

# Working Group on the Review of WADA Governance Reforms — Final Report

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## Executive Summary

The World Anti-Doping Agency (WADA) has adopted a set of governance reforms in 2018, following recommendations made by the Working Group on WADA Governance Matters. To assess their implementation and consider whether further reforms would be appropriate, WADA Executive Committee created in November 2020 a Working Group on the Review of WADA Governance Reforms (WG).

The WG has assessed the implementation of each recommendation made by the Working Group on WADA Governance Matters in 2018. It concluded that a vast majority of the recommendations have been properly implemented, while others were in progress (e.g. the adoption of a Code of Ethics and the establishment of an Independent Ethics Board were adopted in November 2021 by the WADA Foundation Board, which enabled the WG to provide its comments).

The WG discussed the need for further reforms, taking into account:

- its assessment of the implementation of the 2018 governance reforms<sup>1</sup>;
- benchmarks of good governance which it considers applicable to WADA<sup>2</sup>;
- contributions given by stakeholders through two consultation rounds organized by the WG<sup>3</sup>.

In light of these elements, the WG makes the following recommendations:

- to enhance **athletes' representation** within WADA through the establishment of a 20-member Athletes Council, composed of athletes' representatives chosen by athletes, and responsible for selecting the athletes' representatives sitting on the different WADA bodies.
- to **clarify the role** of the Executive Committee as the "**Governing Board**" of WADA and **adjust its composition** so that it is composed by an equal number (five) of independent members, Public Authorities representatives, Sport Movement representatives and, in addition, the Chair of the Athletes Council.
- to **increase the representativeness of WADA's Foundation Board** by including additional athletes and representatives of National Anti-Doping Organizations (NADOs) among its members and, furthermore, to **reinforce the separation of powers between the Foundation Board and Executive Committee** through a clear delineation of roles.
- to **clearly set out the tasks of the Nominations Committee**, which was established following the governance reforms in 2018 and which the WG recognizes as a well-working and beneficial body for WADA.
- to **recognize the specific role and independence of the Compliance Review Committee**, which is essential for matters related to compliance with the World Anti-Doping Code, by giving it a status different from that of a Standing Committee while maintaining its current composition and role.

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<sup>1</sup> See Interim Report #1 Section 1.

<sup>2</sup> See Interim Report #1 Section 4.

<sup>3</sup> See Interim Report #1 Section 2 and Interim Report #3 Annex B.

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- to **maintain and clarify the overall structure of committees and expert/working groups** which results from the 2018 reforms and **add an Audit & Risk Committee**.
  - to **organize regional elections for NADOs** to choose their ten representatives sitting on the NADO Expert Advisory Group.
  - to highlight that WADA officials may be identified as either “**Independent Officials**”, “**Nominees / Applicants**” or “**Representatives**”, depending on the requirements of independence (operational independence, personal independence, and organisational independence) that they must fulfil.
  - to urge WADA and its founders to **further improve diversity** within its governing bodies through appropriate mechanisms and the publication of regular reports on diversity across the organization, and recommend the adoption of stronger measures such as quotas if no significant progress can be observed within the next three years.
  - to **recognize the considerable financial impact** that both the 2018 governance reforms and present recommendations bear for WADA.
  - to recommend that the present recommendations **be implemented in their vast majority in 2023**.
  - to suggest that an **assessment of such implementation be conducted within three to five years** from the date of execution and recommend that the assessment include consideration for items listed by the WG at the end of the present report.

## Introduction

The WADA Executive Committee created the Working Group on the Review of WADA Governance Reforms (WG) in November 2020. Its Terms of References define its mission as follows:

*The tasks of the Working Group on the Review of WADA Governance Reforms will include:*

1. *Assess the status of the implementation of the 70 recommendations for reform made by the Working Group on WADA Governance Matters in November 2018.*
2. *Develop the process for conducting an open consultation with stakeholders on the implementation of the reforms. [The objective of the consultation is not to repeat the same work conducted by the Governance Matters Working Group in 2017-2018, rather to reflect on whether they have been appropriately implemented and are fit for purpose].*
3. *Consolidate the views and input of stakeholders and consider their appropriateness, taking into consideration the foundation and structure of the Agency.*
4. *Suggest any new concepts or other general areas of improvements not otherwise presented by stakeholders, based on Working Group members' own expertise and/or experience.*
5. *In consideration of the stakeholder and Working Group member contributions, compile a report of the recommendations. The timing of reporting will at least include a preliminary report in May 2021 and a final report as soon as possible thereafter.*
6. *Give preliminary consideration to the impact on the Agency, financial and/or otherwise, and feasibility thereof, of any new governance recommendations.*
7. *Consider and recommend whether the mandate of the Working Group should continue or not, beyond the delivery of their report in 2021.*

The WG presented three interim reports to the WADA Executive Committee and Foundation Board in May, September<sup>4</sup> and November 2021.

- The first report presented an assessment of the implementation of the recommendations reform made by the Working Group on WADA Governance Matters in November 2018 (cf. objective 1 listed above), as well as an analysis of the outcomes from the first round of consultation held with stakeholders in March 2021 (cf. objectives 2 and 3). Furthermore, the WG provided input on the various models proposed for the WADA Code of Ethics.

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<sup>4</sup> Executive Committee only.

- The second report built on the comments received from stakeholders through the consultation and additional exchanges held by the WG and presented a first batch of recommendations on WADA governance reforms (cf. objectives 4 and 5). The WG also provided an updated position on the draft WADA Code of Ethics.
- The third report consolidated the recommendations following the feedback received from the second round of consultation with stakeholders in October 2021 and presented initial notes on additional items (cf. objectives 4 and 5).

The purpose of the interim reports was to update WADA on the working progress of the WG and present preliminary assessments. The recommendations have evolved over time. The final version of these recommendations can be found in this final report. For matters of transparency the WG includes the interim reports as annexes to this final report.

On 24 November 2021, the WADA Executive Committee decided, as a result of the WG's request, to extend the mandate of the WG and the date of submission of the final report to May 2022.

The WG held 36 meetings over the course of 16 months. Discussions have been lengthy and at times, intense. The impossibility to organize physical meetings which all members could attend certainly made reaching a consensus difficult at times. The WG strived for unanimity on all matters but, in all transparency, recognizes that some recommendations were taken by majority. The WG believes that this demanding process reflects the diversity of its members' views and background, which greatly enriched the WG, as well as the uniqueness of WADA's structure, which cannot be easily compared to any other existing organization.

In the framework of its regular reporting to the WADA Executive Committee, the WG has requested guidance from the Sports Movement and Public Authorities on key issues. Following this request, the two stakeholders have initiated a process, moderated by the Chair of the WG, to find consensus on these key issues. This consensus process led to the unanimous adoption of a set of reforms by the WADA Foundation Board on 25 November 2021. These decisions addressed Athletes' representation, composition of the Executive Committee and composition of the Foundation Board. The decisions endorse the vast majority of the preliminary recommendations. They are integrated within this final report and evidenced in *italics* in each relevant section.

In line with objectives 6 and 7 of its Terms of Reference, the WG presents in its final report preliminary considerations on the financial implications of both the 2018 reforms and the recommendations contained in the present report. Furthermore, the report proposes an implementation timeline and transitional measures.

Lastly, the WG has identified items which merit further discussions or where the implementation of the proposed reforms should be assessed in the future to ensure that the practice reflects the spirit of the recommendations. These items are listed in the section on the future review process.

## I. General comments

- (1) The recommendations – where necessary – distinguish between short-term and long-term recommendations. Short-term recommendations aim to change the present situation while long-term recommendations aim at future reforms.
- (2) The present situation is characterized by an equal partnership of Sport Movement (SM) and Public Authorities (PAs), which is the foundation on which WADA is based and which the recommendations seek to preserve. The term SM is, in principle, understood in a broad sense and covers the International Olympic Committee (IOC), International Paralympic Committee (IPC), International Federations (IFs) within the Olympic and Paralympic movement, National Olympic Committees (NOCs), National Paralympic Committees (NPCs) as well as umbrella organisations of the above.
- (3) Some of the subsequent recommendations will require amending WADA's constitutive instrument of foundation (referred thereafter as "Statutes") before implementation. Others can be incorporated within the WADA Governance Regulations. A full review of the two documents should be conducted to ensure consistency.
- (4) It is the WG's understanding that the members of all the organs described hereafter are bound by the Code of Ethics. Candidates applying for these positions should also agree to be bound by the Code of Ethics.

## II. Athletes' representation on the WADA Athlete Committee (WADA AC)

Taking account of the WG's preliminary recommendations, the WADA Foundation Board on 25 November 2021 adopted the following with respect to athletes' representation within WADA:

- *Support for the WADA Athlete Committee (WADA AC, to be renamed “WADA Athletes Council”) to be composed of 20 members (five members for Group 1, eight members for Group 2 and seven members for Group 3).*
  - *Group 1 consists of four athletes coming from members of the International Olympic Committee Athletes' Commission (IOC AC) as appointed by the IOC AC, and one athlete from members of the International Paralympic Committee Athletes' Council (IPC AC) as appointed by the IPC AC.*
  - *Group 2 consists of eight athletes elected by the athletes' commissions (ACs) of International Federations that are Signatories to the Code.*
  - *Group 3 consists of athletes appointed by the special appointment panel in order to fill skills and diversity (e.g. gender, geography, sport) gaps among groups 1 and 2.*
- *The Chair to be elected by an absolute majority of the members of the WADA AC. All members of the WADA AC to be equally eligible.*
- *Given the high number of athletes coming from Olympic and Paralympic Sports that are subject to the World Anti-Doping Code (Code), the majority of the WADA AC is to be composed of athletes coming from Olympic and Paralympic Sports. This condition could be ensured through the appointment process of athletes from Group 3 if need be.*
- *The special appointment panel to be composed of two athletes to be elected from and by the WADA AC and a member of the WADA Nominations Committee. The appointment panel shall consult with the WADA President in order to take into consideration the strategic priorities and needs of the organization before drawing up its final list of candidates. The special appointment panel shall have a transparent process and explain the strategic priorities and other criteria it took into account when drawing up the final list of candidates.*

In addition, the WG recommends the following:

### A. Status

- (1) The status of the WADA AC should be changed. Currently the WADA AC is a Standing Committee. The purpose of a Standing Committee is, in principle, to provide expertise to the Executive Committee (EC). It is recommended that the purpose of the WADA AC be changed to act as a forum for the broader athlete community. It should also provide input not only to the EC, but also to WADA bodies through its representation on such bodies. The WADA AC should therefore:



- be a special committee (see below section VII) to which distinct rules apply;
- be larger in number compared to a Standing Committee (20 members, see below) in order for it to be able to reflect the diversity of the athlete community and to fulfill its tasks.

## B. Composition

- (2) The WADA AC should be composed of Athlete Representatives (AR) that must all meet the following criteria:
  - (i) International level athlete (within the meaning of the World Anti-Doping Code)
  - (ii) Bound by the World Anti-Doping Code (Code)
  - (iii) Meet the criteria (i) and (ii) within the last 9 years before taking office for the first time. The AR can be re-elected twice for a three-year term but cannot stand on the WADA AC for more than 12 years after his/her (last) fulfilment of the first two criteria.
- (3) The AR shall be recruited from a broad community of athletes. The WG recommends drawing the ARs from three different constituencies:
  - **Group 1:** consists of five ARs, four from members of the International Olympic Committee Athletes' Commission (IOC AC) appointed by the IOC AC, and one from members of the International Paralympic Committee Athletes' Council (IPC AC) appointed by the IPC AC.

These members may include the Chairs of the IOC AC and IPC AC. At least three of the five ARs must have been elected onto the IOC AC and IPC AC. The two ACs shall coordinate with each other and/or agree on a process ensuring the above requirement.

The members sitting in Group 1 sit in an "ex-officio" capacity, and their mandate on the WADA AC therefore depend on their mandate on the IOC AC or IPC AC.

- **Group 2:** consists of eight ARs who are not from the IOC AC and IPC AC. They are elected by the athletes' commissions (ACs) of IFs and the International Organisations of Sports for the Disabled which manage IFs<sup>5</sup> that are Signatories to the Code.
  - Voting constituency: The voting constituency is made up of ACs of IFs that are Signatories to the Code. For further details see II. C. below.
  - Eligibility: In order for the AR to be eligible for the WADA AC, they must – in addition to A.(2) – be nominated by an IF AC. The nominated candidate needs to be from the same sport as the IF AC but does not

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<sup>5</sup> The WG has considered the situation of IFs which use different athletes' representational models and has decided to cover only athletes' commissions/councils or committees, i.e. internal organs of IFs, for the time being, considering the fact that a vast majority of IFs use such a model. The WG acknowledges that this model does not cover the whole athlete community and that athletes' representation models may be changing. The WG therefore recommends revisiting this issue in the future.

need to be a member of the IF AC. The Members of the IOC AC and IPC AC cannot be eligible under Group 2.

- **Group 3:** consists of seven ARs. They are appointed by the AC Appointment Panel in order to fill skills and diversity (e.g. gender, geography, sport, disabilities) gaps<sup>6</sup> among groups 1 and 2. Members of the IOC AC and IPC AC cannot be eligible under Group 3.
  - The AC Appointment Panel is composed of three members: two athletes from the different groups listed above (groups 1 and 2) to be elected by the WADA AC), one member of the Nominations Committee<sup>7</sup> (appointed by the Nominations Committee).
  - The AC Appointment Panel should work on a consensus basis. If a vote is needed, decisions are taken by majority.
  - In case no athlete from Paralympic sports is elected onto Group 2, the AC Appointment Panel shall appoint an athlete from Paralympic sports within Group 3 in order to ensure that a minimum of two athletes from Paralympic sports sit on the WADA AC.
- (4) If any Code-related period of ineligibility or provisional suspension is imposed on an AR serving on the WADA AC, the AR must step down immediately from the WADA AC, in accordance with the relevant provisions from the Code and the Statutes. Furthermore, the applicable provisions shall cover the case of a member stepping down before the end of their mandate for any other reason.

C. Election process (for Group 2)

- (5) The WG recommends that the Election Procedure Rules (“EPR”) for the election of the ARs of Group 2 be drawn up by WADA management in consultation with the WADA AC, with due consideration as to the timeline, and shall implement the following points:
- (6) **Preliminary Phase:** the EPR shall cover (i) communication of the electoral process and dates to the relevant stakeholders, (ii) registration of the IF ACs eligible to vote (iii) submission of candidature proposals for members of Group 2, (iv) eligibility criteria and validation process for candidates and IF ACs and (v) publication of list of candidates and eligible IF AC.
  - In relation to the eligibility criteria for an IF AC to nominate and vote the WG recommends as follows:
    - AC must be an organ of the IF.

<sup>6</sup> Noting that there may be a need to double up positions depending on the workload of the WADA AC and/or of the respective members.

<sup>7</sup> This provision should be understood as meaning that the Nominations Committee can only hold one vote on the AC Appointment Panel but should not prevent the Nominations Committee to be involved as a whole in the proceedings of the Panel, in order to preserve the benefits of its collective work.

- IF must be a Signatory to the Code;
  - the IF AC must consist of international level athletes as defined by the IF;
  - the IF AC can only propose one candidate;
  - the IF must be Code compliant when nominating the candidate;
  - the IF AC must meet a minimum organizational threshold to ensure that it is genuine and has not been set up solely for the purpose of influencing the outcome of the election. Such threshold could be implemented by one or a combination of the following factors: minimum of 2, 3 persons sitting on the IF AC, a regulatory basis of the IF AC in the statutes or in other relevant IF regulations or the requirement that the IF AC has been operational for a certain period of time.
- In relation to the eligibility criteria for candidates the WG recommends as follows:
    - the candidate must fulfill the eligibility criteria under B (2), be nominated by an IF AC and cannot be a member of the IPC AC / IOC AC<sup>8</sup>;
    - the candidate must be over 18 years and have a good command of English (because it is the working language of the WADA AC);
    - the candidate must not be under any period of ineligibility or a provisional suspension under the Code. If the candidate has been sanctioned for an ADRV in the past and has served his/her sanction, he/she is fully eligible (provided that the other criteria are fulfilled).
  - The admissibility of the candidates / IF ACs must be validated by a Scrutineer. The WG recommends that this task be accomplished by an independent member of the WADA Independent Ethics Board (appointed by the IEB) or by somebody mandated by the Independent Ethics Board (e.g. the Ethics Officer). In any event the Scrutineer shall be supported administratively by WADA Management.
- (7) **Campaigning Phase:** the EPR shall cover (i) length of campaigning phase, (ii) promotion of candidatures, (iii) infringements of the promotion regulations.
- Length of campaigning phase: the WG suggests one month.
  - The EPR must ensure that the integrity of the campaigning phase is preserved and that the promotion in favour of any candidature must be carried out with dignity and respect towards the other candidates as well as all athletes.

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<sup>8</sup> See supra, section II. B. 3.

- Any complaints on possible infringements of the rules shall be lodged with the Scrutineer, who then takes all appropriate action (from warning to exclusion from election).
- (8) **Election Phase:** The EPR shall cover (i) length of the election, (ii) voting procedure, (iii) voting results and validation and (iv) publication of results.
  - Length of election phase: the WG suggests 4-5 days.
  - The EPR must ensure that the integrity of the election phase is preserved.
  - The WG suggests the use of an electronic platform provided/selected by WADA. Each IF AC should be responsible for its voting access.
  - Every IF AC shall cast a minimum of three votes and up to eight votes for different candidates in one single ballot.
  - Every IF shall have only one AC eligible to cast the votes, irrespective of the number of ARs sitting on the IF AC. Where an IF has more than one AC, the IF must designate the appropriate AC.
  - Candidates with the highest number of valid votes are elected, provided that at least one candidate per continent is elected. The Scrutineer shall validate the results. The EPR shall address the situation in which candidates receive the same number of votes.
- (9) **Access to justice:** The EPR shall provide for access to justice against the decisions of the Scrutineer. Since an election process is time sensitive, the WG does not recommend providing for a 2-stage appeal. Furthermore, it is recommended that the EPR provide for an accelerated procedure at CAS.

#### D. Internal organization

- (10) The Chair of the WADA AC is elected by the WADA AC members by an absolute majority of the members. The Chair's eligibility criteria and term limits are the same as for all members<sup>9</sup>. All members of the WADA AC can be elected as Chair. A majority of 2/3 can remove the Chair from the Chair position. In such case the former Chair remains on the AC as a member subject to para. (11) below. Upon removal of the Chair, a new election should be held to elect the replacing Chair. The WG recommends that the WADA AC terms of reference provide for the election and possible removal of a Vice-Chair (who can exercise the function of Chair in case of interim).

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<sup>9</sup> See supra, section II. B.2.(iii).

- (11) A member of the WADA AC can be removed by a 2/3 majority provided a simple majority of the members of each group within the AC endorses the decision.
- (12) The WADA AC selects, among its members, the athletes' representatives sitting on the WADA Standing Committees and Working Groups as detailed in the following sections<sup>10</sup>.
- (13) The WG recommends a quorum of ten members for regular decisions and of 15 members for Chair election and removal of Chair or members. The WADA AC terms of reference shall provide that in case the Chair/Vice-Chair election or removal of Chair/Vice-Chair or members is tabled for a second time (because the quorum was not reached the first time), no quorum is required.
- (14) The WG recommends that the WADA AC holds a minimum of two in person meetings per year and any additional online meetings as required to fulfill the work of the AC.

E. Accountability and reporting

- (15) The WADA AC should report on its work to the Foundation Board and provide updates to the Executive Committee on its activities. Further provisions should be detailed in the WADA AC Terms of Reference. The latter shall also detail the WADA AC's reporting structure to the athlete community. The WADA AC members are accountable to the WADA AC and not to the constituency that appointed/elected them.

F. Role

- (16) The role of the WADA AC is to represent, support and promote voices of athletes on anti-doping issues within WADA, by engaging, informing and interacting with athletes, athlete representatives, other relevant stakeholders and other WADA organs. The tasks of the WADA AC are limited to the scope of anti-doping.

G. Budget and human resources

- (17) The WG acknowledges that the WADA AC depends on sufficient financial means and human resources within WADA's budget to fulfill its role.

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<sup>10</sup> Considering that the WADA AC would be comprised of 20 members, the required expertise and skills should be found within the WADA AC, with the exception of the Compliance Review Committee member nominated by the WADA AC, as detailed in section VI.4. below

H. Name

- (18) The WG recommends renaming the WADA Athlete Committee as the WADA Athlete Council (instead of Athletes' Council) in order to better reflect its new composition and role.

### III. Executive Committee

Taking account of the WG's preliminary recommendations, the WADA Foundation Board on 25 November 2021 adopted the following with respect to the Executive Committee:

- *A clarification of the roles and responsibilities of the Foundation Board and the Executive Committee should be put forward by the Working Group for the May 2022 Executive Committee and Foundation Board meetings.*
- *The composition of the Executive Committee to be amended to include:*
  - o *The WADA AC Chair;*  
*and*
  - o *One independent member.*
    - *The Sport Movement and the Public Authorities to jointly submit candidates to the Nominations Committee. The Nominations Committee can also identify candidates and suggest them to the Sport Movement and the Public Authorities for their joint support.*
    - *The Nominations Committee shall submit its recommendations to the Foundation Board that will finally decide on the appointment. The Foundation Board shall not be bound by the recommendations made by the Nominations Committee; however, if the Foundation Board decides not to follow the recommendations made by the Nominations Committee, it must briefly expose the reasons for its position.*
- *Decisions on certain topics within the competences of the Executive Committee require a 2/3 majority. The Working Group is invited to elaborate a list of these topics. The Working Group shall report on this once it has clarified the competences of the Executive Committee and the Foundation Board and once it has discussed the role and structure of the Compliance Review Committee in the context of its review of WADA governance reforms.*

#### A. Composition

- (1) Following the decision of the WADA Foundation Board of 25 November 2021 and taking account of the Significant Trends identified from the stakeholder consultation held by the Working Group, the new composition of the Executive Committee will be as follows:
  - o Five independent members, including the President and Vice-President
  - o Five representatives of the PAs
  - o Five representatives of the SM
  - o WADA AC Chair.
- (2) In the short term, the WG does not see a realistic possibility that the seats of the SM and PAs on the Executive Committee can be reduced while preserving their equal partnership and, in addition, preserving continental representation of the PAs. The

- latter is seen by the WG as an asset in light of the fact that formal structures to coordinate PAs on a worldwide level are only just emerging.
- (3) The WG welcomes and supports the on-going practice of the SM to allocate one of its five seats on the Executive Committee to an athlete representative from the IOC AC. The WG recommends that such practice be maintained to ensure that a minimum of two seats on the Executive Committee are therefore reserved for ARs going forward.
  - (4) The WG recommends that the process whereby two independent members are recruited in accordance with Article 4.3 of the current WADA Governance Regulations be amended in order to ensure that the SM and the PA be obliged to submit a minimum of two candidates each to the Nominations Committee. With respect to the additional independent member seat, the PA and SM should jointly submit at least two candidates to the Nominations Committee.
  - (5) The WG recommends maintaining the current practice in relation to deputies on the Executive Committee, including that the President, Vice-President and the independent members cannot nominate deputies. The WG recommends that the WADA AC Chair may only nominate the WADA AC Vice-Chair as deputy.

#### B. Competences

- (6) The Executive Committee is competent to take all decisions which are not reserved by the Law or by the Statutes for the Foundation Board or for other WADA bodies, such as the Independent Ethics Board. The WG recommends that a (non-exhaustive) list of the competences of the Executive Committee be included in the WADA Statutes.

#### C. Voting procedures

- (7) Decisions on the following topics within the competences of the Executive Committee require a 2/3 majority of members present:
  - o Acceptance of new or amendments of existing International Standards;
  - o Reconsideration Measures according to Article 5.1.4 of the Annex A of the Code of Ethics<sup>11</sup>; and
  - o Consideration of CRC recommendations according to Article 9.2.1 ISCCS.

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<sup>11</sup> The WG notes that at present, the Code of Ethics requires a majority of the votes cast.



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D. Name

- (8) The WG recommends considering renaming the Executive Committee to “Governing Board” in order to better reflect its role after the reallocation of competences (between Foundation Board and Executive Committee) in which it fulfills non-executive functions<sup>12</sup>.

E. Meetings

- (9) The WG recommends a minimum of three in person or hybrid meetings per year. Additional ad-hoc meetings can be organized to address specific issues. The timing and agendas of the meetings should be established to ensure that matters are dealt with to meet the goals and priorities set out in the Strategic Plan of the Agency and the various compliance and good governance tasks required of a Board responsible for governing the Agency.
- (10) Contrary to the Foundation Board meetings<sup>13</sup>, meetings of the Executive Committee should not be public in order to encourage open discussions. Minutes of the meetings should no longer be verbatim but should list the decisions taken, including their rationale.

F. Agenda

- (11) The WG supports the standing practice of the President of WADA drawing up the agenda for the Executive Committee meetings in line with the goals and priorities set out in the Strategic Plan of the Agency, with input from members of the Executive Committee.

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<sup>12</sup> The term “executive” is normally reserved to functions conducted by the staff of an organization. “Governing Board” therefore better reflects the governance tasks to be accomplished by the body currently named “Executive Committee”.

<sup>13</sup> See infra, section IV. E.

## IV. Foundation Board

*Taking account of the WG's preliminary recommendations, the WADA Foundation Board on 25 November 2021 adopted the following with respect to the Foundation Board:*

- *A clarification of the roles and responsibilities of the Foundation Board and the Executive Committee should be put forward by the Working Group on the Review of WADA Governance Reforms (Working Group) for the May 2022 Executive Committee and Foundation Board meetings.*
- *The reform of the composition of the Foundation Board should preserve the balance between the Sport Movement and the Public Authorities.*
- *The WADA Statutes to be amended to add four new Foundation Board members:*
  - o *Two seats to be added to the Sports Movement's quota for representatives of athletes to be elected from and by the WADA AC, with one member (at least) to come from Paralympic Sport.*
  - o *Two seats to be added to the Public Authorities' quota for representatives of National Anti-Doping Organizations (NADOs):*
    - *The WADA NADO Expert Group (NADO EAG) to be composed of ten members elected by NADOs on a regional basis (two NADOs representatives from the five regions). Only Code compliant and operationally independent NADOs are eligible. Regional Anti-Doping Organizations (RADOs) are not eligible.*
    - *The two NADOs representatives on the Foundation Board are elected by the WADA NADO Expert Group (NADO EAG) among its members.*
- *Any decision at the Foundation Board needs a 2/3 majority of the members present.*

In addition, the WG recommends the following:

### A. General Remarks

- (1) The Significant Trends identified from the consultation held by the Working Group noted an overlap between the Executive Committee and the Foundation Board that should be reduced. The overlap referred to an overlap of people and of substantive issues on the agenda. The WG recommends:
  - o To reduce the personnel overlap by establishing that members of the Executive Committee (with the exception of the President and Vice President) should not be allowed to be a member of and vote on the Foundation Board. Such principle would also strengthen the supervisory function of the Foundation Board vis-à-vis the Executive Committee.

In order to ensure a meaningful coordination between both organs, the WADA President and Vice President (who are also the Chair / Vice Chair of both the

Foundation Board and the Executive Committee) must be members of the Foundation Board. Executive Committee members (other than the President and Vice President) may attend Foundation Board meetings, which are public meetings, and can speak upon invitation of the WADA President or the Vice President.

- To reduce the overlap of agenda, the WG aims at better defining the tasks and mandates of the Foundation Board in the section D below.

#### B. Composition

- (2) Following the decision of the WADA Foundation Board of 25 November 2021 and taking account of the Significant Trends identified from the stakeholder consultation held by the Working Group, the new composition of the Foundation Board will be as follows:
  - President and Vice-President;
  - 20 representatives of the PAs, including two representatives of NADOs;
  - 20 representatives of the SM, including four athletes' representatives nominated by the Olympic Movement as currently foreseen by the Statutes, and a further two representatives of the WADA AC.
- (3) The two NADO representatives sitting on the Foundation Board among the members of the WADA NADO EAG shall be appointed in accordance with gender balance. Members of WADA NADO EAG can put forward their own candidacy. Candidates shall be selected among WADA NADO EAG members based on the following criteria, i.e., that the candidates preferably:
  - have strong expertise in leadership of NADOs and anti-doping issues impacting NADOs globally;
  - have experience in chairing committees/bodies/working groups to facilitate easier communication between the Foundation Board and the WADA NADO EAG, which represents all NADOs;
  - not be involved in the oversight body of their NADO by representing a constituency affiliated to the SM and/or the PAs.
- (4) The WG recommends that the four additional members of the Foundation Board have equal voting and participating rights as all other members of the Foundation Board.

### C. Voting procedures

- (5) The WG notes that the WADA Foundation Board on 25 November 2021 introduced the requirement of a 2/3 majority for decisions of the FB in parallel to the inclusion of additional seats on the Foundation Board. The WG recommends implementing the resolution taken by the Foundation Board as follows:
  - o only items mentioned below in sections D.7.(i)-(v) require a 2/3 majority on the Foundation Board; and
  - o that in case no decision can be reached on the new budget or on the appointment of the auditing body, the budget of the previous fiscal year apply as currently foreseen by the WADA Statutes and the auditing body of the previous fiscal year is reappointed.

### D. Competences

- (6) The Foundation Board is the highest organ within WADA. It has delegated to the Executive Committee the governing of the organization, except for those tasks which the Statutes reserve for the Foundation Board<sup>14</sup>. The WG considers it is important to have a clear separation of powers between the Foundation Board and Executive Committee, so that the Foundation Board can hold the Executive Committee to account.
- (7) It is recommended that the Statutes should reserve the following items to the Foundation Board:
  - o **(i) Legal Matters:**
    - Amendment of the Statutes,
    - Amendment and adoption of the World Anti-Doping Code,
    - Amendment and adoption of the Code of Ethics,
    - Amendment and adoption of the WADA Governance Regulations;
  - o **(ii) Financial Matters:**
    - Essential financial statements, such as approval of annual/pluriannual budget,
    - Annual reporting of profits and losses
    - Appointment of auditors. Auditors shall be changed every three to five years;
  - o **(iii) Fundamental Decisions:**
    - Pluriannual strategic plan of the Agency,
    - Major transactions<sup>15</sup> ;

<sup>14</sup> In general, the Director General is responsible for the management of the operations and accountable to the Executive Committee for this, within the authority established by the Statutes and delegated to it by the Executive Committee.

<sup>15</sup> "Major Transaction" means any acquisition, expenditure, liability, commitment or transaction amounting to over 10% of the annual budget.

- Change of site/headquarters of the Agency;
- **(iv) Appointment to high level WADA organs:**
  - WADA President,
  - WADA Vice-President,
  - Members of Executive Committee,
  - Members of Independent Ethics Board.
- **(v) Removal from high level WADA organs**
  - WADA President,
  - WADA Vice-President,
  - Members of Executive Committee,
  - Members of Independent Ethics Board.

The competence to remove an individual by the Foundation Board is independent of the right of the Ethics Board to remove an individual in case of a breach of the ethical rules in the context of disciplinary proceedings.

- **(vi) Holding the Executive Committee accountable:** There is a strict separation between the Executive Committee as the governing body and the Foundation Board in its supervisory function. The Executive Committee is responsible for the governance of the foundation while the Foundation Board supervises the Executive Committee - not the foundation as a whole nor its employees. The tools at the disposal of the Foundation Board to hold the Executive Committee accountable are:
  - right to appoint/re-appoint/remove WADA President, WADA Vice-President, and members of Executive Committee,
  - right to request any information from the Executive Committee (see below),
  - table items on the agenda (see below),
  - giving express recommendations / directions,
  - initiate proceedings in front of the Independent Ethics Board,
  - approve or reject the annual report of the Executive Committee<sup>16</sup>.

#### D. Rights of the members of the Foundation Board

- **(8) Right to information:** Any Foundation Board member has a right to be informed and request information about any matter pertaining to the competences of the Foundation Board. The right for information must be directed towards the Executive Committee. Such right may be exercised either (a) through the meetings of the Foundation Board, i.e. the request for information must be tabled on the agenda of the

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<sup>16</sup> The report should present the decisions taken and any other relevant activities conducted by the Executive Committee in between each annual Foundation Board meeting.

Foundation Board meeting or (b) the Executive Committee may decide to provide the information beforehand to all Foundation Board members in writing or orally at the Foundation Board meeting (to all Foundation Board members) as the case may be.

- (9) **Right to add items on the agenda:** Any Foundation Board member has the right to request that a certain item pertaining to the competences of the Foundation Board be added to the agenda for the Foundation Board meeting provided such request is made within the timings set out in procedures to be developed. For matters pertaining to the tasks delegated to the Executive Committee, the request should be made by 25% of Foundation Board members.
- (10) The President may deny the above request, if the required quorum or deadlines are not met, or if the request is an obvious abuse of power (e.g. repetitive requests). A review of the practice described under (9) should be conducted within the next three years and if required, additional mechanisms to prevent abuse should be implemented.

E. Meetings of the Foundation Board

- (11) **Agenda:** The agenda for the Foundation Board meetings shall be drawn up by the President of WADA in line with the Strategic Plan of the Agency. The length of the agenda shall be reasonable to allow for a productive discussion.
  - o **Right to table items on the agenda:** any individual member of the Foundation Board (see supra); and, for matters falling under their competences, the Executive Committee, the Nominations Committee, the Independent Ethics Board and the Athlete Council can table items on the agenda.
  - o **Restrictions:** Request shall be made within a specified timeline before the meeting, except for urgent matters. Urgent matters shall be added to the agenda, if there is agreement from 25% of the members.
- (12) **Conduct of meetings:** Rules governing conducts of meetings, including right to speak and vote and role of the Chair / Vice Chair should be promulgated. The conduct of the meeting should allow for a culture of productive discussion.
- (13) **Reporting:** Since the Executive Committee is only accountable to the Foundation Board and considering that the line of reporting of the Standing Committees is to the Executive Committee, the WG finds that reporting from Standing Committees or WADA Departments should not be a standing item on the Foundation Board agenda. As with current practice, reports should however be shared in a written form with the possibility for members to raise questions to the respective Chairs and WADA Management outside of the meetings. The Nominations Committee, the Independent Ethics Board and the Athlete Council should provide reports to the Foundation Board.

- (14) **Quorum:** A quorum does not appear to be required for the time being.
- (15) **Minutes:** Verbatim minutes of the Foundation Board meetings should be published within a fixed and reasonable timeline (the WG would recommend within 8-10 weeks).
- (16) **Transparency:** Meetings should continue to be public and summaries of decisions should be published shortly after the meeting.
- (17) **Number of meetings:** the WG recommends a minimum of one in-person meeting per year, to be organized towards the end of the year. Additional special Foundation Board meetings can also be held, if called by 25% of the Foundation Board members or the Executive Committee decide to do so. Such additional Foundation Board meetings can be held in person or held remotely using technologies.
- (18) **Attendance:** subject to space restrictions, any individual should be able to physically attend the meeting. Members can be accompanied by a defined and limited number of delegates, who shall not be allowed to speak. Those benefiting from the status of observers should receive the agenda in advance of the meeting.
- (19) **Deputies:** the WG recommends maintaining the current practice in relation to deputies on the Foundation Board, including that the President and Vice-President cannot nominate deputies. The WG recommends also that the two NADO representatives and the two athletes representatives elected by the WADA AC can only nominate deputies from among their respective group (i.e. the NADO EAG and the WADA AC).

F. Name

- (20) The WG recommends considering renaming the Foundation Board to the WADA General Assembly<sup>17</sup> in order to better evidence its new composition and role after the reallocation of competences (between Foundation Board and Executive Committee).

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<sup>17</sup> The WG notes that whether the term "General Assembly" can be used needs to be clarified with the Swiss supervisory authorities.

## V. Nominations Committee (NomsCom)

### A. Status

- (1) The WG recommends that the NomsCom be maintained as a permanent committee, with a different status than that of a Standing Committee.

### B. Composition

- (2) The WG recommends maintaining the current composition of the NomsCom, which appears to serve well the purposes of the committee. The composition of the NomsCom is as follows:
  - o 1 Chair (independently recruited),
  - o 1 member (nominated by the Olympic Movement),
  - o 1 member (nominated by the Public Authorities),
  - o 2 members (independently recruited).
- (3) The WG notes that improved integration of athletes' perspective may be considered in the future.
- (4) The WG recommends that it be clarified that all members are sitting in their individual capacity and do not represent the constituency that might have nominated them. Members should therefore not be qualified as "representatives" in the Governance Regulations or terms of reference.
- (5) Members who have been nominated by a stakeholder group (Public Authorities, Sport Movement) should not sit on any other WADA bodies, nor should independent members<sup>18</sup>.

### C. Appointment

- (6) The WG discussed the opportunity to change the appointment mechanisms of the NomsCom, whose members are currently appointed by the Executive Committee. However, no majority emerged to amend the current practice.

### D. Tasks

- (7) The WG noted that the tasks of the NomsCom are currently scattered around different sections of the Governance Regulations. The WG recommends providing an exhaustive list of the tasks of the NomsCom under the section of the Governance

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<sup>18</sup> With the exception of the AC Appointment Panel (see supra, section II).



Regulations dedicated to the NomsCom. For this purpose, the WG has drawn the following table describing the various tasks of the NomsCom:

<b>Tasks of the Noms Com</b>  <b>Appointed Positions</b>	<b>Skills, diversity maps and gaps analysis</b>	<b>Identify / Input into role description</b>	<b>Vetting</b>	<b>Recommendations (incl. explanations)</b>
<b>President / Vice-President</b>		X	X  As per current situation - cf. Governance Regulations Art. V.3.2.1.	
<b>IM of the Executive Committee (including 3<sup>rd</sup> IM as per Foundation Board decision on Nov 2021)</b>	X	X	X	X
<b>Ordinary members of the Executive Committee (including WADA AC Chair)</b>				
<b>Chairs of Standing Committees</b>			X  As per current situation - cf. Governance Regulations Art. III.1.	X  As per current situation –cf. Governance Regulations Art. VI. 4.1
<b>Standing Committees Members</b>				
<b>IM of the CRC</b>		X  As per current situation – Cf. Governance Regulations art. VI.4.4.	X  As per current situation – Cf. Governance Regulations art. VI.4.4.	X.  As per current situation –Cf. Governance Regulations art. VI.4.4.
<b>IM of the IEB</b>		X  Cf. Code of Ethics – Annex A, art. 2.3.	X  Cf. Code of Ethics – Annex A, art. 2.3.	X  Cf. Code of Ethics – Annex A, art. 2.3.
<b>Nominated members of the IEB</b>			X  Cf. Code of Ethics – Annex A, art. 2.3.	
<b>Independents on NomsCom</b>		X  Cf. Governance Regulations art. III.4 (recruit + publicize)	X  Cf. Governance Regulations art. III.4	X  Cf. Governance Regulations art. III.4

SM/PA appointed members on NomsCom			X Cf. Governance Regulations art. III.4	
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The WG recommends defining:

- the term “identify”: the term covers finding potential candidates and serves the purpose of enlarging the pool of candidates. However, the activity must be exercised such as to avoid any conflict of interests arising from the other tasks entrusted to the NomsCom, in particular “vetting”.
  - the term “input into role description”: the NomsCom shall be provided with an opportunity to comment on the text related to the tending of the position. The activity does not cover actively approaching candidates.
  - the term “vetting”: the term covers background checking, document verification, assessment of the skills against the requirements of the position to be filled and an assessment of the diversity criteria (in particular gender and regional diversity).
  - the term “recommendations”: the term describes the outcome of the vetting of the candidates. If there is more than one candidate, the activity also includes the ranking of potential candidates. Furthermore, the NomsCom shall provide a short explanation thereof.
- (8) The WG recalls that the NomsCom is also involved and tasked in the context of the WADA AC Appointment Panel (see supra section II).

E. Term of office

- (9) The WG recommends that the current rules related to the term of office and possible suspension or removal of a member through a qualified majority of the appointing body be maintained. The WG notes that a longer single term could be considered in the future if the practice of allowing for reappointment negatively impacts the independence of the NomsCom.

F. Meetings

- (10) The WG recommends that the current rules be maintained.
- (11) The WG recommends amending the current rule<sup>19</sup> with respect to the quorum as follows: the quorum should be four out of five members (the PA nominee, the SM nominee, 2 of 3 independent members). The WG also recommends amending the

<sup>19</sup> As already agreed by the Executive Committee at its [meeting of 23 January 2020](#).

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rules to ensure that the Chair of the NomsCom can appoint a replacement Chair (among the independent members) in case he/she cannot attend a meeting.

G. Reporting

- (12) The WG recommends that recommendations from the NomsCom include written explanations<sup>20</sup>, that can be supplemented orally.

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<sup>20</sup> See supra, section V. D.

## VI. Compliance Review Committee (CRC)

### A. Status

- (1) The WG recommends that the CRC, that is operating under the International Standard for Code Compliance by Signatories, no longer be considered as a Standing Committee because of its specific nature and mission and should instead be considered a Special Committee<sup>21</sup>.
- (2) Accordingly, the main rules applicable to the CRC should be included in the WADA Governance Regulations. At a minimum, these rules should cover the following: purpose, composition, appointment, and the essential rules related to meetings, conflict of interests, financing, and independence. Further details can be set out in the terms of reference, to be approved by the EC.

### B. Composition

- (3) The WG recommends in principle maintaining the current composition of the CRC, which appears to serve well the purposes of the committee. The current composition is as follows:
  - o One independent Chair,
  - o One ordinary member proposed by the Sports Movement,
  - o One ordinary member proposed by the Public Authorities,
  - o One ordinary member from the athlete community,
  - o Two independent experts.
- (4) The WG recommends only the following change to the current composition: the ordinary member from the athlete community shall be proposed by the WADA AC but cannot sit on the WADA AC. The person must fulfil the WADA AC eligibility criteria<sup>22</sup>.
- (5) The WG recommends that it be clarified that all members are sitting in their individual capacity and do not represent the constituency that might have nominated them. Members should therefore not be qualified as “representatives” in the Governance Regulations or terms of reference.
- (6) Members who have been nominated by a stakeholder group (Public Authorities, Sport Movement, WADA AC) should not sit on any other WADA bodies, nor should independent members.
- (7) The WG recommends developing criteria for the skills sets required to sit on the CRC.

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<sup>21</sup> See infra, section VII.

<sup>22</sup> See supra, section II.B. 2.

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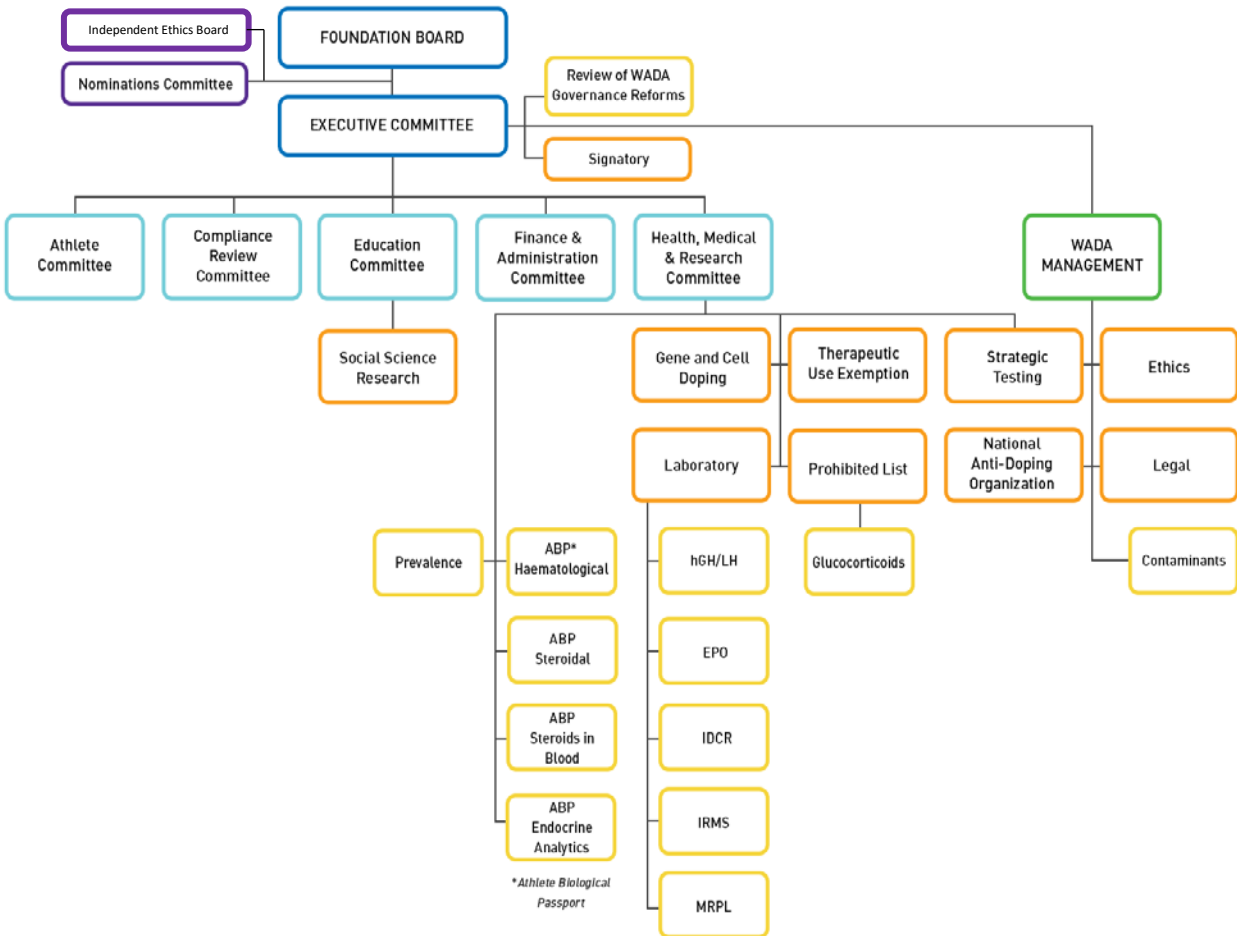
C. Term of office

- (8) The WG recommends examining the rhythm of rotation of members in order to ensure sufficient continuity of work within the CRC. Furthermore, it should be ensured that changes in relation to a Chair do not occur during pending high-profile proceedings.

## VII. Committees

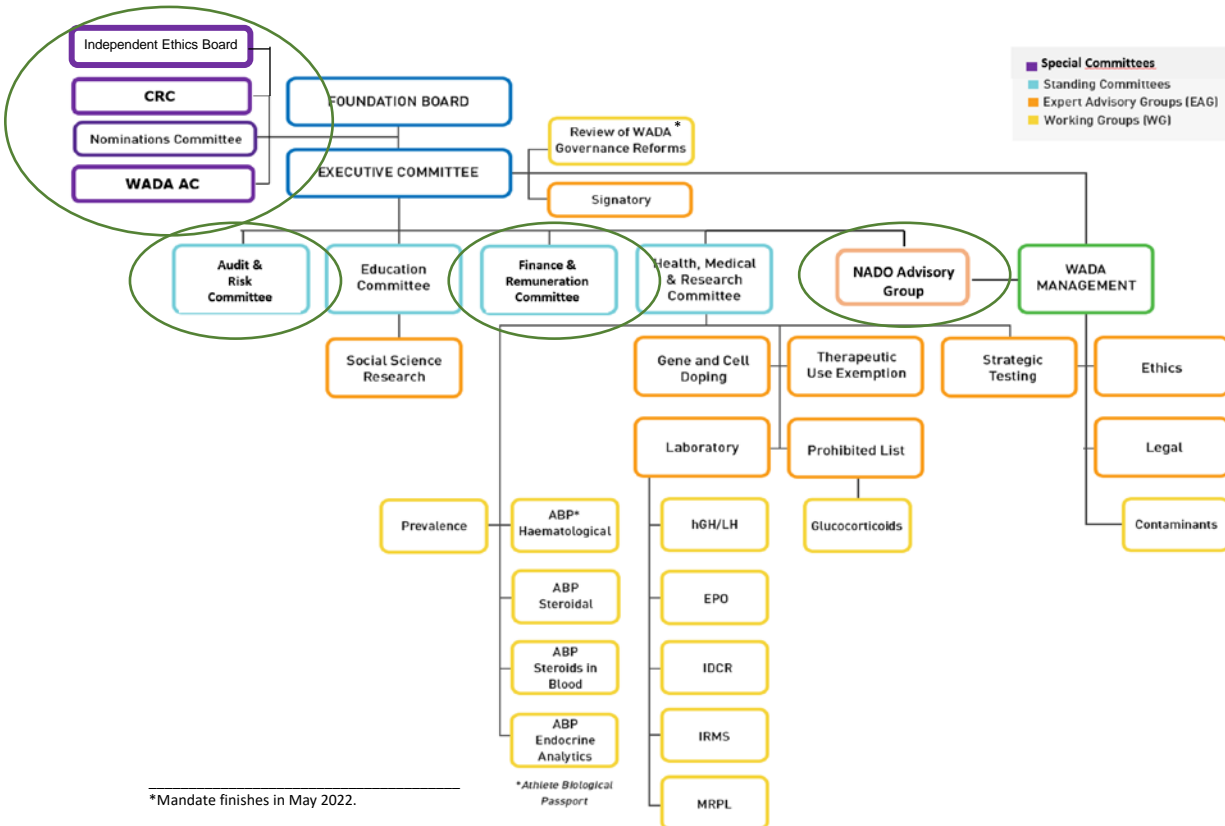
### A. Structure

- (1) The current structure of Committees within WADA is as follows:



- The present structure is characterized by four different categories / levels of committees:
  - **Special Committees,**
  - **Standing Committees,**
  - **Expert Advisory Groups,**
  - **Working Groups.**

- (2) The WG recommends not to increase the complexity of the existing structure by adding new categories of committees. The new recommended structure shall look as follows<sup>23</sup>:



- (3) The Standing Committees should advise the Executive Committee on matters pertaining to WADA’s mission.

**B. Finance & Remuneration Committee and Audit & Risk Committee**

- (4) The current Finance and Administration Committee should be restructured into a Finance and Remuneration Committee and an Audit and Risk Committee, both with the status of Standing Committees. Other Standing Committees may be created to cover diversity or performance review if need be. Differently from the other Standing Committees, the Finance & Remuneration Committee as well as the Audit & Risk Committee would ordinarily be composed with a minimum of three and a maximum of six members. The members’ terms of these new Committees shall be – as for all the other Standing Committees - three years, renewable twice.

<sup>23</sup> The purpose of this graphic is to give an overview over the various organs within WADA. For specificities of the reporting and accountability structures of the various organs, please refer to the text.

- **Finance & Remuneration Committee:** the WG recommends that it is composed of one Executive Committee member from the Public Authorities, one Executive Committee member from the Sport Movement, the WADA President, the WADA Vice-President and one external expert appointed by the Executive Committee. The Chair should be the President, or if he/she is not sitting on the committee, the Vice-President. The main role of the Finance & Remuneration Committee should be the following:
  - Seek to maintain and improve the financial health of WADA including long-range budget and reserves planning;
  - Review and provide advice to WADA Management on the development of WADA's annual expenditure budget;
  - Ensure that key performance indicators are measured in relation to WADA's activities and assessed for their effectiveness;
  - Oversee remuneration policies and approve WADA Director General salary and package.
  
- **Audit & Risk Committee:** the WG recommends that it be composed of one member of the Executive Committee and two external experts<sup>24</sup> appointed by the Executive Committee. The WG recommends that the member of the Audit & Risk Committee cannot also be member of the Finance & Remuneration Committee and that its Chair be one of the external experts. The WG notes that the inclusion of an Audit & Risk committee is one of the recommendations included in the International Partnership against Corruption in Sport (IPACS) recommendations on sport governance. The main role of the Audit & Risk Committee should be the following:
  - Monitor the integrity of WADA's financial statements prepared by WADA management on a continuous basis to ensure they are fair, balanced and accurate<sup>25</sup>;
  - Recommend to the Foundation Board the appointment/removal of the external auditor and supervise the external auditor<sup>26</sup>;
  - Review findings of the external auditor, report to the Foundation Board on the recommendations from the audit and actions to be taken, monitor the implementation of the external auditor's recommendations by management.
  
- (5) Working Groups can be established by the Executive Committee, a Standing Committee (with the consent of the Executive Committee), or by management with a defined mandate requiring deliverables within a set timeframe.
  
- C. Composition and appointment of Standing Committees (other than the Audit & Risk Committee and the Finance & Remuneration Committee)
  
- (6) The WG recommends that candidates to the position of Chairs of Standing Committees require endorsement from, preferably, one member of the Foundation

<sup>24</sup> The external experts should not be involved in the operations/management of WADA.

<sup>25</sup> The financial statements are to be prepared by WADA Management with oversight from the Finance Committee and reviewed by the Audit Committee before they are audited.

<sup>26</sup> Or advise the Foundation Board on the process for and the appointment/reappointment and removal of external auditor, including their fees.



- Board, or a Code signatory and be elected by the Executive Committee according to the procedure specified in the WADA Governance Regulations.
- (7) For the members of the Standing Committees the WG recommends changing the appointment process as follows:
    - o A candidate for member of a Standing Committee applies by sending to the Director General a detailed CV or biography. A letter of endorsement from one recognized anti-doping stakeholder is recommended but not necessary.
    - o The names and dossiers of all candidates shall be forwarded to the relevant Standing Committee Chair.
    - o The relevant Standing Committee Chair shall consult with the Director General and the President of the Executive Committee to try and develop a consensus list.
    - o If there is no consensus, the Executive Committee shall ultimately decide.
  - (8) The WG recommends that the Executive Committee be provided with a full list of all candidates who apply to become a Chair of a Standing Committee or a Standing Committee member, along with the dossiers of those selected for appointment. The WG also recommends that the biographies of appointed Chairs of the Standing Committee and of appointed Standing Committee members, as well as a diversity analysis of the appointed persons, be published on WADA's website. These procedures shall be conducted in accordance with applicable privacy laws.
  - (9) The WG recommends that the terms of reference of the Health, Medical and Research committee provide that one seat on the committee be allocated to the Director or a staff member from one of the WADA-accredited laboratories<sup>27</sup>.

D. Term of office

- (10) The WG recommends that the current rule for Standing Committees be maintained (term of three years renewable twice).

E. Tasks

- (11) The WG recommends that the terms of reference of each committee or group clarify the person or entity responsible for setting the agenda.
- (12) The WG recommends that the practice be continued to provide a clear delineation between each existing committee through the terms of reference, to avoid any overlap. The terms of reference of each body should also provide clarity on the reporting structure.

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<sup>27</sup> Should the laboratory where the member is employed lose its accreditation during the member's mandate, the member should step down from the Health, Medical and Research committee.

## VIII. NADO Expert Advisory Group

### A. Status

- (1) The WG recommends not elevating the NADO EAG to a Standing Committee for the time being. This could be reviewed in the future.

### B. Composition

- (2) The NADO EAG shall be composed of two NADO representatives per continent applying consideration for gender balance. The NADO EAG may decide to invite the INADO CEO to sit as observer (without voting rights).
- (3) WADA management shall draw up Election Procedure Rules (“EPR”) for the election of the NADO representatives in consultation with the NADO EAG, with due consideration as to the timeline, and shall implement the following points:
- (4) **Preliminary Phase:** The EPR shall cover (i) communication of the electoral process/dates vis-à-vis the relevant stakeholders, (ii) registration of the NADOs eligible to vote, (iii) submission of potential candidature proposals, (iv) eligibility criteria and validation process for candidates and NADOs and (v) publication of list of candidates and eligible NADOs.
  - o Eligibility criteria for NADOs: the NADO must be a Code Signatory (and not listed in another category) and remain compliant during the whole election process; the country of the NADO must have paid its annual contribution to WADA for the preceding calendar year; the NADO must be operationally independent. RADOs are not eligible.
  - o Eligibility criteria for candidates: the candidate must be an executive level staff member of the NADO or a member of the NADO supervisory body; the candidate must not represent another constituency (SM, PA or athletes) on the NADO’s supervisory body; the candidate must not represent another stakeholder group at the Foundation Board at the beginning of the mandate on the NADO EAG<sup>28</sup>; the candidate must not be provisionally suspended or serving a period of ineligibility under the Code, or if the candidate is not subject to the Code, must not have engaged in conduct which would have constituted a violation of the Code should the Code have been applicable, within the last four years. NADOs can only put forward one candidate. Furthermore, the candidate must have

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<sup>28</sup> Once the candidate is elected, he/she has to stepdown from any mandate on the WADA Foundation Board or Executive Committee.

sufficient command of the English language, since the latter is the working language within WADA.

- The admissibility of the candidates / NADO must be validated by a Scrutineer. The WG recommends that this task be accomplished by an independent member of the WADA Independent Ethics Board (appointed by the IEB) or by somebody mandated by the Independent Ethics Board (e.g. the Ethics Officer). In any event the Scrutineer shall be supported by WADA Management.
- (5) **Campaigning Phase:** The EPR shall cover (i) length of campaigning phase, (ii) promotion of candidatures, (iii) infringements of the promotion regulations.
  - Length of campaigning phase: the WG suggests one month.
  - The EPR must ensure that the integrity of the campaigning phase is preserved and that the promotion in favour of any candidature must be carried out with dignity and respect towards the other candidates as well as all other NADOs.
  - Any complaints on possible infringements to the rules shall be lodged with the Scrutineer, who then takes all appropriate action needed (from warning to exclusion from election).
- (6) **Elections Process:** The election shall take place online and it shall be ensured that all NADOs are involved and able to participate. The EPR shall cover (i) length of the election, (ii) voting procedure, (iii) voting results and validation and (iv) publication of results.

Each continent will elect two candidates from their region as specified below:

- Length of election phase: the WG suggests 4-5 days.
- The WG suggest the use of an electronic platform provided/selected by WADA. Each NADO should be responsible of its voting access.
- Every NADO shall have two votes.
- The results are to be validated by the Scrutineer.
- (7) **Access to justice:** The EPR shall provide for access to justice against decisions of Scrutineer. Since an election process is time sensitive, the WG does not recommend providing for a 2-stage appeal. Furthermore, it is recommended that the EPR provide for an accelerated procedure at the CAS.

C. Term of office

- (8) The Terms of the members should be adjusted to three years, renewable twice, considering that two members of the NADO EAG will sit as Foundation Board members.
- (9) Should the NADO that is represented on the NADO EAG no longer fulfill the eligibility criteria during the term of office of its representative, the NADO representative must step down from the NADO EAG in accordance with the relevant rules from the WADA Statutes and the Code. The terms of reference shall also cover the case of a member stepping down before the end of their mandate for any other reason.

D. Role

- (10) The role of the NADO EAG is to represent the views of the NADOs and bring them to the Foundation Board. Furthermore, the NADO EAG should review anti-doping issues impacting NADOs and provide guidance and recommendations to WADA on its overall strategies and activities in order to enhance collaboration with and development of NADOs globally.

## IX. Independence

- (1) WADA was created as a unique partnership of PA and SM. That is why it remains necessary that this partnership be appropriately reflected in the composition of decision-making bodies and that a representative element be retained. In addition, because of the specific subject that WADA deals with, it is important that the officials dispose of appropriate knowledge, interest and expertise. However, there is also a need to integrate individuals detached from the PA and SM into the WADA bodies.
- (2) The WG finds that “independence”, just like expertise and representation, is an important element in order to improve and legitimize decision-making within WADA. This also followed from the stakeholder consultation process.
- (3) In the consultation process held in March 2021, stakeholders were invited to define the term “independence” and comment on the way to implement independence across WADA bodies. The submissions received were split<sup>29</sup>:
  - o Some stakeholders favored a nuanced approach to the term “independence” (depending on task / composition): among those favoring this concept one could find NADOs, Public Authorities, the Olympic Movement and organizations representing athletes.
  - o Some stakeholders favored a one-size-fits-all approach, i.e. a single standard of independence to be applied across all WADA organs. The latter was advocated by some NADOs and organizations representing athletes only.
- (4) Definitions of the term independence vary considerably between the various jurisdictions. The WG, thus, refrains from defining “independence” *in abstract* and has defined three different categories that people generally associate with the term independence, as described in the following paragraphs.
  - **Operational independence:** the official in the exercise of his/her mandate shall always act in the best interest of WADA and remain free of undue influence. The fact that an official has a duty or responsibility to, or holds an office or a relationship with, a WADA stakeholder, or was nominated or proposed by a stakeholder does not *per se* hinder the official from exercising his/her mandate in the best interest of WADA.

The WG finds that – as a minimum – all WADA officials must comply with the requirements of operational independence and must perform their activities exclusively in the best interests of WADA, disregarding entirely particular interests.

Enforcement/Prevention mechanisms: duty to disclose, assessment by competent authority<sup>30</sup>, subject to the Code of Ethics.

<sup>29</sup> See Interim Report #1, Section 1. G.

<sup>30</sup> Appointment authority and/or Nominations Committee.

- **Personal independence:** the official must exercise his/her mandate in a personal capacity and shall not act upon direction or coordinate with any other person / entity outside WADA.

Enforcement/Prevention mechanisms: duty to disclose, assessment by competent authority, subject to the Code of Ethics.

- **Organisational independence:** a non-executive, executive, operational or management function exercised by the official in / with any WADA stakeholder disqualifies the official for the respective WADA position. The official is ineligible if he/she holds a duty or responsibility to, office or relationship, with the non-executive, executive, operational or management of a WADA stakeholder, i.e. any entity which can send representatives on WADA governing bodies, can be bound by rules enacted by WADA or can be directly or indirectly impacted by WADA activities.

Below is a non-exhaustive list of possible examples of incompatibility with organisational independence:

- (a) staff member or elected/appointed position in organs exercising authority with a national or international sport institution,
- (b) senior position (Head of State/ Cabinet Ministers/Ministers/ Secretary of State/ Deputy Minister/ heads of government departments/Executive Director/Senior Officers) with the Public Authorities or a public corporation or personal benefits from Public Authorities for the performance of duties for WADA,
- (c) staff member or elected/appointed position in organs exercising authority with Code signatories,
- (d) individuals/members of entities with long-term contractual relationships with WADA,
- (e) members of law firms that regularly file claims for / against WADA,
- (f) staff member or elected/appointed position in organs exercising authority with service providers active in the anti-doping field.

Below is a non-exhaustive list of possible examples of compatibility with organisational independence:

- (a) independent member of certain advisory bodies of a national or international sport institution, Public Authorities, public corporation, Code signatories or other WADA stakeholder<sup>31</sup>,
- (b) independent member of an adjudicatory body of a national or international sport institution, Public Authorities, public corporation, Code signatories or other WADA stakeholder.

In certain instances, the position within WADA may even necessitate that the requirement be met within a certain period before assuming the said position (cooling-off period). In such instances, the WG recommends that a standard 12-month cooling-off period be applied (see below).

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<sup>31</sup> For example, an independent member of an integrity body of a WADA stakeholder would be considered as meeting the organisational independence requirement.

Enforcement/Prevention mechanisms: duty to disclose, assessment on a case-by-case basis, loss of eligibility / removal, subject to the Code of Ethics.

- (5) In the consultation process, the WG noted the following Significant Trends in relation to “independence”:
  - o Executive Committee: to strengthen the independence criteria for the President and Vice-President; to strengthen the independence criteria for other Members; to strengthen the independence criteria for independent members; that all EC members be under a duty to take decisions that are in the best interest of WADA;
  - o Standing Committees: to strengthen the independence criteria for ordinary members; however, to apply a more flexible standard of independence in relation to the members of the Finance Committee;
  - o CRC: to strengthen independence within the CRC.
  
- (6) Taking into account these submissions and the categories defined above, the WG has considered the requirements that should apply to the various positions within WADA. These requirements are clarified in the table below.
  
- (7) This table allows to identify three different categories among WADA officials, which have been highlighted in three different colors:
  - o **Independent officials:** WADA officials who meet all three requirements of independence (operational, personal and organisational) are to be considered as independent officials.
  - o **Nominees / Applicants:** WADA officials who meet the requirements of operational and personal independence but not the requirement of organizational independence are to be considered as nominees or applicants.
  - o **Representatives:** WADA officials who meet the requirements of operational independence but not the requirement of personal and organizational independence are to be considered as representatives.

WADA POSITION		REQUIREMENTS APPLICABLE TO THE POSITION		
		Operational independence	Personal independence	Organisational independence
President		X	X	X With cooling off period
Vice-President		X	X	X With cooling off period
Executive Committee	Ordinary members (PA and SM)	X		
	WADA AC Chair	X	X	
	Independent members	X	X	X With cooling off period
Foundation Board	PA representatives	X		
	SM representatives	X		

WADA POSITION		REQUIREMENTS APPLICABLE TO THE POSITION		
		Operational independence	Personal independence	Organisational independence
	Athletes' representatives	X		
	NADO representatives	X		
Standing Committees (Audit & Risk Committee; Finance & Remuneration Committee)	Chair of the Finance and Remuneration Committee	X	X	X
	Chair of the Audit and Risk Committee	X	X	Cf. footnote 23.
	Ordinary members (EC members)	Same status as in the EC.		
	External ordinary members	X	X	
Other Standing Committees	Chairs	X	X	
	Members	X	X	
CRC	Chair	X	X	X
	Independent members	X	X	X
	PA, SM nominated members	X	X	
	Athlete member	X	X	
Nominations Committee	Chair	X	X	X
	Independent members	X	X	X
	PA, SM nominated members	X	X	
Independent Ethics Board	Chair	X	X	X
	Independent members	X	X	X
	PA, SM nominated members	X	X	X <sup>32</sup>
WADA AC	Chair	X	X	
	Group 1	X	X	
	Group 2	X	X	
	Group 3	X	X	
NADO EAG	Chair / Vice-Chair	X	X	
	Members	X	X	

<sup>32</sup> The WG notes that the current Code of Ethics does not require the members nominated by the Sports Movement and the Public Authorities to fulfill such independence requirements described here as "organisational independence" but recommends that they do so in the future.



WADA POSITION		REQUIREMENTS APPLICABLE TO THE POSITION		
		Operational independence	Personal independence	Organisational independence
All other EAGs	Chairs and Members	X	X	
Working Groups	Chairs	X	X	
	Members	X	X	

## X. Diversity

- (1) The WG wishes to further improve diversity in WADA. The WG notes that diversity encompasses various factors such as geographic origin, disability, gender, nationality, ethnicity, culture, background, age, etc. Diversity should be considered across all WADA bodies. The WG also notes that diversity criteria should not supersede considerations of expertise and competence.
- (2) The WG notes that stakeholders have identified gender and regional diversity as particularly important. To this end the WG includes in Annex A, a basic presentation of regional and gender representation within the WADA Executive Committee, Foundation Board and Standing Committees over the last three years.
- (3) This presentation leads the WG to urge WADA to improve diversity, in particular gender equality and geographic representation within its governing bodies. The WG recommends that the PA and the SM establish relevant mechanisms to ensure such diversity within the Executive Committee and Foundation Board. If no significant progress can be observed within the next 3 years, the WG recommends the adoption of stronger measures, such as quotas. In order to ensure progress, an action plan should be developed. Furthermore, a progress report based upon the action plan should be submitted by the end of the three years.
- (4) The WG recommends that WADA conduct a broader analysis of the current situation in terms of diversity (gender, regional) across all WADA bodies, taking into account the respective functions of each body. Such analysis should be conducted regularly to ensure that an accurate picture of diversity across WADA bodies is always available.
- (5) The results of such analysis should always be provided to appointing authorities or voters before appointments or elections to WADA's bodies so that they can be properly considered. It should also be provided to the Nominations Committee for each new appointment process it is involved in.

## XI. Financial considerations

- (1) Part of the WG's mandate was to consider the financial impact of the proposed reforms on WADA. The WG has made such an assessment and has attached the latter as Annex B. The WG concludes that the financial impact is considerable but believes however that this should not prevent the Agency from implementing the reforms.

## XII. Timeline and transitional measures

- (1) The review of WADA Statutes and Governance Regulations<sup>33</sup> should be conducted as quickly as possible in order to enable the Foundation Board to make the appropriate changes to the Statutes and Regulations by the end of 2022.
- (2) The WG recommends that the WADA Athlete Council be established by the end of January 2023 to enable the Athlete Council to elect its two representatives on the Foundation Board and its Chair, so as to permit the Chair to sit on the Executive Committee as soon as possible in 2023 and no later than the first regular Executive Committee meeting in May 2023.
- (3) The former Chair of the WADA Athlete Committee could be invited to preside the inaugural meeting of the Athletes Council where the new Chair would be elected.
- (4) The WG considers that the four new members on the Foundation Board should take their seats concomitantly. Therefore, the WG recommends that the elections to the NADO EAG be organised as such to enable the NADO EAG to be established by the end of January 2023 and appoint the two NADO EAG representatives on the Foundation Board in the first trimester of 2023.
- (5) The additional Independent Member on the Executive Committee and the WADA Athlete Council Chair should be appointed to the Executive Committee in the first trimester of 2023 via an extraordinary meeting or circulatory vote of the Foundation Board.
- (6) At the latest, the new Executive Committee (Governing Board) should meet for the first time at its May 2023 meeting.
- (7) The reformed Standing Committees (Finance & Remuneration and Audit & Risk) should be appointed thereafter.
- (8) Any change in requirements applicable to a given position within WADA bodies should not apply retroactively to members already sitting in their positions for the remaining of their current term. Term limits remain however applicable.

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<sup>33</sup> See supra, section I. 3.

## XIII. Future review process

(1) The WG recommends a follow-up on the present governance reform. The ideal timing would be between three to five years from the entering into force of the present reforms.

(2) The WG has identified the following non-exhaustive list of issues that may merit further analysis in a next round of governance review:

- **General:** the use of the terms “Olympic Movement”, “Sport Movement” and “Public Authorities” throughout WADA Statutes and Regulations.
- **Athlete representation:** whether athlete representation within WADA should be further reformed, including whether different athletes’ representational models should be included.
- **Foundation Board:** whether livestreaming of Foundation Board meetings, which are currently open to the public in person, would be helpful; whether the meeting agenda of the Foundation Board should be published on WADA’s website in advance of the meeting; whether WADA-accredited laboratories should be given an observer status at the Foundation Board.
- **Executive Committee:** mechanisms to reduce the overall size of the EC while preserving equal partnership between PA and SM, independence and diversity; the role and status of ordinary members of the Executive Committee, more particularly whether they should be sitting in their individual capacities or as representatives.
- **NomsCom:** whether the practice of allowing for reappointment negatively impacts the independence of the NomsCom.
- **CRC:** whether the duration of terms and rhythm of rotation should be reformed.
- **Committees:** the size of committees as well as the levels/categories of the various committees within WADA and an assessment of the reform of the appointment process for members and Chairs of Standing Committees.
- **Independence:** the length of the cooling-off periods for Independent Officials.
- **Code of Ethics:** whether the Code should be amended to explicitly cover candidates to WADA positions.

## Annex A – Diversity analysis of EC, Foundation Board and Standing Committees memberships (2020-2021-2022)

		2020				2021				2022			
ExCo		GOVT.	SPORT	INDEP.	TOTAL	GOVT.	SPORT	INDEP.	TOTAL	GOVT.	SPORT	INDEP.	TOTAL
	AFRICA	1			1	1			1	1	1		2
	AMERICAS	1			1	1		1	2	1		1	2
	ASIA	1		1	2	1		1	2	1		1	2
	EUROPE	1	5	1	7	1	5	2	8	1	4	2	7
	OCEANIA	1			1	1			1	1			1
	FEMALE	2	1	1	4	1	1	3	5	2	0	3	5
	MALE	3	4	1	8	4	4	1	9	3	5	1	9
	<b>TOTAL</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>12</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>14</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>14</b>

		2020				2021				2022			
Foundation Board		GOVT.	SPORT	INDEP.	TOTAL	GOVT.	SPORT	INDEP.	TOTAL	GOVT.	SPORT	INDEP.	TOTAL
	AFRICA	3	2		5	3	2		5	3	2		5
	AMERICAS	4	2		6	4	1		5	4	2		6
	ASIA	4	2	1	7	4	2	1	7	4	1	1	6
	EUROPE	5	11	1	17	5	12	1	18	5	12	1	18
	OCEANIA	2	1		3	2	1		3	2	1		3
	FEMALE	5	5	1	11	3	6	1	10	4	5	1	10
	MALE	13	13	1	27	15	12	1	28	14	13	1	28
	<b>TOTAL</b>	<b>18</b>	<b>18</b>	<b>2</b>	<b>38</b>	<b>18</b>	<b>18</b>	<b>2</b>	<b>38</b>	<b>18</b>	<b>18</b>	<b>2</b>	<b>38</b>

<b>Standing Committees</b>	<b>TOTAL</b>	<b>54</b>	<b>54</b>	<b>54</b>
	AFRICA	<b>9</b>	<b>8</b>	<b>7</b>
	AMERICAS	<b>7</b>	<b>11</b>	<b>10</b>
	ASIA	<b>11</b>	<b>9</b>	<b>9</b>
	EUROPE	<b>22</b>	<b>21</b>	<b>23</b>
	OCEANIA	<b>5</b>	<b>5</b>	<b>5</b>
	FEMALE	<b>26</b>	<b>28</b>	<b>27</b>
	MALE	<b>28</b>	<b>26</b>	<b>27</b>
	GOVT.	<b>20</b>	<b>15</b>	<b>16</b>
	SPORT	<b>25</b>	<b>26</b>	<b>23</b>
	GOVT/SPORT	<b>5</b>	<b>9</b>	<b>11</b>
	INDEPENDENT	<b>4</b>	<b>4</b>	<b>4</b>
ATHLETES	<b>16</b>	<b>16</b>	<b>17</b>	
NADO REPs.	<b>6</b>	<b>11</b>	<b>13</b>	

<b>EXCO, Foundation Board &amp; STANDING COMMITTEE MEMBERSHIPS  (2020-2021-2022)</b>	<b>TOTAL*</b>	<b>105</b>
	AFRICA	<b>14</b>
	AMERICAS	<b>17</b>
	ASIA	<b>18</b>
	EUROPE	<b>47</b>
	OCEANIA	<b>9</b>
	FEMALE	<b>42</b>
	MALE	<b>63</b>
	GOVT.	<b>40</b>
	SPORT	<b>48</b>
	GOVT/SPORT (Standing Cttees only)	<b>8</b>
	INDEPENDENTS	<b>9</b>
ATHLETES (Standing Cttees only)	<b>16</b>	
NADO REPs. (Standing Cttees only)	<b>10</b>	

\*Total numbers are calculated as an average over the three years 2020, 2021 and 2022.

## Annex B – Costs analysis



REFORM	COSTS							SAVINGS			
	Details	2019	2020	2021	2022	2023	Running cost / year after 2023	Details	Savings for 2022	Savings for 2023	Savings /year after 2023
<b>Reforms recommended by the 2018 Working Group on WADA Governance Matters</b>											
<b>Governance Review #1</b>											
Working Group on WADA Governance Matters	Costs listed in 2019 cover the costs for the full mandate of the WG over 2017-2019	250000	17,000	81,000							
Drafting of Governance Regulations and changes to Statutes		150000	40,000	8,000							
<b>Total</b>		<b>400,000</b>	<b>57,000</b>	<b>89,000</b>							
<b>Executive Committee</b>											
Addition of two independent members	Attendance costs for three meetings a year			36,000	36,000	36,000	36,000				
Indemnities for independent President, Vice-President and two independent members	Annual indemnity of 100,000 CHF for President, 50,000 CHF for Vice-President and 20,000 CHF for independent members.		106,000	200,000	200,000	200,000	200,000				
Appointment fees	NomsCom vetting/recommendations		30,000		5,000		5,000				
<b>Total</b>			<b>136,000</b>	<b>236,000</b>	<b>241,000</b>	<b>236,000</b>	<b>241,000</b>				
<b>Nominations Committee</b>											
Recruitment and vetting of members		130,000									
Running expenses	Vetting expenses, meetings costs, indemnities	59,000	42,000	20,000	85,000	20000	40,000				
<b>Total</b>		<b>189,000</b>	<b>42,000</b>	<b>20,000</b>	<b>85,000</b>	<b>20,000</b>	<b>40,000</b>				
<b>Independent Ethics Board</b>											
Development of Code of Ethics			26,000	81,000							
Meeting attendance for 9 members (including indemnities)					60,000	60,000	60,000				
Annual Honorarium	Per Code of Ethics, subject to FB approval. 2022 is based on a half year.				30,000	55,000	55,000				
Ethics Officer / Panel Costs (based on 3 per yr/various formats)	Estimation. Actual costs will depend on the number of actual cases.				85,000	125,000	125,000				
Appointment fees	NomsCom vetting/rec				50,000	5,000	17,000				
<b>Total</b>		<b>0</b>	<b>26,000</b>	<b>81,000</b>	<b>225,000</b>	<b>245,000</b>	<b>257,000</b>				
<b>TOTAL FOR 2018 REFORMS</b>		<b>589,000</b>	<b>261,000</b>	<b>426,000</b>	<b>551,000</b>	<b>501,000</b>	<b>538,000</b>				

REFORM	COSTS							SAVINGS			
	Details	2019	2020	2021	2022	2023	Running cost / year after 2023	Details	Savings for 2022	Savings for 2023	Savings /year after 2023
<b>Reforms recommended by 2022 Working Group on the Review of WADA Governance Reforms</b>											
<b>Executive Committee</b>											
Addition of two members (Chair of the Athletes Council and independent member)	Attendance costs for three meetings a year					36,000	36,000	See below			
Additional indemnities						20,000	20,000				
Appointment fees	NomsCom vetting/rec				10,000		3,000				
<b>Total</b>					<b>10,000</b>	<b>56,000</b>	<b>59,000</b>				
<b>Foundation Board</b>											
Addition of four new members	Meeting attendance for one meeting a year					33,000	33,000	Reduction from two to one meeting/year based on current membership 1 EC + 2 EC/FB = 800 K (current scenario) 2 EC + 1 EC/FB = 750 K (future scenario)		50,000	50,000
Separation of Executive Committee and Foundation Board membership	16 ExCo / 42 Board members (Pres and VP only duplication between groups) so equivalent of eight new members for the Board					67,000	67,000				
Indemnities for additional members						6,000	6,000				
<b>Total</b>						<b>106,000</b>	<b>106,000</b>			<b>50,000</b>	<b>50,000</b>
<b>Athlete Council</b>											
Meeting attendance for 20 members (2 meetings)						250,000	250,000	Meeting attendance for 12 members (1 meeting)		80,000	80,000
Indemnities					5,200	30,000	30,000	Indemnities		10,000	10,000
Set up costs*	Election platform, appointment, Scrutineer				50,000		17,000				
<b>Total</b>					<b>55,200</b>	<b>280,000</b>	<b>297,000</b>			<b>90,000</b>	<b>90,000</b>
<b>NADO EAG</b>											
Set up costs*	Election platform, Scrutineer				15,000	0	5,000				
<b>Total</b>					<b>15,000</b>	<b>0</b>	<b>5,000</b>				
<b>Finance &amp; Remuneration Committee</b>											
Meeting attendance for five members	Flights, accomodation for one meeting a year					30,000	30,000	Meeting attendance for 12 members (1 meeting)		65,000	65,000
Indemnities						2,500	2,500	Indemnities		5,000	5,000
Set up costs	NomsCom vetting/rec					10,000	3,000				
<b>Total</b>						<b>42,500</b>	<b>35,500</b>			<b>70,000</b>	<b>70,000</b>

REFORM	COSTS							SAVINGS			
	Details	2019	2020	2021	2022	2023	Running cost / year after 2023	Details	Savings for 2022	Savings for 2023	Savings /year after 2023
<b>Audit &amp; Risk Committee</b>											
Meeting attendance for three members	Flights, accomodation for one meeting a year					18,000	18,000				
Indemnities						3,000	3,000				
Set up costs	NomsCom vetting/rec					15,000	6,000				
<i>Total</i>						<i>36,000</i>	<i>27,000</i>				
<b>Governance Review</b>											
Working Group on the Review of WADA Governance Reforms			180,000	100,000							
Legal / statutory changes				75,000	25,000	10,000					
Support from WADA Management	1 Full Time Equivalent			75,000	125,000	125,000					
<i>Total</i>			<i>180,000</i>	<i>250,000</i>	<i>150,000</i>	<i>135,000</i>					
<b>TOTAL FOR 2022 REFORMS</b>		<b>0</b>	<b>0</b>	<b>180,000</b>	<b>330,200</b>	<b>670,500</b>	<b>664,500</b>		<b>0</b>	<b>210,000</b>	<b>210,000</b>
<b>TOTAL BALANCE 2022</b>	Costs minus savings	<b>0</b>	<b>0</b>	<b>180,000</b>	<b>330,200</b>	<b>460,500</b>	<b>454,500</b>				
<b>TOTAL FOR 2018 AND 2022 REFORMS</b>		<b>589,000</b>	<b>261,000</b>	<b>606,000</b>	<b>881,200</b>	<b>1,171,500</b>	<b>1,202,500</b>				
<b>TOTAL BALANCE 2018-2022</b>	Costs minus savings	<b>589,000</b>	<b>261,000</b>	<b>606,000</b>	<b>881,200</b>	<b>961,500</b>	<b>992,500</b>				
*not incorporating any contingency for potential litigation costs on eligibility disputes or others.											
All amounts are in USD.											

## Annex C – List of meetings held by the WG

- Meeting #1 – 10 December 2020
- Meeting #2 - 14 January 2021
- Meeting #3 – 28 January 2021
- Meeting #3 bis – 3 February 2021
- Meeting #4 – 9 February 2021
  - Exchange with Jonathan Taylor and Bente Kristensen (Respectively former CRC Chair and Member)
- Meeting #5 – 24 February 2021
  - Exchanges with: - the Compliance Review Committee  
- the Nominations Committee
- Meeting #6 – 1 March 2021
- Meeting #7 – 29 March 2021
  - Exchange with the NADO Expert Advisory Group
- Meeting #8 – 8 April 2021
- Meeting #9 – 19 April 2021
- Meeting #10 – 5 May 2021
  - Exchange with the Olympic Movement
- Meeting #11 – 1 June 2021
- Meeting #12 – 21 June 2021
  - Exchange with WADA Legal Department and the Kellerhals & Carrard law firm on the WADA Code of Ethics
- Meeting #13 – 30 June 2021
  - Exchange with the WADA Athlete Committee
- Meeting #14 – 30 June 2021
  - Exchange with One Voice
- Meeting #15 – 16 July 2021

- Exchange with the World Players Association and EU Athletes
- Meeting #16 – 11-13 August 2021
  - Hybrid in-person/virtual meeting in Frankfurt, Germany
- Meeting #17 – 31 August 2021
- Meeting #18 – 8 September 2021
- Meeting #19 – 9 September 2021
- Meeting #20 – 20 September 2021
  - Exchange with WADA Management
- Meeting #21 – 19-20 October 2021
  - Hybrid in-person/virtual meeting in Lausanne, Switzerland
  - Videoconference interviews with stakeholders (full list contained in Annex B)
- Meeting #21bis – 25 October 2021
- Meeting #22 – 28 October 2021
- Meeting #23 – 8 November 2021
- Meeting #24 – 30 November 2021
- Meeting #25 – 9 December 2021
- Meeting #26 – 17 January 2022
- Meeting #27 – 26 January 2022
- Meeting #28 – 27 January 2022
- Meeting #29 – 2 February 2022
- Meeting #30 – 14 February 2022
- Meeting #31 – 25 February 2022
- Meeting #32 – 26 February 2022
- Meeting #33 – 8 March 2022
- Meeting #34 – 23 March 2022
  - Hybrid in-person/virtual meeting in Lausanne, Switzerland

- Meeting #35 – 24 March 2022
  - Hybrid in-person/virtual meeting in Lausanne, Switzerland
  
- Meeting #36 – 21 April 2022
  - Exchange with the WADA AC

## Annex D – Interim Reports

- [First interim report, presented in May 2021](#)
- [Second interim report, presented in September 2021](#)
- [Third interim report, presented in November 2021](#)