

## 2027 CODE & UPDATE PROCESS

# International Standard for the Protection of Privacy and Personal Information

## Concepts for Consideration and Feedback

### Executive Summary

The International Standard for the Protection of Privacy and Personal Information (ISPPPI) was first adopted in 2009 and updated versions were introduced in 2015, 2018 and 2021, following consultations with Signatories, public authorities, and other relevant stakeholders.

The ISPPPI's main purpose is to ensure that Anti-Doping Organizations apply appropriate, sufficient, and effective privacy protecting measures to the personal information they process when conducting anti-doping activities. The ISPPPI is aligned with international and regional data protection frameworks and case law, such as the Organization for Economic Cooperation and Development's (OECD) 1980 Guidelines on the Protection of Privacy and Transborder Flows of Personal Data, the Council of Europe's modernized Convention 108 and the EU and UK's General Data Protection Regulation.

The ISPPPI Drafting Team has identified three key concepts for the upcoming update of the ISPPPI, namely data retention periods, personal information disclosures, and privacy-by-design concepts, without foreclosing other possible changes to the ISPPPI. The ISPPPI Drafting Team also seeks stakeholder's views regarding a possible name change for the ISPPPI. Stakeholders are invited to provide their feedback on each of these concepts, as well as identify any other topics they wish the ISPPPI Drafting Team to consider.

The ISPPPI Drafting Team will work in close collaboration with the Code Drafting Team on matters addressed in the Code that have clear privacy implications, namely publication of anti-doping sanctions and use of samples and data in research. The ISPPPI Drafting Team will also work closely with other International Standard Drafting Teams where there are also clear privacy implications in their standard.

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### Concept #1 – Retention Periods

ISPPPI Annex A sets out appropriate retention periods and has a significant operational impact on stakeholders, while being an important data minimization and data protection control. Some stakeholders have suggested that the current twelve-month retention period for retaining whereabouts data is insufficient and hinders results management processes for whereabouts failures and other investigative efforts.

The ISPPPI Drafting Team intends to review the retention period applicable to whereabouts data, in particular, in light of this feedback. The ISPPPI Drafting Team also intends to consider whether new rules are required to

govern the retention of intelligence and investigations-related data, as well as whether retention triggers in the Annex can be clarified.

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## **Concept #2 – Personal Information Disclosures**

ISPPPI Article 8 establishes the rules relating to the disclosure of personal information to other parties and could benefit from closer alignment with disclosures to Anti-Doping Organizations and third parties permitted under the Code and other International Standards.

The ISPPPI Drafting Team intends to review the categories of recipients referenced in Article 8 to better reflect existing practices within the anti-doping ecosystem while prescribing appropriate safeguards for disclosure. Requirements related to disclosures to law enforcement authorities may also require review in light of the new International Standard for Intelligence and Investigations, in coordination with the drafting team for this Standard.

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## **Concept #3 – Privacy-by-Design Concepts**

As stakeholders explore new tools and technologies to become more efficient in the fight against doping, it is important to integrate privacy and data protection considerations into the design and development of such innovations. So-called “Privacy by Design” is a notion enjoying widespread support among privacy regulators and reflected in data protection statutes worldwide.

The ISPPPI Drafting Team intends to expand on ISPPPI Article 9.6 which requires Anti-Doping Organizations to assess privacy risks and integrate privacy-by-design considerations when leveraging new tools or technologies to conduct anti-doping activities.

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## **Concept #4 – Name change**

The ISPPPI Drafting Team intends to propose a new, shorter name for the International Standard and welcomes stakeholder proposals.