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DENMARK



## Athlete Groups Call on World Anti-Doping Agency to Implement Stronger Reforms

Independence, Transparency, Accountability and Human Rights Must Drive Change

**23 July 2020:** Athletes can no longer accept that their demands for proper reforms of the World Anti-Doping Agency (WADA) have not been addressed. Time after time, athletes' calls for change have been cast aside or written off as misinformed, despite the fact that athletes are the primary stakeholders and by far the most impacted group when the status quo persists.

As educated, informed and united athlete representatives, we will continue to push for the needed reform. Below, we suggest a minimum set of changes that we believe will act as a starting point.

### Independence

Currently, despite denials to the contrary, WADA's leadership is represented in proportion to financial contributions, and influenced by lobbying by member states. The IOC pays 50% of WADA's budget and holds 50% of the vote. Governments also pay 50% and hold 50% of the vote.<sup>1</sup> In his letter of June 26, 2020 to Mr. James Carroll, WADA's President, Mr. Witold Bańka apparent recognition that allocating seats "exclusively to the highest funders" eliminates a majority of nations from ever holding a seat on WADA's Board or Executive Committee and not being in line with international best practice, an important missing point is that this also excludes and alienates the primary stakeholders – athletes. In summary:

- Funding must be decoupled from decision making.
- WADA must create a more independent structure free of real or perceived conflicts of interest.
- The WADA Executive Committee must be recruited based on skills and its representatives must be completely independent. This includes equal independent active athlete representation.

### Transparency

Over the past several years, athletes have demanded more transparency from WADA and its decision-making. These calls followed repeated unexplained actions on the part of WADA in the face of harm to clean athletes, despite repeated cries from the athlete community which went unanswered. Specifically, WADA disregarded calls for "No U-Turn" on Russia's noncompliance in September 2018 and for strong action to be taken against the Bucharest Laboratory and the Romanian National Anti-Doping Agency following corrupt actions and coverups.

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<sup>1</sup> Section 3.2.2.1 of Copenhagen Declaration on Anti-Doping in Sport; 1.3 of Cape Town Declaration



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Athletes have taken notice of the “code of silence” and major decisions being made behind closed doors that undermine every athlete’s right to an equal, fair, and transparent system.

At minimum:

- WADA investigations must have detailed terms of reference with a clear requirement for public reporting. The Independent Commission Report led by Richard Pound and the Independent Person’s Report led by Richard McLaren serve as examples of the transparency athletes expect.
- All athlete sanctions are made public, and therefore all investigations and their respective outcomes must be public as well. Athletes cannot be held to a higher standard than WADA stakeholders.
- Stakeholder compliance decisions must be made by the WADA Foundation Board instead of the WADA Executive Committee. This change is essential for athletes to have trust in the system.

### **Accountability**

WADA can no longer self-regulate. Athletes demand accountability for decisions rendered at the highest levels of sport administration. WADA Board members and personnel cannot have divided loyalties and conflicts of interest. Because WADA cannot be regulated by the sporting movement or any individual government, they must be accountable to athletes.

- Athletes must have an independent and equal seat around all decision-making tables. Athletes must have the same number of seats as the IOC and governments of the world.

### **Human Rights**

WADA must “walk the talk” with regards to human rights of athletes. WADA cannot claim to respect the human rights of athletes with the existence of several problematic articles within the 2021 World Anti-Doping Code (“Code”). As a starting point:

- WADA must conduct, through independent athlete consultation, a thorough human rights review and impact assessment.
- At a minimum, the Athlete Rights Anti-Doping Act, including the “Recommended Rights” must be incorporated into the Code, and made mandatory and legally binding for all Code signatories.



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Moreover, there must be an embedded separation of power between the legislative, executive and judicial functions of WADA and the anti-doping system to ensure an effective and fair system of justice.<sup>2</sup>

We will continue to push for change, we will no longer remain silent and we will use our voice to bring truth to power. While we commend the work that has been done on harmonizing doping globally, the governance of WADA and the status quo is no longer acceptable.

We welcome an opportunity to discuss this statement and its proposed changes with WADA's leadership at the highest level. To that end, on July 16, 2020, a meeting was requested with Mr. Bańka. Mr. Bańka responded on July 22nd, indicating that he would be willing to have a larger athlete meeting in September 2020, which we look forward to participating in. However, given the urgency of these reforms, and without the certainty of when the athlete group will be heard, we are releasing our position immediately.

Signed,

The Athletics Association

AthletesCAN

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Danish Olympic Committee Athlete Commission

United States Olympic and Paralympic Committee Athlete Advisory Council

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<sup>2</sup>[https://www.uniglobalunion.org/sites/default/files/imce/world\\_players\\_wada\\_governance\\_17\\_jul\\_17\\_web.pdf](https://www.uniglobalunion.org/sites/default/files/imce/world_players_wada_governance_17_jul_17_web.pdf)