



## WADA Guide

Operational Independence of National Anti-Doping Organizations under the 2021 World Anti-Doping Code

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## **PURPOSE**

This Guide aims to:

- 1) summarize the core elements of the principle of National Anti-Doping Organization (NADO) operational independence enshrined in the 2021 World Anti-Doping Code (Code), encompassing the mandatory aspects stemming directly from the Code and clarifying how WADA will monitor their implementation;
- 2) recommend best practice which NADOs are encouraged to adopt and provide examples of their implementation.

It was deemed necessary to provide these clarifications as a number of Code Signatories have requested WADA's guidance on regulatory or practical measures that should be in place to ensure the operational independence of NADOs, as required by the 2021 Code.

WADA's guidance effectively amounts to its interpretation of Code Article 20.5.1 in light of common good governance principles applicable to other public institutions and in view of examples of NADOs facing external interference as identified by WADA's compliance monitoring program.

## 1. Introduction and Scope

In implementing their mandate as Signatories to the Code, Anti-Doping Organizations (ADOs) face different challenges when it comes to governance and independence. Considering the increasing public interest in sport, media scrutiny and threats to the integrity of sport, sports bodies are increasingly expected to pursue good governance as a condition for their autonomy and self-regulation.

NADOs<sup>1</sup> operate in the national realm, carry a mission of public interest and are often subject to stringent national regulations. They can experience external pressure from their main interest groups, in particular their governments and national sports bodies. In order to ensure an effective and credible anti-doping system worldwide, it is critical for NADOs to be independent in their ability to make operational decisions and implement anti-doping activities that are in line with the Code, without any external influence or pressure.

Undue external influence or pressure on NADOs, whether originating from governments or from national sports bodies, may compromise the NADOs' ability to take objective decisions in conducting testing on appropriate athletes, reviewing anti-doping rule violations and ensuring that appropriate Code-compliant consequences are applied to and enforced against those persons who have been found to have committed such violations. It can be detrimental to both the public's and athletes' trust in the impartiality of worldwide collaborative efforts in protecting clean sport and in removing any national government or sport-related bias. At the same time, an effective working relationship between NADOs, their governments and national sports bodies must be maintained to ensure efficient coordination in the protection of clean sport.

In addition, a number of Code Signatories have requested WADA's guidance on regulatory or practical measures that should be in place to ensure the operational independence of NADOs, as required by the 2021 Code.

In view of Code Article 20.7.3, it is WADA's role and responsibility to provide support and guidance to Signatories in their efforts to comply with the Code and the International Standards and monitor such compliance in accordance with Code Article 24.1 and the International Standard for Code Compliance by Signatories (ISCCS). WADA is also empowered to develop and publish guidelines and models of best practice (Code Article 20.7.6).

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<sup>1</sup> As defined in Appendix 1 to the Code, "National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of Samples, manage test results and conduct Results Management at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee".

This Guide is made up of two parts.

**Part one** sets out mandatory provisions that are found in the Code and will be monitored by WADA for compliance.

**Part two** sets out recommended aspects that NADOs are encouraged to adopt as best practice and provides examples of implementation. These are not mandatory requirements according to the Code or International Standards but are nevertheless recommended.

Annex I provides an example of NADO governance and accountability mechanisms.

While some of the principles of operational independence are also important to other Signatories, there is no explicit requirement in the 2021 Code as regards to other Signatories. Therefore this Guide only applies to NADOs and does not cover governance requirements for other ADOs (e.g. International Federations (IFs) or Major Event Organizations (MEOs)), nor the requirements related to the operational and/or institutional independence of hearing and appeal panels established at the national level<sup>2</sup>.

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<sup>2</sup> This will be done through the WADA Result Management Guidelines.

## PART ONE: MANDATORY REQUIREMENTS

### 2. Mandatory Code Provisions of NADO Operational Independence

#### 2.1 Relevant 2021 Code provisions:

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**Article 20.5.1** [NADOs shall] be independent in their operational decisions and activities from sport and government, including without limitation by prohibiting any involvement in their operational decisions or activities by any Person who is at the same time involved in the management or operations of any IF, National Federation (NF), MEO, National Olympic Committee (NOC), National Paralympic Committee (NPC), or government department with responsibility for sport or anti-doping.

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**Article 20.4.3** [NOCs and NPCs shall] respect the autonomy of the NADO in their country and not to interfere in its operational decisions and activities.

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**Article 22.8** Each government should respect the autonomy of a NADO in its country or a Regional Anti-Doping Organization (RADO) to which its country belongs and any WADA-accredited or approved laboratory in its country and not interfere in their operational decisions and activities.

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**Article 23.3** Signatories shall devote sufficient resources in order to implement anti-doping programs in all areas that are compliant with the Code and the International Standards.

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#### 2.2 According to Code Article 20.5.1

- a) NADOs shall have the ability to make operational decisions and implement operational activities independently.
  - i) Operational activities are understood as:
    - 1. Anti-doping program areas including test distribution planning<sup>3</sup>, maintenance of a registered testing pool, managing athlete biological passports, organizing analysis of samples, gathering of intelligence and conduct of investigations, processing of TUE applications, and results management; and
    - 2. the administration of and decision-making on day-to-day operations of the NADO related to any of the above operational activities (staff, budget, scope and timing of activities, etc.).

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<sup>3</sup> However, activities which entail mere implementation of the operational decisions taken by the NADO, for example, a doping control officer collecting a sample from the specific athlete based on the NADO's decision to test that athlete are not considered operational activities. The NADO remains fully responsible for ensuring that these activities are performed in compliance with the Code and International Standards.

- ii) Independence is understood as freedom to make decisions and carry out activities without being governed, controlled or instructed by other persons or organizations (listed under b) below).
- b) NADOs shall be independent in their operational decisions and activities from sport and government. This includes:
- i) Sport: i.e. any person who is at the same time involved in the management or operations of any IF, NF, MEO, NOC, NPC, whether paid or on a volunteer basis;
  - ii) Government: i.e. any person who is at the same time involved in the management or operations of the government department(s) with responsibility for sport or anti-doping.

The requirements outlined above do not prohibit a NADO from acting as a delegated third party for any other ADO<sup>4</sup> (including other NADOs, but also MEOs, IFs, NOCs, etc.). For example, the NADO can test athletes at a specific event on behalf of the ruling body of the event, be it an IF or a MEO, on the basis of service agreements. However, such “commercial” activity of the NADO is distinguished from the situation when the NADO is conducting testing based on its own test distribution planning even if part of such testing budget comes from the NOC or NFs. In such situation, the NADO shall retain the power to decide which athletes to test in accordance with the applicable rules of the event.

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<sup>4</sup> Comment to Code Article 20.5.1.

### 2.3 In order to meet the 2021 Code requirements, NADOs shall ensure that the following elements are in place:

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A sound **governance structure (see below section 3)** that would ensure:

- independent decision-making on operational activities;
- separation of operational activities from the oversight activities if any government or sports representatives are involved in such oversight activities;
- functional separation from government and sport;

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**Application of high professional and integrity standards (see below section 4)** to the NADO operational and oversight functions, including conflict of interest policies;

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Availability of **adequate resources (see below section 5)** clearly assigned by national authorities (government and/or national sport bodies), including adequate financial, human and technical resources, for the implementation of a Code-compliant anti-doping program.

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Operational independence is not only a matter of formal compliance (i.e. the explicit anti-doping or governance rules or regulations put in place by the NADOs, governments or national sport bodies) but also of implementation (i.e. such rules shall be enforced and existing practices shall be amended, if necessary).

WADA acknowledges that this may require substantial efforts and mutual agreements between NADOs, governments and national sports bodies. All parties are encouraged to commit to this process.



### 3. Governance Structure

In order to maintain operational independence, executive (operational) and oversight powers shall be clearly separated within a NADO. In this regard:

a) **NADO executive (operational) functions** shall be responsible for operational activities (as defined in section 2 above) and shall be separated from oversight activities if any government or sports representatives are involved in such oversight activities;

b) **NADO executive (operational) functions shall:**

i) include no person who is at the same time involved in the management or operations of any IF, NF, MEO, NOC, NPC, or government department with responsibility for sport or anti-doping, whether paid or on a volunteer basis.

This does not prevent these sport bodies or government institutions from exchanging staff through secondments to the NADO; however such seconded staff cannot work for both NADO and sport body or government institution at the same time, and the NADO must have safeguards in place which ensure the seconded staff respect all confidentiality and conflict of interest policies of the NADO;

ii) need no approval for operational activities from any sports body or government department that has responsibility for sport or anti-doping, however remaining accountable for the use of funds.

For example, no approval from a government or sport representative shall be required for a NADO's decision to test any athlete;

iii) be led by the executive head of the NADO whose independence to make decisions for the NADO shall be guaranteed, for example, by legal safeguards for his/her mandate (see section 10 for recommendation).

c) A **NADO oversight body shall be** compliant with Code Article 20.5.11 requirements<sup>5</sup>. Its members, when appointed to the oversight body, shall commit not to represent the appointing entity's interests, but to act in the best interests of the NADO and the protection of clean sport<sup>6</sup>;

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<sup>5</sup> Code Article 20.5.11 requires NADOs, subject to applicable law, to not knowingly employ a person in any position involving doping control (other than authorized anti-doping education or rehabilitation programs) who is provisionally suspended or is serving a period of ineligibility under the Code or, if a person was not subject to the Code, who has directly and intentionally engaged in conduct within the previous six years which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such person.

<sup>6</sup> This includes both active and retired athletes on a NADO oversight body. Such commitment could be given, for example, by signing the conflict of interest declaration (see section 8 for recommendation).

- d) If a NADO is established within the executive branch of the government, e.g. a ministry, the **NADO** shall be **functionally separated from it** in order to be compliant with Code Article 20.5.1, e.g. the NADO shall have a clearly designated anti-doping mandate, and the staff and budget shall be allocated to it in order to allow for the implementation of its anti-doping program without any involvement or approval of the government while respecting reporting and accountability requirements;
- e) When a **NOC is acting as NADO** by default under Code Article 20.4.6, the independence in the NADO's executive (operational) functions shall be achieved, to the extent possible, by:
  - i) clearly separating them from the rest of the NOC functions (e.g., by establishing a separate anti-doping division and/or a committee within the NOC that contains independent members);
  - ii) not requiring approval from the NOC Management or decision-making bodies composed of NOC and NF representatives for the specific program implementation (e.g. testing), however remaining accountable for the use of funds, etc.;
  - iii) having a system in place to ensure confidentiality of information and processes from the NOC staff not involved in anti-doping activities;
  - iv) having staff and budget allocated to allow for the implementation of its anti-doping program without any involvement or approval of sport bodies.

#### 4. High Professional and Integrity Standards

High professional, confidentiality and integrity standards shall be applicable to NADO executive (operational) and oversight bodies to ensure proper management of potential conflicts of interest. More specifically, NADOs' **conflict of interest policies / code of conduct** for their executive (operational) and oversight functions shall define the potential conflicts of interest and provide for effective and enforceable disciplinary measures in cases of breaches.

#### 5. Adequate Resources

In accordance with Code Article 23.3, Signatories shall devote sufficient resources in order to implement anti-doping programs in all areas that are compliant with the Code and the International Standards. Therefore:

- a) a NADO shall be provided with **adequate financial, human, and technical resources** that secure its autonomy and operational independence and allow it to implement its mandate effectively over time;

- b) funding shall cover the NADO's **primary functions** as required to implement its responsibilities under the Code, e.g.:
- i) sufficient staff to implement an anti-doping program compliant with the Code;
  - ii) overall administration of day-to-day operational activities;
  - iii) implementation of anti-doping programs that are compliant with the Code and International Standards;
  - iv) other responsibilities of the NADO as enshrined in Code Article 20.5.

## 6. WADA’s Monitoring of Compliance with NADO Operational Independence Requirements

WADA is responsible for monitoring and enforcing compliance by Signatories with the mandatory requirements of the Code and the International Standards.

Therefore, WADA will monitor how the Signatories are implementing the Code requirements of NADO operational independence in the following areas, as a minimum<sup>7</sup>, in accordance with the ISCCS:

<b>Elements of NADO operational independence</b>	<b>Implementation areas</b>	<b>Classification by importance to the fight against doping in sport and potential corrective actions<sup>8</sup></b>
<b>Governance structure (Code Article 20.5.1) (Guide section 3)</b>	Separation of executive (operational) and oversight functions if any government or sports representatives are involved in such oversight activities (e.g., by establishing an oversight body)	High Priority
	Clear roles and responsibilities of executive (operational) and oversight functions ensuring independent decision-making on operational activities	High Priority
<b>High professional and integrity standards (Code Article 20.5.1) (Guide section 4)</b>	Formalized conflict of interest policy	High Priority
<b>Adequate resources (Code Article 23.3) (Guide section 5)</b>	Clear and guaranteed assigned resources	Critical (A.3.a. <sup>9</sup> , A.3.b. <sup>10</sup> or A.3.d. <sup>11</sup> of the ISCCS)

<sup>7</sup> NADOs are encouraged to enhance their operational independence even further. WADA stands ready to advise NADOs as needed. Also see Part 2 of this Guide.

<sup>8</sup> By analogy from Annex A of ISCCS.

<sup>9</sup> The adoption of rules, regulations, and/or (where necessary) legislation that satisfy the Signatory’s obligation under Code Article 23.2 to implement the Code within the Signatory’s sphere of responsibility.

<sup>10</sup> The satisfaction of the Signatory’s obligation under Code Article 23.3 to devote sufficient resources in order to implement an anti-doping program that is compliant with the Code and the International Standards in all areas.

<sup>11</sup> The development and implementation of an effective, intelligent and proportionate test distribution plan in accordance with Code Article 5.4, based on the principles set out in Article 4 of the International Standard for Testing and Investigations.

NADOs and other Signatories may be requested to provide the respective information related to the elements of NADO operational independence listed in the table above to WADA as part of WADA's Code compliance monitoring activities including, *inter alia*:

- WADA's review of Signatories' key documents (e.g. rules, regulations, legislation);
- Signatories' responses to the Code Compliance Questionnaires and other reports;
- WADA's compliance audits;
- WADA's other continuous compliance monitoring activities.

WADA, in line with its responsibilities under the Code and International Standards, has the full authority to review all information available and determine whether a NADO is meeting the mandatory requirements of operational independence. As part of its follow-up to identified non-conformities in the area of NADO operational independence, WADA will apply the procedures outlined, subject to its prioritization policy<sup>12</sup>.

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<sup>12</sup> A Policy for the Initial Application of the ISCCS by WADA, which entails WADA exercising the power given to it in the ISCCS to prioritize its compliance monitoring and enforcement efforts, by focusing on certain categories of Signatories, chosen based on objective factors identified within the ISCCS.

## PART TWO: RECOMMENDED MEASURES

This Part outlines recommended measures that, in addition to the mandatory requirements outlined in Part one and derived directly from the Code, are considered best practice in the area of NADO operational independence.

In this regard, WADA also acknowledges important international efforts. The UNESCO International Convention against Doping in Sport (UNESCO Convention) recognizes that public authorities and the organizations responsible for sport have complementary responsibilities to prevent and combat doping in sport, and must work together for these purposes, ensuring the “highest degree of independence and transparency at all appropriate levels”<sup>13</sup>.

The UNESCO Convention, as well as the Anti-Doping Convention of the Council of Europe (CoE Convention), also include requirements for governments to provide funding to anti-doping programs and organizations:

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<b>UNESCO Convention, Article 11(a):</b>	(...) States Parties shall, where appropriate, provide funding within their respective budgets to support a national testing programme across all sports or assist sports organizations and anti-doping organizations in financing doping controls either by direct subsidies or grants, or by recognizing the costs of such controls when determining the overall subsidies or grants to be awarded to those organizations.
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<b>CoE Convention, Article 4.3.a:</b>	(...) the Parties shall assist their sports organisations to finance doping controls and analyses, either by direct subsidies or grants, or by recognising the costs of such controls and analyses when determining the overall subsidies or grants to be awarded to those organisations.
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The Recommendation on the operational independence of NADOs<sup>14</sup>, adopted by the Monitoring Group of the CoE Convention on 31 August 2018, recommends States Parties to the CoE Convention to take a number of actions to ensure that NADOs’ operational decisions and activities will not be interfered with, especially in the following areas: NADO’s governance structure, level of funding, oversight and accountability, and good governance policies.

Similar requirements of operational independence are applicable to other public institutions or authorities in many different sectors: financial (central banks, financial sector supervisors), law enforcement (financial intelligence, anti-corruption units), and other regulatory sectors (telecommunications, energy, data privacy). They largely cover the same aspects: the governance structure (which includes legal protection of the head of the institution), adequate level of financing, accountability, and high professional standards (which includes conflict of interest policies).

The recommended measures in Part two of the Guide do not stem directly from the Code and therefore are not mandatory, but are important aspects of the operational independence, inter alia reflected in other international instruments or best practices, that NADOs are recommended to consider and implement

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<sup>13</sup> [Recitals 15 and 16.](#)  
<sup>14</sup> [T-DO/Rec \(2018\) 01.](#)

## 7. Good Governance

In order to strengthen the separation of powers of the executive (operational) and oversight functions of a NADO, enhance operational independence and promote good governance, the following is recommended:

a) **NADO executive (operational) functions** should:

- i) have a clearly specified mandate and include, as a minimum, all operational activities;
- ii) be given complete authority to allocate its assigned budget, including staffing and infrastructure, based on its operational needs, in compliance with applicable law.

For example, even if the NADO employees are public servants, the executive (operational) head of the NADO should have the ability to take independent decisions in recruiting (and dismissing) the staff with required expertise, including management, in compliance with applicable national law;

- iii) the executive (operational) head of the NADO should not chair or preside over the oversight body of the NADO;
- iv) the executive (operational) head of the NADO should not be a voting member of the oversight body but should have a right to attend the meetings and report as required.

b) **NADO oversight body** should:

- i) not be chaired by the executive (operational) head of the NADO due to the different nature of the tasks of the two bodies;
- ii) have explicitly defined criteria for appointment to the oversight body (solid experience, professional qualifications, good reputation, no conflicts of interest), grounds for (early) dismissal, length of mandate and possibility for its extension. The appointment or dismissal of the oversight body members should not be subject to personal bias or political influence;
- iii) represent a wide spectrum of knowledge and stakeholders with interest in clean sport (sports movement, government, medicine, intelligence, science, law, public health, athlete representation<sup>15</sup>, etc.);
- iv) be of balanced composition, including in decision-making, ensuring that no single interest group is able to take decisions based on majority vote. Balanced composition of the oversight body, together with adequate involvement in the NADO's strategic direction, should ensure proper representation of all stakeholders and sectors in the protection of clean sport and, ultimately, better accountability and higher legitimacy of the institution;

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<sup>15</sup> As recommended in the [Athletes' Anti-Doping Rights Act](#).

- v) be of reasonable size to allow effective functioning of the body, e.g. of 5 to 9 members, of which all, or at least the majority, of members should be independent from the government and national sport bodies;
- vi) meet at a regular but not too frequent rhythm, e.g. 1 to 4 times per year;
- vii) have clearly specified and documented functions that are in line with applicable national law (e.g. through a terms of reference) which may include discussions and decision-making on policy, strategic direction (annual or multiannual strategy), governance issues (appointment of the executive (operational) head of NADO, approval of the NADO organizational structure, approval of general budget including salaries, general principles of budget allocation). These functions cannot include operational activities.

For example, the NADO oversight body may discuss and endorse the NADO's Strategic Plan, approve the NADO's annual report, discuss the NADO's budget with the government and/or national sport bodies and approve it, etc. However, the NADO oversight body shall not be involved in any of the executive (operational) functions or decisions on how to implement the activities related to the strategic plan, budget, etc.

- c) **If a NADO is established within the executive branch of the government**, e.g. a ministry, a change in government should have no bearing on the NADO's operations or staffing in order to ensure the continuity of the anti-doping program and sustainability of the NADO;
- d) If, in addition to anti-doping activities, the **NADO also performs other functions** (e.g. designated by the government, for example in the field of public health or sport integrity), these functions should not hinder anti-doping activities nor affect resources dedicated to them.

## 8. Management of Conflicts of Interest

NADO should ensure proper management of potential conflicts of interest or situations appearing to be conflicts of interest. More specifically:

- a) In case the NADO executive (operational) functions (including staff members) and oversight bodies are subject to general **conflict of interest policies / code of conduct** (e.g. those applicable to all public servants), the NADO should assess whether they are sufficient to cover the anti-doping activities in view of the Code. If need be, additional NADO-specific conflict of interest policies should be adopted;
- b) The policies should include a **requirement** for all members of the NADO executive (operational) functions, including staff members, and oversight bodies to sign a declaration of conflict of interest upon their hiring or appointment, and outline the **processes** to be used (e.g. mitigation, reporting, decision-making, exclusion from active tasks, etc.) to assess and



address conflict of interest situations. They may include the designation of an **ethics officer** to assess the potential conflicts of interest within the NADO;

- c) The policies should address **the involvement** of the NADO executive (operational), including staff members, and oversight bodies **in other private or public activities**. Where, under the applicable national law, the members of the NADO executive (operational) and oversight bodies are not prevented from participating in other private or public activities, the policies should provide for an assessment of the potential conflicts of interest by an independent person, e.g. an ethics officer or through existing integrity processes (e.g. within the government), with their respective position in the NADO and the actions required based on the outcome of this assessment.

## 9. Funding and Budget Management

The following measures are recommended in the field of funding and budget management which contribute to the operational independence of NADOs:

- a) Although funding can be obtained from various sources, the core funding should be obtained from a secure, regular source such as the government. The **NADO budget** may also be funded by NOC/NPC and NF contributions, or from other sources such as public lotteries, or private funding. However the NADO should ensure that the source of funding is not in conflict with the mission of the NADO and does not require nor entail any involvement into the operational activities of the NADO;
- b) All sources of funding should be provided and managed in a manner that is **transparent** and **accountable** in demonstrating the NADO's independence with respect to its operations;
- c) A **sufficient level of financing** should be defined and secured in advance and should not be changed unilaterally, subject to the applicable law and/or processes:
  - i) NADO's funding should be secured by law (or another applicable process), sustainable and adequately reliable, allowing the NADO to plan its priorities several years ahead;
  - ii) if the NADO's budget is part of the government or a sports organization's budget – it should be specifically defined and allocated to the NADO within that general budget;

- d) NADO's executive (operational) functions should have **complete authority to decide how to use** its assigned budget without further approval of any governmental unit or sports body<sup>16</sup>, and thus through an entire budget cycle e.g.:
- i) hire and manage staff independently subject to applicable law;
  - ii) decide how to spend allocated funds based on its operational needs, considering the NADO's responsibilities under Code Article 20.5;
  - iii) reallocate funds between its operational functions or different elements of its anti-doping program as needed.

## 10. Legal Safeguards and Clear and Transparent Processes for the Appointment and Employment of the Executive (Operational) Head of the NADO

In order to contribute to the operational independence of the NADO, national law, regulations and applicable anti-doping practices should:

- a) Ensure that the mandate of the executive (operational) head of the NADO does not depend on or is not impacted by changes in the political power or government in the country;
- b) Clearly define:
  - i) the process to appoint the executive (operational) head of the NADO, which should be transparent, apolitical, timely and based on qualifications and experience;
  - ii) the appointment criteria (e.g. relevant experience, professional qualifications, good reputation, no conflicts of interest, etc.);
  - iii) the length of the mandate of the executive (operational) head of the NADO and the possibility to extend this mandate in line with applicable national law;
  - iv) the grounds for dismissal (including objective grounds for early dismissal in line with applicable national law, e.g. only in case of serious misconduct or non-compliance with appointment conditions), and effective judicial review process to challenge the dismissal.

## 11. Transparency and Accountability to the Government and National Sport Bodies

Considering the public interest nature of a NADO's mission and the number of stakeholders involved in and committed to the national collaborative movement for clean sport, it is crucial that the NADO's decision-making processes are transparent (without compromising confidentiality) and that a NADO is

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<sup>16</sup> NADO's general (annual or multi-annual) budget as such may be approved by the government, sport bodies or oversight body.

held accountable to the government and national sport bodies. Operational independence cannot be absolute – it should be counter-balanced with accountability and proper involvement of stakeholders. NADOs may be required to report, explain and be answerable to their stakeholders for the decisions they make. In this regard:

- a) A NADO's accountability should be clearly defined;
  
- b) As part of good governance, a NADO's accountability should include accountability for its activities, e.g.:
  - i) presentation of NADO annual activity reports to the government and/or national sport bodies, as well as to WADA as required in Code Article 14.4;
  - ii) presentation of NADO (multi) annual strategic plans to the government and/or national sport bodies;
  - iii) information to other stakeholders contributing to the protection of clean sport about its oversight body's decisions;
  - iv) adherence to all public disclosure requirements of the Code and International Standards;
  - v) communication and publication of key activities and financial documents to the general public and media, subject to confidentiality requirements.
  
- c) As part of good governance, a NADO's accountability should include financial accountability, e.g.:
  - i) the NADO should have a clear financial policy, processes and control within the organization;
  - ii) the NADO's accounts should be audited by independent external auditors (or relevant government departments if required by the national law) whose report should be made public, or at a minimum be provided to the government and/or national sport bodies;
  - iii) the NADO may also be subject to public (state) audits.

## **12. Cooperation with Government and National Sport Bodies**

While NADOs are required to be independent in their operational decisions and activities from national sport bodies and the government department with responsibility for sport or anti-doping, they should continue effective cooperation and sharing of information with governments and sports bodies as required by Code Articles 20.4.6, 20.4.12, 20.5.3, 20.8, 22.2 and 22.5.

For example, under Code Article 22 (Involvement of Governments), in the area of testing and investigations, governments and NADOs should cooperate in sharing intelligence information with law enforcement agencies and in protecting whistleblowers. Governments and NADOs should also cooperate to establish a process for unrestricted and secure transport of urine and blood samples, as well as put in place regulations for unrestricted entrance and exit of doping control officials in order to test athletes with no advance notice.

Another example is the area of education, where the role of different Signatories is clearly outlined in the International Standard for Education (ISE). In this regard, Code Article 20.5.9 states that NADOs shall be the authority on education as it relates to clean sport within their respective country. Nevertheless, as required by Code Article 18.2.3, Signatories shall coordinate their education efforts to minimize duplication and maximize the effectiveness of their education programs. Government authorities, NOCs, NPCs and NFs should cooperate with the NADO in conducting their education programs.

For example, to avoid duplication and ensure coordination of anti-doping education, NADOs, governments, sports bodies and other stakeholders may have a national anti-doping education plan with defined roles and responsibilities in line with Code Articles 20.4.12, 20.5.9, ISE Articles 7.1.1, 7.2.3, 7.5.2, 8.0 and the UNESCO Convention.

## ANNEX I

### NADO Governance and Accountability Example

