

## INTERNATIONAL STANDARD FOR CODE COMPLIANCE BY SIGNATORIES (ISCCS) – FIRST DRAFT (FOLLOWING THE FIRST CONSULTATION PHASE)

### SUMMARY OF MAJOR PROPOSED CHANGES FOUND IN THE FIRST DRAFT OF THE INTERNATIONAL STANDARD FOR CODE COMPLIANCE BY SIGNATORIES (ISCCS)

- The ISCCS has only been in force since 1 April 2018, and therefore stakeholder comments in the first round of consultation were limited, suggesting that the operation of the ISCCS to date has been satisfactory to most stakeholders.
- The main change has been to move the list of potential consequences from the ISCCS to the Code. However, remaining in the ISCCS are the provisions relating to (a) whether a particular Code requirement of a Signatory is to be considered Critical, High Priority, or Other (which is important in determining gravity of breach and therefore range of potential consequences); and (b) the consequences that should *prima facie* apply, at least as a starting point for analysis, in the three different cases (Critical, High Priority, and Other).
- A few requirements have been added or re-classified within those three categories (Critical, High Priority and Other) (see ISCCS Annex A), and it has been proposed to make a Fine available as a sanction in any case (not just in cases involving non-compliance with Critical requirements, as it is now) (see ISCCS Annex B).
- Code Article 20 has been amended to clarify that the obligation not to grant event hosting rights to a country whose National Anti-Doping Organization (NADO) or National Olympic Committee (NOC) acting as a NADO is non-compliant with the Code does not apply automatically, in every case of Code non-compliance, but only when that consequence has been proposed by WADA and either agreed by the non-compliant Signatory (and not appealed by other affected Signatories) or determined by the Court of Arbitration for Sport (CAS). (This was omitted in error from the changes made in April 2018).
- In the ISCCS itself, the main change has been to move the various provisions relating to Major Event Organizations to a new stand-alone subsection (Article 8.8), and to add more detail to that subsection setting out the means that WADA will use to monitor and ensure Code compliance by Major Event Organizations (namely, a tailored Code Compliance Questionnaire (CCQ) to be completed and returned no later than 10 months before the event, shortened timelines for the completion of corrective actions identified based on the completed CCQ, and the addition of WADA auditors to the Independent Observer team at the event to confirm that those corrective actions have been implemented and are working, and to ensure that any non-conformities identified in the Independent Observer report issued following the event are included in a further corrective action report for correction by the Major Event Organization prior to its next event).