



Mr Olivier Niggli Director General World Anti-Doping Agency

> Nyon, Switzerland, 17 November 2023 Our Ref: Matthew Graham Matthew.graham@uniglobalunion.org M: +41 79 682 4078

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## **Embedding Best Practices in the World Anti-Doping Code**

Dear Olivier,

We trust this finds you well.

We write in relation to the ongoing WADA Code Review Process (Code Review), which, as you know, World Players contributed to extensively last time and is a much-needed opportunity to improve the global anti-doping effort for athletes worldwide.

As you will recall, World Players tabled several positive reforms during the last Code Review aimed at resolving cases of manifest injustice that have had devastating impacts on the careers, livelihoods, and reputations of athletes.

Although some limited progress was made in relation to substances of abuse, many of the systemic causes remain unaddressed in the Code and Standards, and we sadly continue to see cases that may take years to resolve, including athletes wrongly labelled as cheats before positive tests have been confirmed and due process afforded, and often career-ending sanctions being imposed in cases of inadvertent doping, such as through contaminated supplements. Even in relation to substances of abuse, there remains an archaic regime in place for substances like marijuana that treats athletes punitively rather than by prioritising access to rehabilitation and wellbeing services.

Such examples are neither in the best interests of athletes nor anti-doping stakeholders generally. Not only do they undermine the trust of athletes and the public at large, but they demand considerable time and resources from anti-doping organisations which could be better invested in investigations and tackling sophisticated doping conspiracies. This ultimately only harms the credibility of the system, especially where cases of state-sponsored doping largely go unpunished.

Accordingly, WADA must now embrace some fundamental reforms throughout the course of this Code Review if it is to rebuild athlete and wider stakeholder trust and confidence. It can do so by embracing *Best Practice Improvements to Anti-Doping Programs* (Best Practices) that we have outlined <u>here</u> and elaborated on in the attached.

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These Best Practices have been widely implemented – typically in partnership with athletes - throughout sport and can be summarised as follows:

- 1. An effective regime for contaminated supplements
- 2. Fast and effective dispute resolution
- 3. A full health & wellbeing-approach to substances of abuse
- 4. Tough but proportionate sanctions
- 5. Accessible and effective defences
- 6. Protecting athlete confidentiality and personal data
- 7. Educational programs delivered in partnership with the athletes; and
- 8. Ongoing evidence-based review of anti-doping policy

We have every confidence embracing Best Practices would resolve most cases of injustice under the Code. Moreover, their implementation would ensure a more evidence-based global anti-doping system that keeps pace with scientific and societal developments.

Implementing these Best Practices is a matter of fundamental importance to World Players and its affiliates, especially given the ongoing exclusion of organised athletes from WADA's decisionmaking systems and processes despite the extensive positive reforms we have tabled to date. It is no longer tenable for WADA to maintain it is athlete-centred if it continues to exclude the voice of some 80'000 athletes compulsorily bound to the Code as a mandatory condition of employment, who have no effective say in its development and implementation.

We accordingly look forward to hearing from you in relation to how these Best Practices can be embedded in partnership with the players and their associations as part of the ongoing Code Review process.

Yours sincerely,

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Matthew Graham (Interim) Executive Director

Enc. World Players Best Practice Guidance

cc. Mr. Witold Banka, President, WADA World Players Anti-Doping Working Group