



World Players Association
#WorldPlayersUnited

Mr Witold Banka
President
World Anti-Doping Agency

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Proposed Athlete Rights Impact Assessment: an essential step for WADA to understand and protect athlete rights, health and wellbeing

Dear Witold,

As you will recall, the WADA Athlete Committee recently tabled a proposal with WADA to undertake a comprehensive study to understand the impacts that WADA's activities – including the *World Anti-Doping Code (WADC)* and the global anti-doping system – are having on the rights, health and wellbeing of athletes. The initiative of the WADA Athlete Committee followed discussions with the World Players Association (*World Players*) after it became apparent during the 2019 review of the WADC that there are no effective measures in place within WADA to proactively assess, understand and address the impacts experienced and suffered by athletes in relation to anti-doping.

Accordingly, we have prepared a comprehensive proposal for WADA to undertake an effective *Athlete Rights Impact Assessment (Impact Assessment)*. Our proposal is attached for your consideration.

As the President of WADA, we trust you will agree that the rights, careers, livelihoods, mental health and wellbeing of athletes cannot be merely regarded as collateral damage in the fight against doping. We also trust that – for WADA to be a truly athlete-centred regulator – it must take all steps to identify and address harmful athlete impacts wherever they occur.

As the *Recommendations for an IOC Human Rights Strategy (IOC Report)*, prepared by the eminently qualified experts Prince Zeid Ra'ad Al Hussein and Shift Vice President Rachel Davis, eloquently state: "putting athletes at the centre of sport means recognizing sports bodies' responsibilities towards them." This also means the:

"[Olympic] Movement's responsibilities to respect athletes' human rights and basic dignity need to be clarified in line with [United Nations (UN)] standards. The IOC and other sports bodies should conduct human rights due diligence when they make

decisions that will affect athletes in order to ensure that potential human rights impacts on athletes generally, or on specific groups of athletes, are considered, and that any such risks are prevented wherever possible or at least that their likelihood is mitigated.”

These recommendations equally apply to WADA. Undertaking the proposed Impact Assessment can be the key first step to enable WADA to understand whether the global anti-doping system is being conducted in accordance with UN standards including the *United Nations Guiding Principles on Business and Human Rights (UNGPs)*. The UNGPs are the global standard for states and businesses to protect, respect and uphold human rights, and as outlined in the IOC Report, they unambiguously apply to the activities of sport. WADA – as an agency of both governments and transnational sports bodies – has a particularly strong responsibility to embed human rights within its activities and relationships.

The proposed Impact Assessment is in response to the multitude of anti-doping cases which have had adverse impacts on athletes. We have shared many of these cases with WADA previously and identified the systemic causes of them. They are rightly a matter of increasing concern among athletes more widely, key anti-doping organisations, academics, the media and other stakeholders.

The Impact Assessment has also been informed through the deep experience our affiliated player and athlete associations have had in supporting athletes who compete under the WADC and their deep commitment to avoiding harmful, manifestly unjust and, at times, even tragic consequences while at the same time ensuring the effectiveness of the fight against doping. You will find some powerful quotes from athletes describing these impacts in their own words throughout the proposal.

The Impact Assessment therefore addresses an essential gap in WADA’s regulatory approach: the lack of systematic research and monitoring on WADA’s behalf in relation to the impact of its activities on athletes in order to ‘do no harm’. The Impact Assessment will enable WADA to begin identifying, addressing and ultimately preventing harm from occurring.

The proposed terms of reference for the Impact Assessment are:

‘THAT, in accordance with the United Nations Guiding Principles on Business and Human Rights (UNGPs):

- 1. The World Anti-Doping Agency (WADA) undertake a tailored impact assessment (Impact Assessment) to identify, understand and address any adverse impacts WADA’s regulations and processes (including the World Anti-Doping Code, International Standards, hearing procedures and sanctions) have had, are having and may have on the internationally recognised human rights of athletes;*
- 2. the Impact Assessment shall include any adverse impacts WADA’s regulations or processes may cause, contribute to, or be linked with, and the leverage which WADA has to prevent, mitigate or address such impacts; and*
- 3. for the purposes of the Impact Assessment, WADA shall consider the respective responsibilities and duties of WADA, the Olympic and sport movement, and the public authorities under the UNGPs.’*

We are confident that by committing to undertake the Impact Assessment and doing so effectively, WADA will build athlete confidence in the global anti-doping system and gather vital learnings that will strengthen and improve the system while further unifying stakeholders to effectively fight doping.

World Players is committed to working with WADA, the WADA Athlete Committee and all anti-doping stakeholders to advance the implementation of the Impact Assessment which will be for ultimate benefit of both WADA and the athletes.

Yours sincerely,



Brendan Schwab
Executive Director

Enc. WADA Athlete Rights Impact Assessment

cc. Mr Ben Sandford, Chair, WADA Athlete Committee
Mr Rafal Piechota, Director of the Office of the President, WADA
Mr Olivier Niggli, Director General, WADA
Mr Stuart Kemp, Deputy Chief Operating Officer, WADA
World Players Anti-Doping Working Group