



# BULL'S EYE THE ISSF IPOD ON DOPING

## FOCUS ON ISSF'S COMPLIANCE WITH THE WORLD ANTI-DOPING CODE

IN OUR LAST IPOD YOU WERE INFORMED THAT THE UPCOMING EDITION OF THE IPOD WOULD PROVIDE DETAILS ON WHY, WHEN AND HOW ISSF WOULD BE UNDERTAKING A WADA CODE-COMPLIANCE EXERCISE WITH THE OBJECTIVE OF CONFIRMING THAT ISSF RESPECTS AND FULFILLS ITS RESPONSIBILITIES AS A SIGNATORY TO THE WORLD ANTI-DOPING CODE. ACCORDINGLY, THIS IPOD FOCUSES ON CODE COMPLIANCE, THE CODE COMPLIANCE QUESTIONNAIRE THAT ISSF HAS NOW COMPLETED AND THE ANTICIPATED OUTCOMES OF THIS ADMINISTRATIVE AND LEGAL EXERCISE.

THE CONTENT BELOW PROVIDES SOME EXCERPTS FROM THE WADA WEBSITE AT [WWW.WADA-AMA.ORG](http://WWW.WADA-AMA.ORG).



### WHAT IS "CODE COMPLIANCE"?

As you know, the World Anti-Doping Code (Code) is the document harmonizing regulations regarding anti-doping in all sports and all countries.

Compliance with the Code is the situation in which an anti-doping organisation, be it an International Sport Federation like the ISSF, a National Anti-Doping Organisation, a Major Games Organizer, etc. finds itself after completing a three-step process in relation to the Code. Successful completion of each of these steps is mandatory to achieve full compliance:

- Firstly, an anti-doping organisation must accept the Code. By doing this, it agrees to the principles of the Code and agrees to implement and comply with the Code.
  - > *ISSF has had anti-doping rules in place since 1982, has been a Code Signatory since 2003 and has accepted the Code since January 1, 2014, the date the Code entered into force.*
- Secondly, the anti-doping organisation must implement the Code by amending its rules and policies to include mandatory articles and principles of the Code. These anti-doping rules must be submitted to WADA for review in order for the rules to be declared in line with the Code.
  - > *The current ISSF Rules (just as every previous version) has been approved by WADA as being Code-compliant.*
- Lastly, the anti-doping organisation must enforce its amended rules and policies in accordance with the Code. Among other compliance monitoring measures and mechanisms that have been created, the Code Compliance Questionnaire was specifically prepared by a team of experts in order to allow WADA to perform an extensive compliance monitoring exercise on all its Signatories.

> *ISSF has now completed and submitted its Code Compliance Questionnaire and is waiting for confirmation of compliance.*

### IS CODE COMPLIANCE MANDATORY?

Needless to say, the key objective of harmonisation remains for all athletes to benefit from strong and fair anti-doping policies and protections that are the same for all, no matter their sport, their nationality or the country where they are tested.

So, yes: in order to ensure efficiency of the harmonized fight against doping in sport and fairness for all athletes, compliance with the Code is mandatory for all Code Signatories. As stated in Article 23.2.1 of the Code: *"The signatories shall implement applicable Code provisions through policies, statutes, rules or regulations according to their authority and within their relevant spheres of responsibility."*

### WHY AND HOW HAS WADA BEEN MONITORING CODE COMPLIANCE?

Remember that the underlying goal is for the rules of all Signatories to be harmonized.

Compliance must be proven both in theory and in practice. First every anti-doping organisation's rules must comply substantially with the Code. Then they must convince WADA that they are successfully implementing these same Rules and respecting their obligations under the Code.

Accordingly, the purpose of the WADA monitoring is to check whether a Signatory's rules are in line with the Code and to ensure that they can and are implementing these same rules on a day to day basis. When Signatory's are unable to meet these requirements and are not deemed compliant, WADA's subsidiary role is to assist these same non-compliant Signatories make the necessary modifications to their Rules and/or their im-

plementation. WADA has been reviewing all anti-doping organisations' anti-doping rules, including ISSF's, since 2003. The most recent round of rules revisions was undertaken with regard to the latest version of the Code which took effect on 1 January 2015.

In addition, WADA (by way of its own staff) checks whether anti-doping organisations like ISSF are implementing the Code into their own rules in relation to anti-doping rule violations, sanctions, WADA's right of appeal, out-of-competition testing, and compliance with the International Standards (namely the Prohibited List, the International Standard for Testing, the International Standard for Therapeutic Use Exemption, and the International Standard for Data Protection).

On a more bureaucratic level, WADA's internal Compliance Task Force's purpose is to monitor compliance reports to the Compliance Review Committee as well as the Agency's Executive Committee and Foundation Board. The Compliance Review Committee (or CRC) is an independent, non-political standing committee tasked with providing independent advice, guidance and recommendations to WADA's Management and Foundation Board on matters relating to Code compliance. WADA's Foundation Board is the body that has authority to declare a Signatory non-compliant following advice from the CRC. Decisions on non-compliance are never taken arbitrarily. A decision on non-compliance can only be imposed once a Signatory has failed the monitoring review and if the decision is then legitimately endorsed by the Foundation's Board.

### HAS WADA RECENTLY INCREASED ITS CODE-COMPLIANCE MONITORING?

Yes. WADA has an increasingly important role to monitor the compliance of Signatories to the Code.

As stated by WADA Director General Olivier Niggli during his opening speech during 14th annual WADA Symposium: *"Compliance is the key priority for the anti-doping community in*

the months and years ahead". WADA's focus since the approval of the revised Code in late 2013 has been to oversee the implementation of all anti-doping rules to ensure they are in line with the Code. In addition to revising rules, WADA's priority is now also to ensure that all Signatories have effective high-quality anti-doping programs in line with the requirements of the Code and International Standards.

Following the introduction of the enhanced 2015 Code, which came into force on 1 January 2015, there is now a greater emphasis on effective, quality anti-doping programs globally and a demand from stakeholders for WADA to assess compliance of Signatories in more detail.

### THE CODE COMPLIANCE MONITORING PROGRAM

In light of its increased focus and role in monitoring compliance, WADA has developed a new *ISO9001:2015 certified World Anti-Doping Code Compliance Monitoring Program*, which is the most thorough review of all Signatories' anti-doping programs that has ever taken place. Through this monitoring program, WADA intends to raise the standards of the entire clean sport community.

As an ISO-certified program, the Compliance Monitoring Program aims to reinforce athlete and public confidence in the standard of anti-doping organisations' work worldwide. The program, which is well underway, will eventually include information gathering from the Code Compliance Questionnaire, audits and other sources of information, including: the Anti-Doping Administration and Management System (ADAMS), WADA's Results Management database, investigations; and any intelligence collected or received to monitor Code Signatory compliance.

The enhanced Compliance Monitoring Program will underpin WADA's new graded sanctioning framework, which, once enacted, will equip the anti-doping system with the ability to levy meaningful, predictable and proportionate sanctions in cases where anti-doping organisations are deemed non-compliant with the Code.

### WHAT IS INVOLVED IN THE CODE COMPLIANCE MONITORING PROGRAM?

As stated above, WADA's ISO9001:2015 certified World Anti-Doping Code Compliance Monitoring Program is the most thorough global compliance initiative undertaken since WADA was established in 1999. It will provide Signatories with procedures that are centralized, objective, pre-determined and transparent.

The focal point of the process is based on corrective actions that will be made possible through a constant dialogue between WADA and Signatories.

Throughout the process, WADA will provide Signatories with assistance and guidance in implementing and complying with the Code and International Standards so that the standards are raised across the entire clean sport community. Ultimately, athletes from every sport and every country will be subject

to equally robust anti-doping programs. The Compliance Monitoring Program has three major components:

- **Code Compliance Questionnaire:**

The Code Compliance Questionnaire (Questionnaire) is the central feature of the enhanced Compliance Monitoring Program. The Questionnaire was sent to all National Anti-Doping Organisations and International Federations, including ISSF, on 20 February 2017 with a three-month deadline for completion. Its purpose is to facilitate Signatories' reporting obligations on compliance and allow for more consistent monitoring of anti-doping programs. The Questionnaire will help WADA understand the current state of Signatories' anti-doping programs, and allow Signatories to make improvements to their programs when and where required. The Signatory's corrective actions will then be reviewed by WADA's internal Compliance Task Force before further action is taken.

> *ISSF has already successfully completed and submitted its questionnaire for review and is awaiting the comments and decision of the Compliance Task Force on the same to determine if any correctives actions will be necessary.*

- **Audits:**

WADA conducted at least 10 audits on National Anti-Doping Organisation and/or International Federation in 2016 and 2017. The decision to undertake these audits was the result of a recommendation by the independent Compliance Review Committee (as stated above, this is the independent body tasked with assessing compliance of Code Signatories).

> *ISSF was not one of the International Federations selected for audit therefore was not subject to this additional onerous exercise.*

- **Other Sources:**

The Questionnaire and audit program are the two main tools being used by WADA to monitor and assess the quality of the implementation of anti-doping programs and their subsequent compliance with the Code and International Standards. However, in addition, WADA will use other sources of information to monitor Code compliance. These include but are not limited to: the Anti-Doping Administration and Management System (ADAMS); the WADA's Results Management database; investigations; and any intelligence received.

- **Ongoing WADA support:**

WADA will continually provide Signatories with assistance and guidance in implementing and complying with the Code and International Standards, particularly as the Compliance Monitoring Program identifies areas for improvement.

### WHAT EXACTLY DOES THE CODE COMPLIANCE QUESTIONNAIRE ENTAIL?

The "Questionnaire" is a tool developed by WADA to measure compliance of Signatories to the mandatory requirements of the World

Anti-Doping Code (Code) and International Standards.

The Questionnaire has been made available via an online system to assist Signatories in providing responses and data to a series of questions. The questions have been categorized into 7 sections, namely:

1. ADAMS, Budgeting and Reporting;
2. Testing and Investigations;
3. Results Management;
4. Therapeutic Use Exemptions;
5. Education;
6. Data Privacy and
7. Anti-Doping Organisation information.

Signatories were given 3 months to complete and submit the multiple pages and questions Questionnaire and required to answer questions based upon their anti-doping programs for the 2016 calendar year (January – December 2016).

As mentioned above, with the invaluable help of its Legal Counsel in Anti-Doping and its Anti-Doping Administrator, ISSF has now completed its Code Compliance Questionnaire and submitted it to WADA.

### ANTICIPATED OUTCOMES

Since the creation of WADA in 1999, ISSF has been diligent in conducting an anti-doping program and in meeting all its responsibilities and obligations under the World Anti-Doping Code. These include, among others:

- The work ISSF conducts every year on promoting its values based anti-doping education program, the time and money spent on its testing plan and its doping controls,
- The implementation and monitoring of results management and related legal issues,
- The ISSF Medical Committee's respect of the Therapeutic Use Exemption process, and
- ISSF's general overseeing of all its anti-doping activities to ensure that they respect and comply with the Code and all relevant International Standards.

The ISSF takes great pride in the work that it has accomplished with regards to anti-doping and is confident that it has been meeting, and will continue to meet, its Code compliance requirements.

If any shortcomings are identified by WADA's Compliance Task Force, you can be sure that ISSF will promptly act to address and redress the issues to ensure that its compliance obligations are met without fail.

In turn, ISSF shall continue to rely on its athletes, its member federations and all support staff to become aware of their respective obligations and responsibilities under the ISSF Anti-Doping Rules and to respect them without fail.

We all have an important role to play in ensuring the success of ISSF's anti-doping program and in preserving the integrity of shooting sport.

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