

CCES Submission to 2027 International Standard for Testing Review Second Consultation Phase

In response to WADA's request for comments as part of Phase 2 of the 2027 International Standard for Testing consultation process, the CCES submitted the following comments.

PART ONE: INTRODUCTION, CODE PROVISIONS, INTERNATIONAL STANDARD PROVISIONS AND DEFINITIONS

General Comments to Part One

1.0 Introduction and Scope

Consider use of gender inclusive terminology, such as "their" instead of "his/her" to comply with gender inclusivity norms.

3.4 Defined terms from the International Standard for the Data Protection.

Update title wording to remove "the" before data. Hold over from ISPPPI.

3.6 Defined terms specific to the International Standard for Testing

Consider updating the title wording to align with Articles 3.2-3.5: "specific to" to "from the."

In the definition of "Unsuccessful Attempt Report" consider removing "from an athlete in a Registered Testing Pool or Testing Pool" as UAR reports are beneficial for non-RTP athletes and can be relied upon to add someone to an RTP.

Consider including a definition for "General Pool."

Proposed Wording: The pool of *Athletes* that the International Federation or *National Anti-Doping Organization* considers to be lower risk than those *Athletes* in the Registered Testing Pool & *Testing Pool* and who are not required to provide whereabouts information as outlined in the *International Standard for Testing* and who can be subject to at least one planned *Out-of-Competition* test per year.

PART TWO: STANDARDS FOR TESTING

4.0 Planning effective Testing

4.5 Prioritizing between Different Athletes

Article 4.5.3.b: Although there is no change, we are reiterating our comments from the last Code review. Consider adding "inconsistent performances" in addition to "sudden major improvements in performance."

4.6 Prioritizing between Different Types of Testing and Analysis of Sample

Article 4.6.1a.iii: For clarity WADA should include details for the process for where/how to apply for an exemption for OOC testing. It would also be helpful to have additional clarity confirming if only IFs can apply for this exception or if NADOs are able to as well.

4.7 Test Distribution Plan

Comment to Article 4.7.3: The use of “International Events” is quite broad. Consider applying this only to major multi-sport events. (e.g. Pan-Am Games)

4.8 Sample Analysis

Article 4.8.2: Consider changing the prescribed timeline to 20 days prior to the opening of the Village.

4.9 Retention of Samples and Further Analysis

Comment to Article 4.9.1: Remove the word “consider” following “shall” to solidify this requirement.

Proposed Wording: Anti-Doping Organizations shall allocate sufficient resources to the annual Testing budget by including a contingency number of Samples within their Test Distribution Plan so that their retention and Further Analysis strategy for Samples can be monitored and fulfilled.

4.10 Collecting whereabouts information

Article 4.10.4.1: Clarify whether testing a RTP athlete three times out of competition is a requirement or a suggestion. As written, it may be subject to interpretation.

Proposed Wording: The Registered Testing Pool must include International or National-Level Athletes who are subject to the greatest amount of Testing and whom the Anti-Doping Organization shall attempt to test at least three (3) times per year Out-of-Competition. Athletes in a Registered Testing and Pool are therefore required to provide whereabouts in accordance with Article 4.8.6.24.10.6.2. Athletes in the Registered Testing Pool shall be subject to Code Article 2.4 Whereabouts Requirements.

Comment to Article 4.10.4.2: Clarification from WADA on the benefit of including the RTP criteria in ADAMS.

Additionally, the CCES would suggest included parameters stemming from WADA’s request to include certain athletes, including the minimum time frame where an athlete would be included in the RTP.

Proposed Wording: After discussion and review with the Anti-Doping Organization regarding the RTP requirements, should WADA believe that an athlete should be in the ADOs RTP, WADA shall request the ADO include the athlete in the RTP [consider including time frame].

Article 4.10.6.1.b: The CCES agrees with the change to standardize the Whereabouts submission deadline.

Article 4.10.6.2.c: As outlined, the proposed wording for training schedules would not provide beneficial information. A wide range of training times where the athlete simply indicates “morning” or “evening” would not be overly helpful in locating athletes, nor in establishing a Filing Failure. The CCES preference would be to require actual training times.

Proposed Wording: For each day during the following quarter, the name and address of the training location(s) where the *Athlete* will train as well as the time frames for such training activities;

Article 4.10.6.2.e: Clarify whether a whereabouts failure can be pursued simply on the basis of an athlete's failure to upload a photo to ADAMS. This could be seen as overly prescriptive and disproportionate. Enforcement would be difficult as would validation of the photo being representative of the athlete (which would likely require cross-referencing with open-source searches). Additionally, not all ADOs provide their DCOs with access to ADAMS, meaning DCOs in the field would be unable to validate the photo compared to the athlete who may be in front of them unless the photo was provided by other means, which may be difficult depending on the systems and methods used by ADOs when issuing missions.

Article 4.10.7.1.c: The CCES would request clarification on if this article is required given that an athlete is already required to comply with the sample collection process until completion. Consider including clarifying elements for exceptional circumstances. As an example, should the session extend outside of the 60-minute time slot and the athlete has a flight to catch, and can provide evidence of such flight, must this be pursued as a violation to Code Article 2.3?

Article 4.10.12.1 and 4.10.12.2: The CCES finds these changes overly prescriptive, and notes that it may not align with intelligence or science. The CCES would ask WADA to consider changing both from **shall** to **should** or include in a Guideline instead.

Article 4.10.13.7: Aligned with the CCES's comment to 4.10.6.2.e, the CCES requests WADA clarify whether a Testing Pool athlete would be moved into the RTP if photo is not uploaded to ADAMS.

5.0 Notification of Athletes

5.2 General

Article 5.2.d: Although there is no change, we are reiterating our comments from the last Code review. Consider changing the wording from "...to the arrival at the designated Doping Control Station" to "to the end of Sample Collection" which will ensure, for example, that it is clear the athlete must continue to be chaperoned if they leave the doping control station to attend medal ceremony.

5.3 Requirements Prior to Notification of Athletes

Article 5.3.1: Given the importance of the information, consider moving the information from the comment into its own article. Also consider including a comment stating "within reason" if, for example, the athlete has failed to update their whereabouts and lists a training venue/accommodation that the ADO knows to be incorrect or if the athlete is travelling on the date of the attempt and some of the filed locations are impossible for the DCO to travel to.

Proposed Wording: A DCO shall not call an Athlete outside of the 60-minute time slot unless they have been instructed to do so by the Testing Authority and where exceptional circumstances exist. However, before attempting to call the Athlete the DCO must first have visited all of the locations, within reason, that the Athlete has filed as part of their Whereabouts Filing for that day, that are outside of the 60-minute time slot. (e.g. training location(s), overnight address and any other whereabouts locations the Athlete may have provided). Exceptional circumstances shall be limited to those listed below.

Article 5.3.4.a and 5.3.4.b: Change “shall” to “should, where possible” for the sentence “...the DCO shall check the *Athlete’s* photograph within their *ADAMS Athlete* profile.”

5.4 Requirements for Notification of Athletes

Article 5.4.2.c: Given the space limitations on paper and electronic Doping Control Forms we would suggest this is documented in a Supplementary Report.

6.0 Preparing for the Sample Collection Session

6.3 Requirements for Preparing for the Sample Collection Session

Article 6.3.3: Although there is no change, we are reiterating our comments from the last Code review. Change the word “entitlement” to “right,” as the term “right” is more consistent with the language used throughout the IST.

Article 6.3.4.iv: Clarification is needed from WADA on what the statute of limitations period is. Noting statute of limitations is not defined in the Standard or Code.

7.0 Conducting the Sample Collection Session

7.4 Requirements for Sample Collection

Article 7.4.5.a: Please confirm why the inclusion of the Country of test has been added. If deemed necessary, consider including both city and country.

9.0 Transport of Samples and documentation

9.3 Requirements for Transport and Storage of Samples and Documentation

Article 9.3.2: Provide clarification on what is meant by “stockpile.” It would be helpful for WADA to establish clear criteria for how long each type of sample can be held before shipping, taking into consideration shipping logistics which may require certain samples to be held (e.g., due to the shipping company’s shipping holiday closures and holiday/weekend hours).

11.0 Athlete Biological Passport

Article 11.6: Consider granting automatic read access based on sport and nationality listed. Regardless of who creates the account, custodianship should default to the NADO. For example, for an athlete with “Canada” for nationality and “cycling” for sport, UCI would automatically get read access based on the sport and CCES would be custodian based on the country. This would limit the amount of accidental duplicate profiles based on access, and inefficiencies to gain access to profiles.

Annex B – Modifications for Athletes who are Minors

Annex B.4.4: When testing a minor who wishes to have a representative that is not in the same geographical area we would invite WADA to consider technological means for ensuring an athlete can have a representative present.

Annex C – Collection of Urine

Annex C.2: The Scope in Annex C is incorrectly listed as D.1. Should be C.2 and following numbers update accordingly.

Annex C.3.5: The CCES notes that this article may contradict Annex L.4.5. As written is L.4.5, the athlete can decide at the doping control station which gender of sample collection personnel they would prefer as witness the provision of the sample as opposed to the gender of the Event the Athlete competes in.

Annex F – Urine Samples that do not meet the requirement for Suitable Specific Gravity for Analysis

Annex F.4.3 and Comment: Advising an athlete they are not to hydrate may be unsafe to the athlete. Considering samples are collected until a suitable sample is provided, the CCES would suggest WADA considers rewording to specify excessive hydration.

Proposed Wording: While waiting to provide a further Sample, the Athlete shall remain under continuous observation and should be advised not to over hydrate, since this may delay the production of a suitable Sample. In appropriate circumstances, excessive hydration after the provision of an unsuitable Sample may be pursued as a violation of Code Article 2.5

[Comment to F.4.3: It is the responsibility of the Athlete to provide a Sample with a Suitable Specific Gravity for Analysis. Sample Collection Personnel shall advise the Athlete and Athlete Support Personnel as appropriate of this requirement at the time of notification in order to discourage excessive hydration prior to the provision of the Athlete's first Sample.]

Annex G – Sample Collection Personnel Requirements

Annex G.4.4.2: Consider removing the requirement for a DCO trainer to observe the trainee DCO witnessing the passing of the sample. The CCES notes that a Chaperone, who has significantly less training than a DCO trainee is able to witness the provision of the sample without the DCO observing.

Annex G.4.4.4: Guidance would be helpful regarding what would be considered “adequately trained”.

Annex H – Event Testing

Annex H.4.1: The Ruling body should have the ability to consider a request at any point, but they would not have an obligation to consider the request if within the designated time frame. An ADO may wish to request to test at the event based on last-minute information/intelligence or registration confirmation within 35 days. The CCES would request WADA changes the “shall” to a “should” permitting more flexibility in cases of last-minute information.

Additionally, the 35-day time period may not be appropriate for all international events. The 35-day time period is acceptable for a Major Games or World Championship but is excessively long for smaller events.

Additionally, a comment could be added to clarify that if the request is within the 35 days of the event, “appealing” to WADA will not be an option.

Note - the closing parentheses is missing.

Proposed Wording: Such request **should** be sent to the ruling body at least thirty-five (35) days prior to the beginning of the *Event* (i.e., thirty-five (35) days prior to the beginning of the *In-Competition* period as defined by the rules of the International Federation in charge of that event.)

Annex I – Collection, Storage and Transport of Blood Athlete Biological Passport Samples

Annex I.2.8: Although there is no change, we are reiterating our comments from the last Code review. Add wording to allow athletes to lie down for 10 minutes, rather than only provide the option of “a normal seated position.” There are athletes who know they faint with blood collection and request to be lying down for the venipuncture procedure. To avoid moving following the 10-minute waiting period, the Annex could include that the athlete be “in a normal seated position with feet on the floor, or lying down, for at least 10 minutes...” If there are additional considerations for the waiting period for an athlete who requests to lie down during venipuncture, those could be included as well.

Annex K – Collection of Urine Samples in a Virtual Environment during a Pandemic

General Comments to Annex K

Consider whether Annex K would be better suited as a “Guidelines for Testing during a Pandemic” rather than an Annex in the IST. Also consider changing the title to include reference to national epidemics.

Proposed Wording: COLLECTION OF URINE SAMPLES IN A VIRTUAL ENVIRONMENT DURING A PANDEMIC OR NATIONAL EPIDEMIC

Annex L – Modifications for Transgender and Gender Diverse Athletes

General Comments to Annex L

The CCES supports the creation of this annex, but the exact process needs further consideration to ensure practical implementation. The CCES support the comments submit by iNADO on this Annex. Given the uncertainty around this Annex consideration could be given to hold the implementation of this Annex until further review can be completed.