effectively deal with an unprecedented level of cheating and corruption towards creating a level playing field for athletes.
- With 190 Signatories assessed in 2019 for critical compliance activities, WADA is treating Signatory compliance as seriously as athletes' compliance with anti-doping rules.
- Assessing the International Olympic Committee's (IOC) and International Paralympic Committee's (IPC) anti-doping programs through the launch of the new MEO CCQ program and identifying areas of improvement in advance of the Tokyo Games, WADA has made the integrity of those Games, as well as

the accountability of MEOs for delivering an effective anti-doping program at the major sporting events, a priority.

4.0 Performance Against Key Performance Indicators (KPIs)

In order to measure the development of compliance maturity and continual improvement of the anti-doping system, formal KPIs will be identified in 2020.

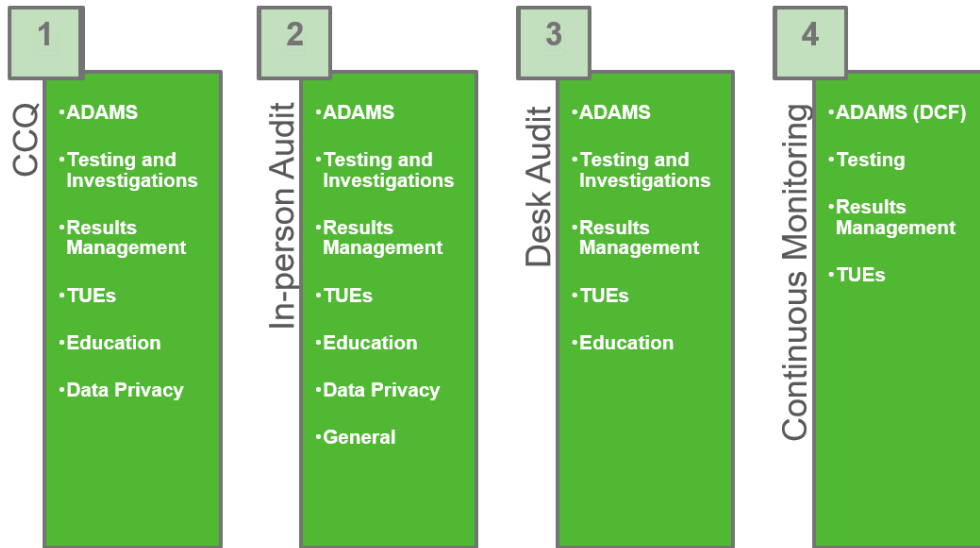
In 2019 WADA had a number of performance targets which will be further developed into KPIs in 2020.

Performance targets	Achievements
Increase the scope of compliance monitoring to include more Signatories.	Three new programs introduced into WADA compliance monitoring program: desk audits, continuous monitoring and MEO CCQ. 190 Signatories programs assessed in 2019.
Improve the overall compliance maturity of Signatories.	The number of Signatories entering the compliance procedure reduced in 2019 compared to 2018.
Increase the support and resources WADA provides to Signatories on compliance.	Additional Manager recruited in 2019 in each Regional Office. New resources designed to assist Signatories with their compliance responsibilities were published in ADeL.
Ensure Signatories are satisfied with WADA's compliance activities towards enhancing global anti-doping programs.	In-person audit feedback currently rated at 4.5 out of 5. Feedback mechanisms to be added to the CCQ, continuous monitoring and anti-doping rules review.
Meet the ISO9001:2015 objectives and indicators through the internal auditing program.	All objectives met, ISO certification granted for three years up to 2022. ISO objectives include satisfaction of stakeholders and performing the planned number of audits.

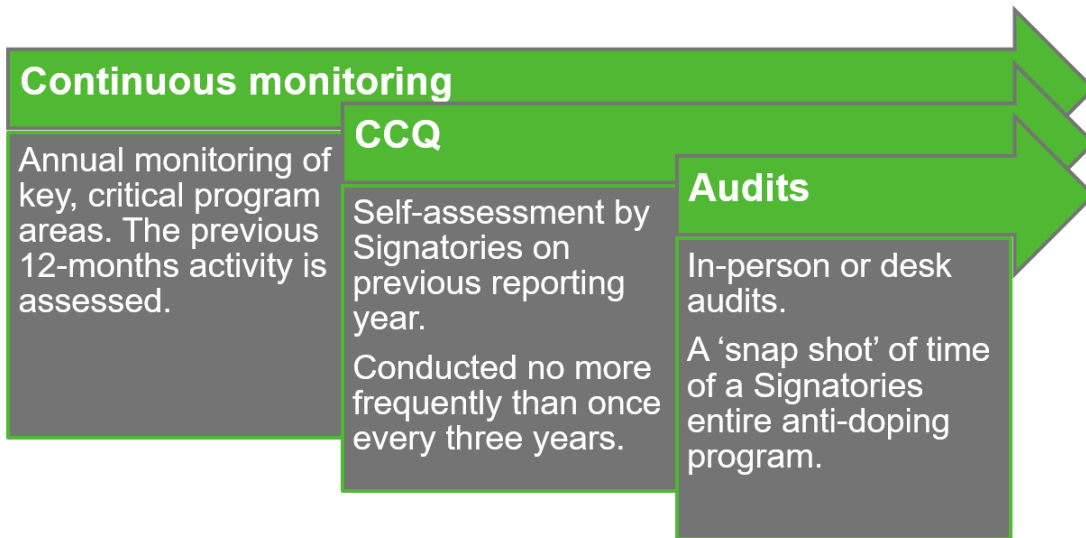
5.0 Compliance Monitoring Program

WADA has four complementary programs to assess Signatories' compliance with the Code and International Standards.

Figure 3: The scope of the four compliance monitoring programs



In addition to the scope, the detail of the review and timing of the compliance monitoring programs varies.
Figure 4: The detail of the review and time element of the compliance monitoring programs



5.1 Continuous Monitoring

WADA launched its Continuous Monitoring Program in February 2019 to review compliance of Tier 1 and 2 IFs and NADOs against the following critical program areas:

- TDSSA compliance
- Lack of or insufficient Out-Of-Competition (OOC) Testing
- Registered Testing Pool (RTP) implementation check from the 2017 CCQ
- Therapeutic Use Exemption (TUE) entry into ADAMS

- Compliant Result Management decisions

In addition, the already established monitoring of Doping Control Form (DCF) entry into ADAMS continued for all Tier Signatories on a monthly basis.

Continuous monitoring is an annual review of a Signatory's compliance against the program areas above based upon the previous 12 months of activity. The highlights of continuous monitoring in 2019 are summarized below.

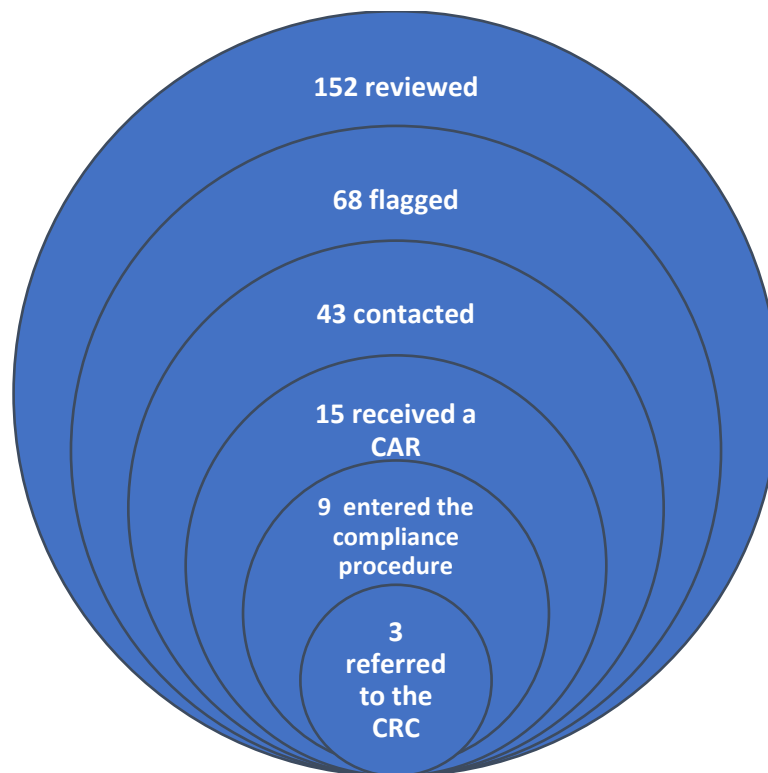
152 Tier 1 and 2 Signatories' (77 IFs' and 75 NADOs') programs were reviewed for the areas above, resulting in:

- **68** Signatories flagged as requiring further review or information based upon data accessed by WADA. 25 Signatories were deemed satisfactory following this review.
- **43** requests to Signatories for information or clarification.
- **15** CARs issued with three months to correct (**9** were for Tier 2 and **6** for Tier 1 Signatories).

9 Signatories entered the compliance procedure as they did not implement all corrective actions within the three months given for critical non-conformities.

3 Signatories were referred to the CRC (decision pending).

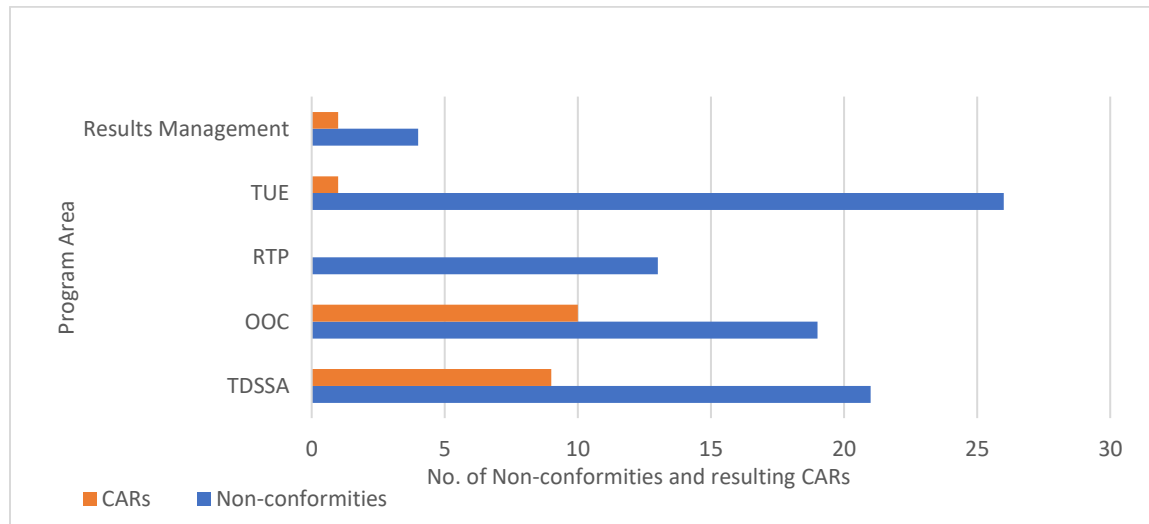
Figure 5: Signatories' involvement in the continuous monitoring program



From the **68** Signatories flagged, **83** non-conformities were identified, **62** of which were fixed following initial dialogue between WADA and the relevant Signatory and therefore did not require a CAR. This resulted in **15** Signatories receiving a CAR which contained a total of **21** corrective actions.

The type of non-conformities across the different program areas assessed are detailed below.

Figure 6: Anti-doping program areas assessed, non-conformities identified and the resulting CARs



Trends:

- Dialogue between WADA and Signatories was effective in resolving non-conformities without the need for a CAR. This was particularly the case for RTP and TUE.
- The majority of CARs issued were for OOC testing and TDSSA compliance, which required evidence of implementation over a period of time.
- Testing-related CARs often required an increase in financial and/or human resources to implement corrective actions.
- DCF entry into ADAMS reached 99% during 2019, from 52% in 2016, demonstrating that Signatories benefited from DCF monitoring by WADA.

Lessons learned:

Lesson learned	Action taken
Reviewing 152 Signatories in the first year of continuous monitoring was a challenge to WADA's resources across a number of WADA departments and the Regional Offices.	WADA will focus its continuous monitoring program on a smaller group of Signatories in 2020 whilst freeing resources to review anti-doping rules.
Many Signatories relied on WADA's monitoring of DCF entry into ADAMS and only took action when reminded by WADA despite the development of tools to assist them.	New ADAMS tools to be launched in 2020 will allow Signatories and WADA to review progress and compliance of their testing programs more effectively and efficiently. It is important that these tools and their use is well communicated by WADA and understood by Signatories to maximize these efficiencies.

Lesson learned	Action taken
Many Tier 2 Signatories required extra support and resources to maintain compliance with the Code and International Standards. This would suggest that they do not have in-house expertise or resources.	Six of the IFs that received a CAR subsequently signed an agreement with the ITA for all or part of their anti-doping program, and all received assistance and support from the Lausanne Regional Office.

5.2 Code Compliance Questionnaire (CCQ)

The CCQ is an online tool designed to allow Signatories to self-report on their compliance with the Code and International Standards. It is contained in the CCC system. In 2019, the following CCQs were issued to Signatories:

5.2.1 MEO CCQ

- The IOC and IPC received a tailored CCQ to reflect their compliance responsibilities in relation to their role as an MEO. The CCQ was issued in advance of the Tokyo 2020 Olympic and Paralympic Games. This is a different approach to IFs and NADOs, which are required to report on a previous year's activity. Key findings were as follows:
 - Both organizations received a CAR with a small number of corrective actions.
 - The majority of corrective actions were related to testing and investigations.
 - Corrective actions related to Test Distribution Planning and sample collection procedure have already been implemented by both the IOC and the IPC.

5.2.2 "Other Organizations" CCQ

- In the list of Signatories to the Code, there are 17 organizations referred to as "Other Organizations" who are not affiliated to the Olympic or Paralympic movement. Historically these Signatories paid a fee for their anti-doping rules to be reviewed but their programs were not assessed. As Signatories to the Code, the CRC recommended that their anti-doping programs should be reviewed as a minimum by completing the CCQ.
- As a result of issuing the CCQ:
 - 16 organizations returned their CCQ for review and received a CAR.
 - 1 organization did not return their CCQ and was subsequently declared non-compliant.
 - 1 organization has implemented all corrective actions contained within its CAR.

Lessons learned:

Lesson Learned	Action taken
Based upon the experience with Tier 1 MEOs, the timing of sending a CCQ and a CAR to Tier 2 and 3 MEOs will need to be managed on case-by-case basis to ensure that the necessary support and resources are available within the MEO to implement any corrective actions in advance of the relevant Event.	Tier 2 and 3 MEO CCQ submission to be further discussed.
Due to the variations in MEO jurisdiction, careful consideration is required by both WADA and the MEO regarding when certain anti-doping activities should be in place. For example, when does a TDP actually have to be in place both on	Tier 2 and 3 MEO CCQ assessment to be further discussed.

Lesson Learned	Action taken
a practical level and with regard to compliance with the Code and International Standards?	
The exercise with the IOC and IPC reinforced the importance of checking theoretical information presented in advance of the Event with the actual Games-time operations. Over 70% of activities contained in the CCQ are required to be checked by the WADA Independent Observer program at the Games.	Checking the CCQ corrective actions will remain for Tier 1 and 2 MEOs through the WADA Independent Observer program.

5.2.3 2017 CCQ

In 2019, Signatories continued to implement remaining corrective actions resulting from the CCQ issued in 2017. In 2019:

- Tier 1 Signatories have now implemented 100% of critical and high priority corrective actions (as required by the Prioritization Policy) and a total of 93% of other corrective actions.
- Tier 2 Signatories have now implemented 100% of critical corrective actions (as required by the Prioritization Policy) and 74% of high priority and other corrective actions.
- Tier 3 Signatories have now implemented 31% of all their corrective actions.
- Tier 1 Signatories implemented 213 corrective actions with 96 remaining (IFs 154/39, NADOs 59/57).
- Tier 2 Signatories implemented 694 corrective actions with 731 remaining (IFs 251/247, NADOs 443/484).
- Tier 3 Signatories implemented 2,026 individual corrective actions with 5,299 corrective actions and best practice recommendations (see lesson learned below) remaining (IFs 261/826, NADOs 1,765/4,473).

Trends

- All Signatories who received a CCQ since 2017 received a CAR containing corrective actions.
- By the end of 2019, 5,092 corrective actions have been implemented globally since 2017 (46%), with 2933 implemented in 2019 (27%).
- In 2019, NADOs from Asia (44%) and the Americas (37%) implemented the most corrective actions.
- Overall, European NADOs (82%), followed by IFs (62%), have now implemented the most corrective actions (the majority of European NADOs are in Tier 1 and 2, where the Prioritization Policy requirements are stricter).
- NADOs have now implemented 41% of all their corrective actions, IFs 62%.

Lessons learned:

Lesson Learned	Action Taken
The Prioritization Policy is effective in achieving compliance and the implementation of corrective actions through the ongoing monitoring and	The Prioritization Policy is being reviewed for January 2021.

compliance procedures in line with the ISCCS. Experience has demonstrated that the application of timeframes for compliance with consequences and the availability of ongoing support and assistance are effective in achieving compliance.	
The high number of corrective actions implemented by Tier 3 Signatories demonstrated the effectiveness of the Regional Offices and RADO program in supporting the ongoing program development and capacity building of these Signatories.	Approach to continue.
As the Prioritization Policy does not specify consequences for non-compliance by Tier 3 Signatories (save in exceptional circumstances), best practice recommendations were counted as corrective actions in CARs. As a result, the number of corrective actions for Tier 3 Signatories appears higher than is the case. In fact, approximately 27% of Tier 3 NADO corrective actions are best practice recommendations.	This approach will not be taken for future IF and NADO CCQs.
Data analytics in the CCC are currently limited	The CCC is being further developed in this area.

5.3 Signatory Audit Program

In 2019, 18 in-person audits, were successfully conducted at the Signatories' headquarters by a team of trained WADA auditors. One audit was postponed until 2020 due to logistical challenges. In addition, one desk audit was started by a team of WADA auditors at the end of 2019.

Since the introduction of the audit program in late 2016, **45** in-person audits have been conducted by WADA.

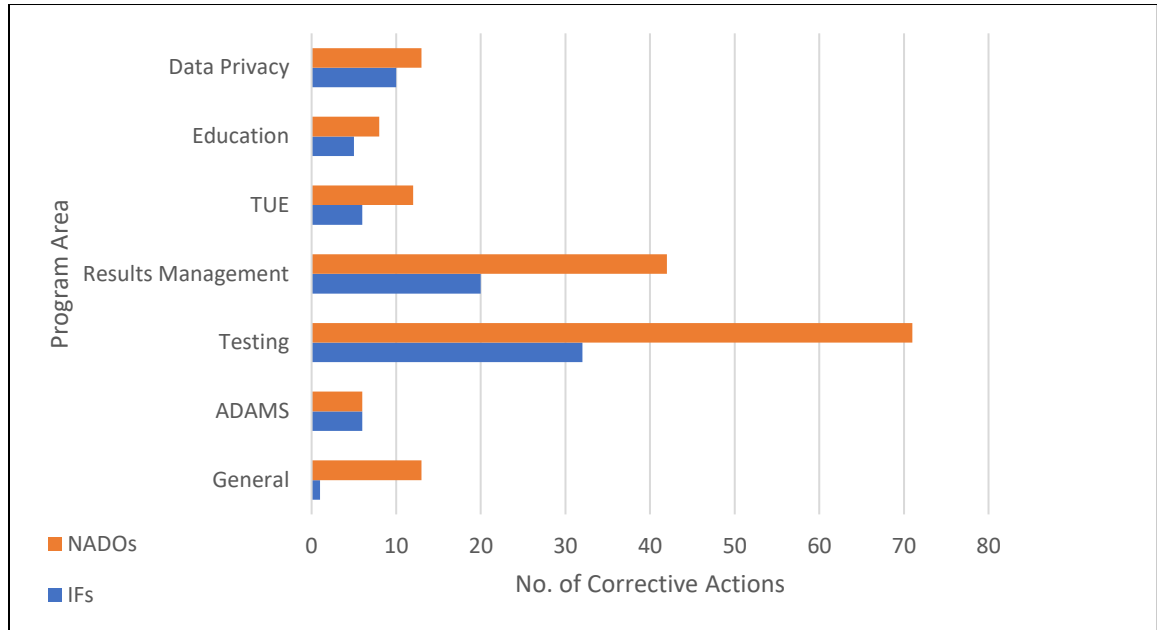
For the first time in 2019, WADA and the Council of Europe conducted a coordinated WADA Signatory audit and a Council of Europe monitoring visit on a European NADO. As the Code and the European Anti-Doping Convention are complementary in many areas, this project allowed the two organizations to strengthen their synergy in line with an existing Memorandum of Understanding (MOU) and to benefit from each other's activity, assessing the anti-doping system as a whole under both the Code and the Convention.

Of the 18 audits conducted in 2019:

- **12** were conducted on NADOs and **6** on IFs.
- **15** Corrective Actions reports were issued by 31 December 2019.
- **315** findings and corrective actions were identified, of which **116** (37%) have been implemented so far. The range of findings in a CAR was between 6 and 56, with the average, 21 (NADO average 22.3, IF 18.3).
- **2** Signatories have implemented all corrective actions from their 2019 audit CAR.
- **5** Signatories entered the compliance procedure after they did not implement all of their corrective actions within the initial three-month period for 'critical' non-conformities.

- 1 Signatory that was audited in 2018 was referred to the CRC in 2019 but implemented its outstanding corrective actions before the case was referred to WADA’s Executive Committee.

Figure 7: Corrective actions from audits of NADOs and IFs: Distribution by program area



Trends

- Due to the challenge of finalizing dates for audits, a significant number of audits were conducted towards the end of 2019. Therefore, the relevant data from these audits is not contained in this report.
- ‘Testing and investigations’ generated the most findings and corrective actions (42% of the total findings). This reflects the fact that this program area has the highest number of requirements.
- NADOs have more testing-related corrective actions as they are subject to more requirements than IFs (e.g. Sample Collection Personnel management) and more complex requirements (e.g. TDSSA Minimum Levels of Analysis (MLAs) across more sports and disciplines and therefore more complicated Test Distribution Plans).
- NADOs have more findings relating to “General” areas, namely those associated with their constitutional framework, governance structures and anti-doping rules and/or legislation. The environment is often more complicated for a NADO than an IF because of these legislative and legal obstacles.
- The contribution of supporting organizations (e.g. service providers, Signatories to which other Signatories outsource part of their anti-doping program) in audits was noticeable in 2019. The direct involvement of the ITA, the Canada NADO and International Drug-Testing Management (IDTM) in a number of audited IF anti-doping programs resulted in improved programs for these IFs. Partnerships with other NADOs was also observed in three NADO audits (Azerbaijan, Ukraine and Uzbekistan), both prior to and after the audit, and reflected positively on the quality of these NADOs.

- Audits are considered the most effective program in WADA's compliance monitoring program due to the more detailed nature of the review and assessment of a Signatory's anti-doping program. Continuous monitoring and desk audits have been introduced to ensure that Signatories sustain their anti-doping efforts and do not slip back into previous practices once corrective actions have been signed off.

Lessons learned:

Lesson Learned	Action Taken
It was apparent from some audits that a number of new mandatory requirements (e.g. TDSSA requirements for Athlete Biological Passport programs) had not been incorporated or understood by some Signatories.	In 2020, WADA will launch a Support Program for Signatories to assist them to understand the requirements and the changes they are required to implement for the 2021 Code and International Standards.
Audit teams often encounter situations where a Signatory is implementing a certain program based upon historical practices, "because we have always done it this way".	Changing existing approaches has been achieved by educating staff during the audit and through the audit corrective actions. In a number of cases, the same Signatories are repeatedly brought to the attention of the Compliance Taskforce because they return to previous practice once CARs are signed off.
Audited Signatories may find it hard to differentiate between CCQ findings and those identified during the audit. As the CCQ is based on self-reporting and self-assessment, audit teams often identify findings that may not have been identified previously. For example, the CCQ asks whether Signatory has an Intelligence Policy in line with the International Standard for Testing and Investigations (ISTI). An audit, however, seeks evidence of the implementation of that policy, which may lead to new findings and corrective actions.	Improved communication on the different compliance monitoring programs by WADA.

5.4 Compliance Monitoring Program Conclusions

The number of Signatories assessed through one of WADA's compliance monitoring programs in 2019 includes approximately 61% of all Signatories whose programs are monitored by WADA.

- Testing remains the area of most findings and corrective actions, which is logical as without testing, other areas such as results management and Therapeutic Use Exemptions (TUEs) become redundant.
- Tier 3 Signatories' programs continued to be developed in 2019 through a more 'capacity building' approach in close coordination between WADA's Headquarters and Regional Offices.
- A number of Signatories increased their financial resources to enable them to implement compliant programs following an assessment of their anti-doping program.

- By the end of 2019, the ITA had agreements with over 40 IFs, several of which occurred during the implementation of a CAR in 2019. This will further enhance these IFs' anti-doping program, ensure independence and help compliance become a business as usual activity.
- Findings and corrective action analysis led to the identification of trends and the development of 28 templates and checklists (see 'resources produced' below in Figure 7 as an example of such) to assist Signatories improve their anti-doping programs, of which 11 have been published in ADeL throughout 2019.

Figure 8: Top 5 findings from audits and CCQ and the resources produced by WADA to date to address those findings

Audits	CCQ	Resources produced
1.TDP 2.Sample Retention / Further Analysis Policy 3.Risk Assessment 4.Provisional Suspension 5.TDSSA	1.Intelligence Policy and procedures 2.Sample Retention / Further Analysis Policy 3.RTP 4.TDSSA 5.Risk Assessment	<ul style="list-style-type: none"> • TDP template and checklist • Risk Assessment checklist • Retention/Further Analysis Policy • TDSSA testing guides and flexible application process • RTP checklist • Intelligence templates and checklist

5.5 Opportunities to improve

The compliance monitoring program conclusions highlight the following opportunities to improve:

- Improved **communication** through 2020 to explain the purpose and complementary nature of WADA's four compliance monitoring programs.
- WADA to continue exploring the **balance** between compliance enforcement and 'compliance fatigue' on its Signatories.
- WADA to further develop **analytical tools** to provide data that can assist WADA and Signatories to identify risk areas and opportunities to improve their anti-doping programs.

6.0 Anti-Doping Rules

In 2019, all Signatories already had in place anti-doping rules and/or legislation in line with the 2015 Code and the International Standards. However, throughout the year, 64 Signatories amended their rules and/or legislation for various reasons, including:

- A need to reflect institutional changes
- A willingness to enhance effectiveness in certain areas of the program
- An internal restructuring of the organization
- A need to adapt to the wider internal legal framework

- A need to amend certain provisions in order to implement corrective actions recommended by WADA in the framework of a compliance audit.

These 64 Signatories provided WADA with a total of 189 drafts, which were all reviewed by WADA, with feedback, guidance and assistance provided. A breakdown by category of Signatory is contained in the table below:

Signatories	Drafts sent to WADA for review
IFs (10)	34
NADOs (41)	113
MEOs (13)	42
Total (64)	189

The rules-reviewing process continues to be certified under WADA's ISO9001:2015 certification.

Lessons learned:

Lesson Learned	Action Taken
The volume of rules and/or legislation to review continues to be significant, even in years when all Signatories have already implemented the Code and International Standards in force at the time and there is no upcoming change in the Code that needs to be implemented in the Signatories' legal systems.	WADA will continue to ensure sufficient resources are afforded to this important task.
One area of concern relates to Signatories who provide a final draft or in some cases a final version of their rules and/or legislation that has already been adopted yet is not in line with the Code.	WADA will continue to remind Signatories of the need to provide drafts for review prior to the beginning of the internal process leading to the formal adoption. The risk for Signatories who provide WADA with documents already adopted is that, if edits are required following WADA's review, it might be challenging from a technical, process and/or political point of view to amend a document recently adopted.
Implementing the mandatory provisions of the Code in the internal legal system can be a challenging exercise for some Signatories, and a considerable amount of time might be required before a final draft that is fully in line with the Code is finalized.	WADA has identified and contacted Signatories for whom previous experience indicates that this may be a challenge and has already provided support and guidance. Through the Code Implementation Support Program (CISP), Signatories will be reminded of the requirement to not only provide rules in line but to also ensure that they are later adopted.
In order to implement the revised Code and International Standards in 2021, sufficient human and financial resources will be required by Signatories in 2020 to address the substantial increase in workload.	WADA has identified this as a priority task in 2020. Furthermore, cooperation in this area with other organizations such as the Global Association of International Sports Federations (GAISF), the Association of National Olympic Committees (ANOC) and RADOs will be crucial in order to facilitate as much as possible this task for Signatories.

Lesson Learned	Action Taken
MEOs have varying jurisdictions (e.g. periods in which they have jurisdiction on athletes who are participating to their Games).	This will be taken into consideration when reviewing an MEO's rules.

7.0 Code Compliance (Enforcement) Procedures

When non-conformities are identified, the objective is to assist Signatories through dialogue and support to correct the non-conformities in order to achieve and maintain compliance with the Code. Declaring Signatories non-compliant is a last resort as mandated by the ISCCS.

However, if a Signatory does not correct the non-conformities within the set timeframes, based on the relevant process set by the ISCCS, the Compliance Taskforce will start an enforcement procedure (compliance procedure), giving the Signatory written notice that a non-conformity has not been corrected and a new timeframe (of up to three months) to correct it.

If the matter is not satisfactorily addressed by the Signatory within this new timeframe, the case is referred by the Compliance Taskforce to the CRC, who may recommend to WADA's Executive Committee that the Signatory be sent a formal notice alleging that it is non-compliant with the requirements of the Code and/or the International Standards.

In 2019, 44 Signatories were subject to a compliance procedure opened by the Compliance Taskforce, 8 of which were initiated as a result of the discovery of a non-conformity in 2018. The issues addressed are mostly related to testing and investigations, followed by anti-doping rules and legislation, use of ADAMS, and results management.

The breakdown by Signatory category is as follows:

- **18** IFs (7 IFs belonging to Tier 1, 9 IFs belonging to Tier 2 and 2 IFs belonging to Tier 3).
- **26** NADOs (12 NADOs belonging to Tier 1, 7 NADOs belonging to Tier 2 and 2 NADOs belonging to Tier 3), including 5 National Olympic Committees (NOCs) acting as a NADO in Tier 3 countries.

For the 36 compliance procedures opened in 2019, the origin of the non-conformity was:

- **17** from continuous monitoring (7 IFs, 10 NADOs)
- **10** related to anti-doping rules (10 NADOs)
- **5** from audits (3 IFs, 2 NADOs)
- **2** from other sources, e.g. WADA Intelligence and Investigations Department (2 NADOs)
- **2** from the CCQ (2 IFs)

Figure 9: Source and number of compliance procedure cases



Out of these 44 procedures, 15 resulted in the case being referred by the Taskforce to the CRC at the expiration of the timeframe given to correct the non-conformities.

In 13 of the 15 cases referred to the CRC, the relevant Signatories resolved the non-conformities before WADA's Executive Committee decided to send a formal notice alleging non-compliance. As for the two other cases, one resulted in a non-compliance and another one is currently pending before the Court of Arbitration for Sport (CAS) following the Signatory's decision to dispute WADA's allegation of non-compliance.

Lessons learned:

Lesson Learned	Action Taken
After triggering of a compliance procedure, intensive WADA guidance and assistance to the Signatories remains essential.	Even after the triggering of such procedure, guidance and assistance to the Signatories is continuously provided by WADA. This support has been effective in supporting Signatories to achieve compliance.
Figures from 2019 show that entering the compliance procedure is effective and proportionate in resolving non-conformities. The majority of Signatories whose cases were reviewed by the CRC were able to solve the non-conformities before WADA's Executive Committee decided to send a formal notice alleging non-compliance.	N/A
The triggering and the management of compliance procedures represents a significant task for WADA in terms of both human and financial resources.	Appropriate risk assessments need to be put in place to anticipate the potential increase of workload due to the further development of the compliance monitoring program and the possible changes to the Prioritization Policy.
The possibility foreseen in the ISCCS for Signatories to dispute allegations of non-compliance to CAS may create substantial extra costs for WADA and such costs will not always be easily quantifiable in advance.	WADA needs to be flexible in its approach and resource allocation as a result and ensure a contingency budget is in place for potential CAS appeals.

Under the current version of the ISCCS, it has been challenging for procedural reasons to address newly discovered non-conformities in relation to a Signatory for whom a compliance procedure was already in progress.	This has been addressed in the 2021 version of the ISCCS.
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8.0 Risk Management

In 2019, a number of risks were identified through the work of the Compliance Taskforce and the CRC. Mitigating action was taken through WADA's operations, and its effectiveness is summarised below:

Risk	Mitigating Action taken	Effectiveness
Confidential information regarding CRC recommendations being leaked prior to Executive Committee meetings, which can compromise the case.	Communication strategies put in place to anticipate such occurrences	Strategy deemed effective through 2019.
A number of Anti-Doping Organizations (ADOs) known as the "Other Organizations" were Code Signatories without having programs monitored.	CCQ issued to 17 "Other Organizations".	Programs were assessed for the first time: one Signatory fully completed its CAR, one was declared non-compliant for not completing its CCQ; the remaining Signatories continue to work on implementing their corrective actions.
The credibility of WADA's compliance program may be compromised if compliance monitoring and enforcement are not consistent.	ISO-certified processes and internal audit program are in place to mitigate this risk. CRC recommendations take precedents into consideration in order to ensure consistency. The basis for CRC recommendations is clearly documented.	To date, only one Signatory has challenged its alleged non-conformities to CAS, suggesting that the ISCCS has further enhanced the credibility of the compliance monitoring program. All recommendations from the CRC to the Executive Committee were endorsed in 2019.
Compliance monitoring has limited capacity to uncover sophisticated doping programs such that occurred in Russia.	The increased number and scope of compliance monitoring programs allows the identification of flags for further analysis to identify trends which, combined with WADA's increasing investigative capabilities, would now facilitate the identification of sophisticated doping programs. In addition, the ISCCS provides the legal framework for addressing such cases.	It is acknowledged that audits may not discover sophisticated networks of doping within a sport or country. However, the increased scrutiny of Signatories and deployment of WADA's investigative capability reduces the likelihood that such activities can remain unnoticed. The implementation of the ISCCS ensures that WADA has the means to sanction Signatories accordingly.
The focus of WADA's resources on the Russian investigation could allow	Increases in WADA's budget have led to the strengthening of resources across WADA's	While investigations resources were concentrated on one topic, compliance monitoring

Risk	Mitigating Action taken	Effectiveness
another country or sport to operate a similar program without being exposed.	departments and Regional Offices.	activities have increased during the Russian investigation.
Signatories returning to old practices once a CAR has been completed.	<p>Continuous monitoring program.</p> <p>The internal Compliance Taskforce discusses any reported non-conformities during its bi-weekly meetings. This has increased the overall monitoring of Signatories.</p>	<p>Two Signatories who had completed corrective actions resulting from audits re-entered the compliance procedure as a result of non-conformities identified by continuous monitoring and their inability to maintain compliance of certain program areas.</p> <p>Improving the sustainability of programs is a priority of WADA's 2020 activities.</p>

9.0 Special Issues

As previously mentioned in this report, the Russian investigation required significant resources from WADA's internal Intelligence and Investigations Department and compliance staff as well as WADA's external committees, in particular the CRC and WADA's Executive Committee. The CRC had three additional, extraordinary in-person meetings to review the case, and the Executive Committee held two extraordinary meetings to review the CRC recommendations in 2019. Throughout the year, WADA kept stakeholders informed of progress.

Lessons learned:

Lesson Learned	Action Taken
The Russian case is unprecedented and has lasted for over five years as more evidence has been obtained through two external investigations and WADA's own investigation.	<p>The urgency of the Russian case enabled the ISCCS to be drafted and implemented in record time for a new International Standard.</p> <p>As a result of the Russian case, WADA and its Signatories and stakeholders are better equipped to deal with any such cases in the future.</p>
The link between investigations and compliance has been effective, in particular in establishing the role and responsibilities of the independent CRC.	N/A
CAS's final decision on this case will enable the compliance activities of WADA to be reviewed in detail with any opportunities to further improve the program identified.	N/A

10.0 Integrated Assessment of Findings and Areas of Special Focus

10.1 WADA Internal Structures, Processes and Compliance Monitoring

- The WADA compliance program now has at its disposal a number of established, effective and robust compliance monitoring instruments and mechanisms.
- Together with its sophisticated investigative powers and capabilities, WADA is better equipped to identify compliance issues and deal with them in a more timely and effective way than ever before, in line with the ISCCS.
- Compliance monitoring is still new within WADA, and WADA has been developing its tools and programs whilst developing its investigative structures linked to the Russian investigation.
- WADA has increased its resources across all departments involved in investigations and compliance and has developed robust internal processes with well-trained and knowledgeable staff who have gained significant experience.
- A significant amount of a Signatory's anti-doping program is now monitored by one or more of WADA's compliance monitoring mechanisms.

10.2 Monitoring Signatory Compliance

The key findings of signatory compliance monitoring in 2019 are:

- Testing has been identified as the main source of non-conformities. Strategies have been developed to assist Signatories, including through a more flexible approach to certain activities such as TDSSA compliance.
- The link between improving the quality of testing programs and financial resources has been identified. A better understanding of costs associated with a quality testing program is required to assist Signatories to increase their budgets and resources. Tools, expertise and guidance to assist Signatories monitor testing in the lead-up to major events down to the individual athlete level need to be established and to become business as usual activities within Signatories.
- The creation of the ITA and the support of other Signatories, through partnerships or third-party service providers, is a significant improvement to the overall compliance of Signatories' activities but also, and more importantly, to the quality and independence of those programs.

11.0 Implications for WADA's Compliance Monitoring Program in 2020

On the basis of the findings and trends identified in 2019, WADA's focus in 2020, which will be detailed in the 2020 Annual Compliance Plan, will be:

Implementation of Executive Committee Decision on Russia

- Support Signatories with the implementation of CAS decisions in this matter.

WADA internal compliance management ⁽¹⁾

- **Key performance indicators:** further define robust and relevant KPIs to measure the effectiveness and improvements of WADA's compliance monitoring program.
- **Continuous monitoring:** narrow the focus of continuous monitoring to high-risk Signatories while supporting lower-risk Signatories to further enhance their capacity and program development.
- **Prioritization Policy and Tiers:** review the Prioritization Policy and Signatory tiers to find the right balance between compliance enforcement and program development towards continually improving the global anti-doping system.
- **Data analytics:** enhance data analytics in the area of compliance, including, but not limited to, enhancing the CCC system and ADAMS monitoring tools.
- **Major Event Organizations:** further enhance the MEO monitoring program through the Independent Observer program at the Tokyo 2020 Olympic and Paralympic Games and roll out the lessons learned to other MEOs.

Signatory Testing Programs ⁽¹⁾

- **Testing programs:** enhance testing program compliance by providing guidance for signatories on budgeting and resourcing of testing programs, and conducting appropriate communication and training
- **Major event testing:** develop and introduce tools, expertise and guidance to assist Signatories to monitor testing in the lead-up to major events down to the individual athlete level

Signatory readiness for implementation of the revised Code and International Standards ⁽¹⁾

- Implement an effective **CISP**, ensuring Signatories, athletes and stakeholders understand the requirements of the current version of the Code and the International Standards, and how the new 2021 requirements impact their role and responsibilities.
- Provide ongoing **anti-doping rules review and program support** to Signatories to ensure they are ready to apply the 2021 Code and International Standards on 1 January 2021.

Compliance Risk Management

- Introduce and develop a compliance risk management system and plan.

Note

⁽¹⁾ Monitored in consideration of the COVID-19 pandemic.

In light of the evolving situation with COVID-19, WADA and Anti-Doping Organizations (ADOs) worldwide are adjusting the way in which they conduct their daily anti-doping operations. Following consultation with ADOs and other stakeholders, on 20 March, WADA issued [ADO Guidance](#), which is aimed at ensuring the health and safety of athletes and all those that are touched by anti-doping operations; and, protecting the integrity of the global anti-doping system. The Agency is conscious of the fact that COVID-19 will have impacts on the Compliance Strategy and Annual Plan referenced above, as well as on the conduct of anti-doping programs by Signatories worldwide, which will be monitored and considered accordingly. WADA's Compliance Monitoring Program provides a level of flexibility and understanding based on the circumstances.