

I. Introduction

1. The ISU recognizes the importance of ensuring that the privacy rights of persons subject to Anti-Doping programs based on the [ISU Anti-Doping Rules](#) (the “ISU ADR”) are fully respected.
2. Specifically, the ISU is responsible for ensuring that Personal Information which it acquires and processes in connection with its Anti-Doping activities is protected in accordance with the applicable data protection and privacy laws.
3. This policy provides information which complements the information provided on the Doping Control Form that Skaters are asked to sign in the course of any Sample Collection initiated by the ISU, on how Personal Information for anti-doping purposes will be processed by the ISU.

II. Definitions

4. *Skater’s Personal Information* for anti-doping purposes includes, but is not limited to, information relating to:
 - a. Skater’s identity (name, nationality, date of birth, gender, event, type of competition, organizations to which the Skater belongs, names and details of other persons, such as medical professionals, working with, treating or assisting the Skaters in the anti-doping context);
 - b. Whereabouts Information;
 - c. Therapeutic Use Exemptions (TUEs);
 - d. Doping Controls (including Test Distribution Planning, Sample Collection and handling, Anti-Doping test results, Laboratory analysis, results management, hearings;
 - e. Medical or biological information derived from Anti-Doping Activities, including information derived from analyzing of Samples or specimens (Sensitive Personal Information).
5. *Anti-Doping Activities*: Activities specified by the World Anti-Doping Code (the “Code”) and the [World Anti-Doping International Standard for the Protection of Privacy and Personal Information](#) (the “ISPPPI”) to be carried out by Anti-Doping Organizations, and their Third-Party Agents, for the purpose of establishing whether Anti-Doping Rule Violations took place, including collecting Whereabouts Information; Testing; Results Management; determining whether an Skater’s Use of a Prohibited Substance or Prohibited Method is strictly limited to legitimate and documented therapeutic purposes; educating the Skaters on their rights and responsibilities; investigations of Anti-Doping Rule Violations; and initiating legal proceedings regarding such violations.
6. *Processing*: Collecting, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of Personal Information.
7. *Security Breach*: Any unauthorized and/or unlawful Processing of, including access to, Personal Information whether in electronic or hard-copy or other form, or interference with an information system, that compromises the privacy, security, confidentiality or integrity of Personal Information.

8. *Sensitive Personal Information*: Personal Information relating to a Skater's racial or ethnic origin, Skater's photographic identity (type/number), health (including information derived from analyzing a Skater's Samples or Specimens) and genetic information.
9. *Third Party*: Any person or legal entity other than the Person to whom the relevant Personal Information relates, Anti-Doping Organizations and Third-Party Agents.
10. *Third-Party Agent*: Any person or legal entity, public authority, agency or body, including without limitation subcontractors and their subcontractors, who processes Personal Information for or on behalf of an Anti-Doping Organization.

III. Data Collection

11. Personal Information will be collected by the ISU and by any other organization or body to which the ISU has delegated authority, or which otherwise has competent authority to conduct Testing.

IV. Purpose of Processing of Personal Information

12. The ISU shall only process Personal Information when and to the extent necessary and appropriate to conduct its Anti-Doping Activities under the ISU ADR, ISPPPI or where otherwise required by applicable law or regulation and where such Processing does not conflict with applicable privacy and data protection laws. This includes, but is not limited to, processing Personal Information:
 - a. to determine eligibility for a TUE;
 - b. to conduct Testing and to record the results from such Testing;
 - c. to conduct investigations to determine Violations of the ISU ADR;
 - d. to carry out Results Management under the ISU ADR, including associated disciplinary proceedings, appeals and adjudications, and to publish outcomes.
 - e. For any purpose relating to the protection of clean sport.

V. Disclosure

13. Personal Information may be disclosed by the ISU to Third-Party agents, including authorized service providers, such as the Sample Collection Authorities in connection with the fulfilment of their Anti-Doping Activities under the ISU ADR.
14. Personal Information may be made available to authorized Anti-Doping Organization, for instance, designated National Anti-Doping Organizations of Skater's home or residence country, major games organizers, or WADA to Anti-Doping Organization with which the ISU has concluded a Sharing Agreement in accordance with the Code, and processed in accordance with the anti-doping provisions of the Code in order to allow those authorized Anti-Doping Organizations to fulfil their obligations and responsibilities under the Code.
15. Personal Information shall not be disclosed to Third Parties other than as set out above, except where such disclosures:
 - a. are required by law;
 - b. take place with Skater's informed, express and written consent; or

- c. are necessary to assist law enforcement or governmental authorities in the detection, investigation or prosecution of a criminal offence or breach of the Code, provided that the Personal Information is reasonably relevant to the offence or breach in question and cannot otherwise be obtained by the authorities.
16. Personal Information may be Publicly Disclosed by the ISU in certain limited situations as further specified in the ISU ADR (such as disclosure of test results or judicial panels' decisions).

VI. International Transfers

17. Personal Information may be made available by the ISU to third persons or parties, including authorized service providers, WADA and Anti-Doping Organizations that are located outside of Switzerland.
18. For instance, Skater's Personal Information for anti-doping purposes will be held in the Anti-Doping Administration and Management System (ADAMS), located in Canada and maintained by WADA or transferred to authorized service providers or Anti-Doping Organizations in countries where they train or participate in competitions.
19. Applicable rules will be respected and appropriate measures taken prior to any transfer of Personal Information abroad.

VII. Rights with respect to Personal Information

➤ Right of access to Personal Information

20. Skaters have the right to seek information from the ISU (antidoping@isu.ch) about their Personal Information (the categories of information, the purpose for which it is collected and the third parties or categories of third parties to which it is transferred), to obtain confirmation of whether or not their Personal Information is being processed and to receive a copy of the relevant Personal Information in a readily intelligible format within a reasonable timeframe, unless to do so in a particular case plainly conflicts with the ISU's ability to plan or conduct Testing under the ISU ADR or to investigate and establish anti-doping rule violations.
21. The ISU may not be required to respond to requests seeking access to Personal Information if the requests are excessive in terms of their scope or frequency or if they impose a disproportionate burden on the ISU in terms of cost or effort given the nature of the Personal Information in question. If the ISU refuses to allow the Skater access to Personal Information, it shall inform this Skater and explain in writing the grounds for refusing the request as soon as practicable.

➤ Right to amend Personal Information

22. Personal Information processed by the ISU shall be accurate, complete and kept up to date. Where the ISU affirmatively knows that the Personal Information that it is processing is inaccurate or incomplete, the ISU shall, as appropriate, rectify, amend, complete, update or delete the relevant Personal Information as soon as possible. Where appropriate, if the Personal Information in question has been disclosed to a third party that is known or believed to continue to process the Personal Information, the third party shall be informed of the change as soon as possible.

➤ **Right to object to the processing of Personal Information**

23. Skaters have the right to object to the processing of their Personal Information.

➤ **Right to initiate a complaint**

24. Skaters are entitled to initiate a complaint where they have a reasonably good faith belief that the ISU is not complying with the ISPPPI or with applicable law. The complaint shall be made to the ISU by registered courier:

International Skating Union
Anti-Doping Director
Avenue Juste-Olivier 17
CH - 1006 Lausanne

and by email at: antidoping@isu.ch

25. In the event that a complaint is not satisfactorily resolved, Skaters may notify WADA which will determine whether the ISU is adhering to the ISPPPI. Where the decision is that the ISPPPI is not being adhered to, the ISU will take the necessary steps to rectify the position.
26. Without prejudice of the above-mentioned rights, any person whose Personal Information is processed has the right to lodge a complaint with a supervisory authority according to applicable laws.

VIII. Retention

27. The ISU shall ensure that Personal Information is only retained for as long as is necessary to fulfil its obligations under the ISU ADR or where otherwise required by applicable law, regulation or compulsory legal process. The ISU will respect the retention times for different types of Personal Information as may be determined by WADA from time to time unless such retention times are in breach of applicable law.
28. The form and manner of retention is more clearly set out on the document ADD # 6.1.b **ISU ANTI-DOPING DATA RETENTION PROCESS**. This mode of retention is in line with the 'Retention Times' set under the Annex A of the ISPPPI: <https://www.wada-ama.org/en/resources/data-protection/international-standard-for-the-protection-of-privacy-and-personal>
29. Once Personal Information no longer serves the above purposes, it will be deleted, destroyed or permanently anonymized.

IX. Security Measures

30. ISU shall at all times protect a Skater's Personal Information by applying all necessary security safeguards, including physical, organizational, technical, environmental and other measures to prevent the loss, theft or unauthorized access, destruction, use, modification or disclosure (including disclosure made via electronic network) of the Personal Information.
31. In addition to this Policy, the ISU Data Privacy Control Process is described in detail in the document ADD #6.1.c **ISU Data Privacy Control Process**.

X. Release

33. By participating in international events, a Skater will release the ISU from all claims, liabilities, damages, costs and expenses that they may have in connection with the processing of their Personal Information including, but not limited to, the Processing of their Personal Information through ADAMS and/or any other relevant administration/management system.