

World Anti-Doping Code 2021

The most important changes and improvements

- **Health as a fundamental principle**
Public health has been established as a fundamental principle of the Code. According to the European Court of Human Rights (ECtHR), protecting public health is justification for anti-doping work. The Code accords particular importance to health for this reason.
- **Whistleblowers better protected by new offence**
In future, athletes or other individuals such as athlete support personnel can be subject to sanctions if they prevent someone from reporting a violation of the anti-doping rules or national anti-doping legislation to the relevant body. This provides whistleblowers with greater protection.
- **Independence and transparency**
It is made clear that the bodies involved in disciplinary proceedings must be operationally and institutionally independent and conflicts of interest must be avoided. The independence and transparency of governments, national and international federations, national anti-doping organizations and sports organizers will be further developed and established.
- **Greater flexibility in relation to sanctions**
The Code of 2021 allows for greater flexibility with regard to individual sanctions. The principle of proportionality is accorded greater significance.
- **Introduction of a standard for results management**
The WADA has introduced the *International Standard for Results Management* for the international harmonization of results management and disciplinary proceedings. One new feature is the results management process whereby it is no longer just the sanctioning body which can make decisions (in Switzerland, the Disciplinary Chamber for Doping Cases of Swiss Olympic) but also the Anti-Doping-Organization (ADO) under certain strictly regulated conditions. There is also the option, on an individual basis, for the ADO to enter into an agreement with the athlete or another individual to settle disciplinary proceedings triggered by a violation.
- **New regulations concerning substances of abuse**
Since the presence of so-called substances of abuse such as cocaine is indicative of a health problem in an athlete and not (just) drug taking, use or possession of substances named above may be subject to less stringent sanctions. This applies only if the substances were used outside of competitions and not for the purposes of enhancing performance.
- **Vulnerable persons and amateurs**
If an athlete is classed as a vulnerable person (a minor or not capable of exercising judgement) or is an amateur, less severe sanctions may be imposed. There is no requirement for mandatory publication of decisions made in relation to this group.
- **Protecting the rights of athletes**
The *Athlete's Anti-Doping Rights Act* was developed under the management of the WADA Athlete Committee and collates all the core rights and protection requirements of athletes. The committee provides a tool which accused persons can use as a means of appropriate defense so as to best protect their rights in proceedings following an alleged violation of the anti-doping rules.

- **New standard for anti-doping education**

The *International Standard for Education* enables a global harmonization and improvement of educational content in anti-doping work. Anti-doping organizations are devising their own educational concepts to implement the aforementioned International Standard. The new standard will require international federations and subsequently national federations to establish appropriate measures.

- **New definition of ‘in competition’**

A drugs test is now classed as ‘in competition’ if it is carried out during the period from 23:59 on the day before a competition to the end of the competition and if the sample is taken in connection with this competition.

Implementation in Switzerland

In Switzerland, the World Anti-Doping Code will be implemented in the form of the Swiss Olympic Doping Statute. The Sport Parliament will adopt the new Doping statute, which includes the aforementioned modifications and new features, on 20 November 2020. The new version will enter into effect after being adopted on 1 January 2021.