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Minutes of the WADA Foundation Board meeting 19 May 2022, Cairo, Egypt

The meeting began at 9.00 GMT+2.

1. Welcome, roll call and observers

THE CHAIRMAN warmly welcomed everyone to the meeting, be they in person in Cairo or virtually. It was a pleasure to see them all. He was very happy to have that opportunity to be in that beautiful city and country. He wished to take the opportunity to thank the hosts and Minister Ashraf Sobhy in particular for their outstanding hospitality. The hospitality that the members were experiencing was the best possible showcase of Egypt. That would be the second hybrid Foundation Board meeting, that time with more in-person attendees, which was pleasing to see. Approximately 70% of members were attending in person and 30% participating virtually.

Before starting the meeting, he wished to comment on the current situation in Ukraine. He believed that, at a moment like that, the entire sport community should be united, and he was glad that WADA had been able to manifest that unity. From the very beginning, WADA had strongly condemned the Russian invasion of Ukraine. WADA also tried to respond to the needs of and support the colleagues from Ukraine. Mr Niggli would provide more details about WADA's activities in that regard in his report.

Once again, the meeting that day would be supported by Ms Lefevre as the meeting moderator. She would provide some details on how to use the system. She would do a quick test with everyone, which would also serve as the roll call. She would also identify a number of the deputies who were present. Before proceeding with the roll call, however, he wished to welcome the new members for whom that was the first WADA meeting: Minister Tünde Szabó from Hungary, Minister Anders Ygeman from Sweden, Minister Pascale St-Onge from Canada, and Mr Santiago Lange representing ANOC.

MS LEFEVRE said that she was delighted to be back again to support the members by moderating the meeting. While the Chairman would be moderating the members who were physically present in Cairo, she would be facilitating the interventions of those members connecting remotely. WADA was using the Zoom webinar platform again to connect members from abroad.

The following members attended the meeting (some in person and some virtual): Mr Witold Bańka, President and Chairman of WADA; Ms Yang Yang, Vice-President of WADA; Mr James Sclater, representing Mr Andrew Parsons, IPC President; Professor Ugur Erdener, IOC Member, President of World Archery; Ms Filomena Fortes, IOC Member, President, Cape Verde National Olympic Committee; Mr Jiri Kejval, President, National Olympic Committee, Czech Republic, IOC Member; Ms Baklai Temengil, IOC Member, Vice President, Oceania National Olympic Committees; Mr Andrzej Krasnicki, President, Polish National Olympic Committee; Mr Santiago Lange, Athletes' Commission Member, Argentina National Olympic Committee; Mr Zlatko Matesa, President, Croatian National Olympic Committee; Prof. Fabio Pigozzi, President, International Federation of Sports Medicine; Mr Ingmar De Vos, Council Member, ASOIF, IOC Member, FEI President; Mr David Lappartient, UCI President, IOC Member; Mr Jean-Christophe Rolland, World Rowing President, IOC Member; Mr Humphrey Kayange Emonyi, IOC Member, representing the IOC Athletes' Commission; Ms Hannah Grossenbacher, representing Mr Nenad Lalovic, Executive Member, GAISF Council, UWW President, IOC Member; Mr Jan Dijkema, ISU President; Mr

Abhinav Bindra, representing Ms Emma Terho, IOC Athletes' Commission Chairman, IOC Member; Ms Astrid Uhrenholdt Jacobsen, IOC Athletes' Commission Member, IOC Member; Ms Hong Zhang, IOC Athletes' Commission Member, IOC Member; Ms Anna Krupka, Secretary of State, Ministry of Sport, Poland; Ms Tünde Szabó, Minister of State for Sports, Hungary; Mr Anders Ygeman, Minister for Integration and Migration with responsibility for sport, Sweden; Mr Bjørn Berge, Deputy Secretary General, Council of Europe; Mr Ahmet Temurci, representing Mr Mehmet Kasapoğlu, Minister of Youth and Sports, Turkey; Mr Ashraf Sobhy, Minister of Youth and Sports, Egypt; Ms Rosa Rakotozafy, representing Mr Roberto Tinoka, Minister of Youth and Sports, Madagascar; Mr Mustapha Ussif, Minister for Youth and Sports, Ghana; Mr Luis Arce, President, CONCECADE, Panama; Mr Richard Baum, representing Mr Guillermo Herrera Castaño, President, CADE, Colombia; Ms Fatima Morales, President, CONSUDE, Paraguay; Ms Pascale St-Onge, Minister of Sport, Canada; Dr Mohammed Saleh Al Konbaz, President, Saudi Arabian Anti-Doping Committee, Saudi Arabia; Mr Li Yingchuan, Vice-Minister of the General Administration of Sport, China; Ms Kyoung-hwa Kim, representing Mr Yongman Cho, Vice Minister, Ministry of Culture, Sports and Tourism, Republic of Korea; Mr Ikeda Yoshitaka, State Minister of Education, Culture, Sports, Science and Technology, Japan; Mr Richard Colbeck, Minister for Youth and Sport, Australia; Mr Clayton Cosgrove, representing Mr Grant Robertson, Deputy Prime Minister, New Zealand; Ms Gabriella Battaini-Dragoni, WADA Executive Committee Independent Member, Italy; Dr Patricia Sangenis, WADA Executive Committee Independent Member, Argentina.

The following Standing Committee Chairs attended the meeting (some in person and some virtual): Mr Ben Sandford, Chairman of the WADA Athlete Committee; Mr Henry Gourdji, Chairman of the WADA Compliance Review Committee; Ms Kady Kanouté Tounkara, Chairman of the WADA Education Committee; Prof. Lars Engebretsen, Chairman of the WADA Health, Medical and Research Committee. Other Committee/Working Group Chairs included: Prof. Ulrich Haas, Chairman of the Governance Review Committee; and Ms Diane Smith-Gander, Chairman of the Nominations Committee.

The following representatives of WADA Management attended the meeting (some in person and some virtual): Mr Olivier Niggli, Director General; Mr Frédéric Donzé, Chief Operating Officer; Mr René Bouchard, Government Relations Director; Ms Dao Chung, Chief Financial Officer; Mr Sébastien Gillot, European Office and International Federations Relations Director; Mr Kazuhiro Hayashi, Asia/Oceania Office Director; Mr Kevin Haynes, Compliance, Rules and Standards Director; Ms Amanda Hudson, Education Director; Ms Angela Iannantuono, Human Resources and Corporate Services Director; Mr Stuart Kemp, Deputy Chief Operating Officer; Mr Francisco León, Programme Development Director; Ms Catherine MacLean, Communications Director; Mr Marc-André Matton, IT, Data and Digital Development Director; Mr Tom May, NADO/RADO Relations Director; Ms Maria José Pesce Cutri, Latin America Office Director; Mr Rafal Piechota, Office of the President; Dr Olivier Rabin, Senior Executive Director, Sciences and International Partnerships; Mr Tim Ricketts, Testing Director; Mr Julien Sieveking, Legal Affairs Director; Mr Rodney Swigelaar, Africa Office Director; Dr Alan Vernec, Medical Director; Mr Ross Wenzel, General Counsel; Mr Gunter Younger, Intelligence and Investigations Director; and Ms Shannan Withers, Chief of Staff.

The following observers attended the meeting (some in person and some virtual): Michael Vesper, Richard Budgett, Paulina Budek, Michael Ask, Irene Kitsou-Milonas, Julien Attuil, Michal Rynkowski, Hubert Dziudzik, Tomas Johansson, Mustafa Öztürk, Gúner Rüstü, Mehmet Yoğurtcuoğlu, Rezk Abdel Fattah, Iman Gomaa, Hanem Amir, Norma Barrios, Zoraida Chong, Steven Murphy, Chris Butler, Hyun Goo Ahn, Gee Won Yoo, Nana Ayew Afriye, Jamaludeen Abdullah Akurugu, Kamal Al-Hadidi, Andrew Ryan, James Carr, Margo Mountjoy, Carlos Roy, Akos Reinhardt, Marcos Díaz, María Fernanda Muñoz, Jocelyn East, Jaimie Earley, François Allaire, Allison Carroll, Simon Dunkerley, Nick Paterson, Kirstin Semmens, Kerry Knowler, Catriona Bailey-Price, Zhiquan Li, Shengjun Long, Hui Zhan, Yan Qingping, Yoshitaka Hoshino, Kazuhiro Yagi, Shin Asakawa, Yu Ueki, Nozomi Haraguchi, Yumiko Nakajima, Yumi Nozawa, Yoshinari Ayabe, Ichiro Kono, Kenji Takahashi, Hidenori Suzuki, Chika Hirai, Yaya Yamamoto, Sayaka Hori, Kumiko Taksu, Chihiro Maekawa, Soichiro Sano, Yumiko Takasugi, Sultan Tariq, Sultan Al Busaidi, Grigoris Leon, Georgios Rodinos, Nectaria Passarivakkis, Chara Dina, Stewart Beck, Regine Buettner, Maja Zalaznik and Martin Lauesen.

- **1.1 Disclosures of conflicts of interest**

THE CHAIRMAN asked if any of the members wished to disclose a conflict of interest. He did not see any request for the floor, so moved on to the next item.

2. Minutes of the previous meeting on 25 November 2021

THE CHAIRMAN said that draft minutes had been circulated among the members as part of the meeting document set. No member comments had been received regarding the minutes. If there were none that day, the Foundation Board would approve them. Since there were no comments, the minutes from the November meeting were approved.

DECISION

Minutes of the meeting on 25 November 2021 approved
and duly signed.

3. Director General's report

THE DIRECTOR GENERAL gave the members a quick update on the previous day's Executive Committee meeting, during which a number of decisions had been taken, as well as a number of recommendations made by the Executive Committee for the attention of the Foundation Board.

First of all, the Executive Committee had approved a cooperative agreement with the Commonwealth Federation, which would be signed in the coming days by the President to reinforce cooperation and joint activities with the federation.

There had then been a discussion and approval, somewhat in the reverse order; but, subject to the discussion that the Foundation Board would have that day on governance, the Executive Committee had approved the election rules for the appointment of the new Athlete Council, as well as the election rules for the appointment of the NADO Expert Advisory Group and a set of rules relating to the transition measures that would lead from the current Athlete Committee to the new Athlete Council. That had been approved the previous day and the rule would be implemented as soon as a decision was made on the overall governance reform that was on the agenda for that day.

The Executive Committee had then reappointed two members of the Nominations Committee: as an independent member, Ms Regine Buettner, and as the sport movement representative, Mr Kelly Fairweather.

Finally, the Executive Committee had approved the social science research projects: a total of 12 projects for an amount of 476,931 US dollars based on the recommendation made by the Education Committee.

Then, there had been a discussion and a number of recommendations made, first of all on the Independent Ethics Board, and the members would hear about that later. They would hear a report from the chairman of the Nominations Committee. The Executive Committee was comfortable with the proposal that was on the table and therefore recommended to the Foundation Board that it adopt the recommended list of members put forward by the Nominations Committee.

There had been discussion on the final report from the Working Group on WADA Governance. Again, the members would hear a full presentation on that.

There had been a few amendments as a result of the previous day's discussion by the Executive Committee. Those amendments had been sent to all of the members overnight and they were on the table. After discussion, the recommendation from the Executive Committee was to adopt the report that was being presented to the members with the amendments that had been discussed and put forward the previous day.

The discussion on financial matters had started with the 2021 accounts, and the recommendation from the Executive Committee was for the Foundation Board to adopt those accounts. The members would hear also a full report from the independent auditor, PricewaterhouseCoopers, later that day. Finally, there had been a discussion on the adoption of a proposed 2023-2025 budget format, and there was a

recommendation from the Executive Committee to adopt that proposal with a number of requirements that he would not detail then, as they would be part of the discussion he was sure the Foundation Board would have later on.

That was a summary of the Executive Committee decisions. He would not go into detail on his report, which the members had in their files. There were a few remarks on issues such as governance and finance, which would be discussed separately in the agenda.

The point he wished to raise related to the situation WADA was currently facing and which had been mentioned by the president: the war in Ukraine. It was important that the Executive Committee, the Foundation Board and the management be totally aligned on those topics and therefore that they agree on the way WADA was actually dealing with the matter and the next steps. The members would have seen from the report that, as far as WADA was concerned, it had kept a line of communication open with the Russian Anti-Doping Agency. It was the management's view that, for a number of reasons, it was important to maintain the technical dialogue with the Russian Anti-Doping Agency. First, it was important to remain informed of the anti-doping work that was currently being conducted in Russia. Second, it was also important that Russian athletes still get tested in the current situation for two reasons. One was that some of them were still competing internationally, although under a neutral flag. The other was that, at some point, Russian athletes might come back onto the international scene. Therefore, it would be problematic if, for a long period of time, there were no visibility on what was being done in Russia in terms of anti-doping. There was a third reason for keeping the line of communication open, which was that WADA still had to deal with the CAS decision on RUSADA which had a number of conditions related to reinstatement. In order for the Compliance Review Committee and then potentially the Executive Committee to make whatever decision needed to be made in December, WADA needed to have information from Russia. Initially, an in-person audit had been planned for March. For obvious reasons, that in-person audit had had to be cancelled. WADA was currently proposing as an interim measure a virtual audit at the request of the Compliance Review Committee. The matter had been discussed at the Executive Committee meeting the previous day, and the Executive Committee had endorsed the idea of the virtual audit, which WADA would then plan very soon. On that topic, WADA had made a call to a number of NADOs to test Ukrainian athletes who were refugees in their country. There had been overwhelming support from the NADOs WADA had written to, and that had been very positive and very touching in terms of solidarity. Those NADOs had all agreed that they would include in their test distribution plan and pay to test those Ukrainian athletes in their territory. So that was very nice. WADA was in contact with the Ukrainian NADO. One of the members was actually currently working in the Polish NADO, so she was directly organising and coordinating the efforts. WADA had also learned that the Ukrainian NADO had actually resumed testing in Ukraine, which had come as a bit of a surprise. Some testing was therefore actually taking place in Ukraine. On the Ukrainian side, WADA was pretty much covered in terms of testing the athletes and would keep monitoring the situation and coordinating with the various NADOs and the IFs that had Ukrainians in their testing pool. From the Russian athletes' side, it was a bit more complicated in some way because WADA had asked IFs in particular not to stop testing Russian athletes if they could. Some did, but it was not as simple as going and testing in Russia because transferring money, for example, to pay for providers to do some things in Russia was complicated. There were some constraints. WADA was being told by RUSADA that the samples could still be collected and shipped out of Russia to Turkey in particular. There was still some testing in Russia, but WADA really encouraged IFs not to give up on testing Russian athletes that were in their testing pool. He would be happy to take questions, but thought it important to hear from the Foundation Board members whether they were comfortable with the approach taken and whether WADA could continue in that direction.

THE CHAIRMAN echoed what had been said regarding the attitude of the ADOs in terms of the situation in Ukraine. What the ADOs had done when it came to testing and helping Ukrainian athletes was really encouraging. WADA had asked them to do that, and the response had been very encouraging and very positive. In terms of showing solidarity, he thought that the anti-doping community had passed the test with flying colours. Were there any comments or questions for the Director General?

PROFESSOR ERDENER spoke on behalf of the sport movement to thank the Director General for his really very comprehensive written report as well as his explanations given the previous day and that day. He also thanked WADA for the updated guidelines on the measures regarding the geopolitical situation

relating to Russia and Ukraine. The sport movement had expressed concern regarding the risk of increased doping activities among Ukrainian, Belarussian and Russian athletes during that critical time in which political unrest had resulted in the decreased participation of those athletes in international competitions and reduced opportunities for testing.

MR BERGE expressed his appreciation to the Director General for his comprehensive report, which touched upon a number of important issues, notably in relation to the Russian Federation and Ukraine. The situation regarding relations with the Russian Federation had drastically changed since 24 February following the invasion of Ukraine and, within 24 hours, the Committee of Ministers of the Council of Europe had suspended the Russian Federation from its rights of representation. About two weeks later, on 16 March, the Council of Europe had taken an unprecedented decision by which the Russian Federation had been expelled as a member of the organisation after 26 years of membership. The day after, on 17 March, the 46 European countries had also decided to suspend all relations with Belarus and its rights to participate in meetings and activities of the Council of Europe. The Committee of Ministers was currently examining the status of the participation of the Russian Federation in its anti-doping work, be it in respect of CAHAMA or the anti-doping convention. The fight against doping was a worldwide concern. In that context, WADA should continue to hold the Russian Federation accountable and implement fully the CAS decisions. For that reason, the approach described in the report by the Director General, including conducting a virtual audit of RUSADA, was supported.

THE CHAIRMAN thanked Mr Berge for his comment.

DECISION

Director General's report noted.

- 3.1 Covid-19 update

THE DIRECTOR GENERAL gave the members an update on the Covid situation. Hopefully, that item would soon disappear from the first part of the agenda. Things were improving, at least in some parts of the world, but probably not everywhere. For WADA, it meant in concrete terms that it would be possible to hold the annual symposium in June in Lausanne, which was very welcome after two editions had had to be cancelled. It had been necessary to postpone it from March to June because there had not been an opportunity to hold it in March. However, he was currently 100% confident that the event would take place. It would be hybrid, like all meetings were currently, but he thought that there would be a relatively good rate of in-person attendance, which was great. As far as the operations of the organisation were concerned, as the members could see from the example of that meeting, more and more participants were able to come to in-person meetings. WADA was maintaining the hybrid style for almost all of its meetings and would continue to do so. That was the intention. In terms of the budget and so on, there was a rule that some of the meetings should be only virtual, so an attempt was being made to have a balance between the two. At that time, he had to say that most of the experts or people were very happy to have the opportunity to meet again after such a long period of time.

Without further delay, he asked Mr Ricketts to present the statistics and the operations during the Beijing Olympic Winter Games.

MR RICKETTS informed the members that they had a detailed paper in their files on the level of testing conducted globally during the pandemic which included several tables and graphs outlining the total number of samples, including blood, urine and Athlete Biological Passport samples, collected yearly from 2019 to 2021 and the first quarter of 2022. He would take a few moments to highlight some key figures.

First, however, whilst he had enjoyed updating members on that topic for the past two years, he was hoping, as the Director General had mentioned, that that would be the last time that he would have to present to the members on the impact that Covid had had on the global testing programmes as WADA started to emerge from the pandemic.

In terms of the level of testing in 2021 compared to 2019, being the year prior to the pandemic, WADA was actually close to pre-pandemic levels of samples being collected and the level of samples collected in 2021 had been down by a total of 31,000 samples when compared to the year of 2019. However, the level of out-of-competition samples collected in 2021 had been up by 9,000 samples or 5% compared to 2019.

There had been 40,000 fewer samples collected in competition in 2021. Those were the samples collected from athletes at sporting competitions. As was known, the previous year, WADA had still been in the midst of the pandemic, and bringing large groups of people together in one location had been a challenge due to the Covid-related restrictions in place or required. That had made it difficult not only to host the sporting events, but also to collect samples at those events. However, with athletes expecting testing at major events, out-of-competition testing could occur anywhere at any time, and the increase in out-of-competition sample numbers collected in 2021 highlighted the strength of the testing programmes during the pandemic the previous year. Looking at the first quarter of 2022, there had been 37,000 samples collected in total. That was similar to 2021, with 33,000 in 2020 and 35,000 in 2019. So, again, 2,000 more out-of-competition samples had been collected in the first quarter of that year compared to 2019. The level of in-competition collection of samples was seeing a similar trend to 2021. The figure in 2022 had been 24,000, in 2021 18,000, in 2020 24,000 and in 2019 33,000. So, again, looking at comparisons, the first quarter of 2022 compared to the first quarter of 2019, there had been 9,000 fewer in-competition samples. The past few years had been difficult for all, more so the athletes whom everybody worked hard to protect. He wished to acknowledge all the good work that the IFs, NADOs and major event organisers and signatories had done to continue to test their athletes during those difficult times over the past two-and-a-bit years.

The final item of the paper he wished to quickly touch on was WADA's involvement in the Beijing Winter Olympic and Paralympic Games, in particular the WADA Independent Observer Programme. For those games, WADA had appointed a team for both the Olympic and Paralympic Games. The teams had been made up of members of the anti-doping community who were experts in various areas, and both teams had included an athlete member. Both missions had been a success, and he wished to recognise the great collaboration of the IOC, the ITA, which had been responsible for the delivery of the anti-doping programme on behalf of the IOC at the Olympic Games, the IPC, the Beijing Organising Committee and the Chinese National Anti-Doping Agency, CHINADA. He also wished to thank them for their support and positive interaction with the teams during the games. The initial feedback from the independent observer teams reflected very well-structured and delivered anti-doping programmes at those games. He congratulated all those involved. The reports from those missions were close to final drafts and he hoped to publish the reports shortly. He concluded by thanking all the members of the independent observer teams for volunteering their time and also the ADOs for their support by allowing their staff to be involved in the programme. That concluded his overview. He would be happy to take any questions.

DECISION

Covid-19 update noted.

- **3.2 Strategic key performance indicators development update**

THE DIRECTOR GENERAL informed the members that there had been discussion at past meetings that the next step, after having a new strategic plan and having reorganised the delivery of the strategic plan, was to come up with key performance indicators in order to measure progress and how WADA was doing in the fight against doping. A series of KPIs had been developed and they were in the members' files. They had been endorsed by the Executive Committee the previous day. As could be seen from the indicators, they were either based on data that WADA was collecting through its activities, whether it was auditing, ADAMS, etc., or on figures or elements that WADA was going to need to collect from its stakeholders through a number of surveys that would be organised. The first step was actually to create a baseline to know where WADA was starting from, which had been done. WADA had sent out a survey a few weeks previously and that would start to give some indication and then to have regular measurement of the same indicators over time and to discuss that with the Executive Committee and the Foundation Board in due course. That was the list that was being proposed. Of course, he welcomed any suggestions from members on other types of measurement that they might want done. It did not have to be then and there: he would welcome suggestions in writing later on if anybody had any other ideas. He thought that that would give a comprehensive overview of the progress WADA was making. It was very timely, in fact, that the KPIs were ready when there was talk about long-term budgeting and the progress of the organisation. That concluded his report. He would be happy to take questions.

PROFESSOR ERDENER said that the sport movement considered that, overall, a good and really detailed plan had been submitted and he thanked WADA for the good work.

DECISION

Strategic key performance indicators development update noted.

- **3.3 World Conference on Doping in Sport 2025 host city**

THE CHAIRMAN noted a couple of procedural points before asking the candidate cities to deliver their presentations. Firstly, a document outlining the voting process had been circulated the previous Friday. Secondly, as communicated the previous day, the city of Athens had withdrawn its application to be considered as a host of the 2025 World Conference on Doping in Sport. Three cities remained: Busan, Muscat and Tampere. Each of the three cities had been allocated a ten-minute presentation to the Foundation Board. The cities were aware that some of the Foundation Board members were participating virtually. Two of the three cities were with the Foundation Board in Cairo to present and one would be presenting virtually. The alphabetical order of the city names would be followed. Upon the conclusion of the individual presentations, members could ask any questions they might have directly to the delegation presenting, before moving on to the next presentation. First, representatives from Busan, South Korea, were present in Cairo. He welcomed to the meeting Ms Anna Park, Ambassador for International Relations, Busan Metropolitan City, and Mr Jeong Min Lee, KADA Athlete Committee Member.

MS PARK introduced herself. She was the Vice-Mayor and Ambassador for International Relations for Busan Metropolitan City. It was her honour and pleasure to be invited to the WADA Foundation Board meeting. Busan was her hometown, so she was very excited to highlight the charms of Busan. Before diving into the subject, she showed the members a short video clip of the city.

She considered that her city was truly a city of wonder. She showed the members what particularly made Busan and Korea special by using the letters of the city. B was for *Brilliant Korea*. U was for *Unique fun*. S was for *Sustainable legacy*. A was for *Amazing venue* and N was for *Network services*. Starting with *Brilliant Korea*, Korea had held mega sporting events, including successful Olympic Summer and Winter and Paralympic Games. International sport organisations had been giving good reviews of Korea's professionalism and hospitality. Moreover, Korea was one of the leading OECD nations with sophisticated culture and cutting-edge digital technology. Korea was also known for its safety and security. She invited the members to visit and feel the dynamism of Korea.

U was for *Unique Busan*. Busan was a global sport-oriented city, hosting many mega sporting events and a maritime sport hub featuring a wide range of water sports events and leisure activities, which were also quite enjoyable. Busan was a world-renowned city, not only in the field of sport, but also for tourism. The city had amazing mountains and hot springs. Busan was also well known for its dynamic culture from the famous Busan International Film Festival, Rock Festival and Firework Festival, and the members would find the city celebrating something every day of the year. In 2018, Lonely Planet had described the city as one of the best places to go in Asia. Such charms were instrumental for Busan in attracting a variety of major international events, including the APEC Summit in 2005 and ASEAN-Korea commemorative summits in 2014 and 2019.

Busan had been ranked as the top 12 convention city in the world by the UIA. It was also internationally recognised for safety and security, making it a perfect fit for the conference as well. Based on the city's rich experience and excellent infrastructure, she was confident about proposing Busan as the venue for the 2025 World Conference on Doping in Sport. The suggested date was 10-14 November; around that time of the year, Busan offered warm and lovely weather conditions of 22 degrees Celsius.

A was for *Amazing Venue*. As the official venue for the world conference, the Bexco was a world-class convention and exhibition centre with over 50 meeting rooms occupying 46,500 square metres. Various types of accommodation were located within 10 minutes of the Bexco and the headquarters hotel proposed for the conference was eight minutes' walk from the Bexco. More than 2,000 rooms were already secured and a free shuttle bus would be operated for WADA members and participants. Moreover, Busan would operate an emergency medical centre at the Bexco and designate an official university hospital five minutes

away. The centre was also near other unique places. The Busan Cinema Centre was a perfect venue for the welcome reception. The members would be able to enjoy unforgettable moments under the longest colourful roof with a Guinness World Record. The reception would showcase Korean cultural performances such as K-Pop and a taekwondo demonstration. The members would enjoy a four-course Korean traditional meal. The plan was to have a VIP dinner at Museum One, which was an art gallery, to make the participants' time in Busan even more memorable.

N was for *Network Services*. Korea boasted advanced networks with over 2,000 direct flights from 166 cities. Busan was located at the end point of Russia and the starting point of the Pacific. It was a Northern Asia gateway, easily accessible by air, rail and sea. There were direct connections from most of the cities in Asia. It took one hour to reach by air from Shanghai and Tokyo. As for Europe, there was a direct flight between Busan and Helsinki. It took about two hours to reach by express train from Seoul and also could be connected by air within one hour. Once in Busan, the excellent public transportation system would take members everywhere and anywhere.

Busan. The best city for the conference would surely make the conference a huge success, building on collaboration with relevant agencies and organisations. Busan City Government, the Ministry of Culture and Sport and KADA were fully committed to secure the budget stably.

At that point, she expressed her deepest appreciation for European leadership in sport, as well as the recent anti-doping efforts, as highlighted by the previous four conferences held in Europe. Looking forward, she believed that Asia should and could play a more active role in spreading the values of fair play to every corner of the globe. Busan was passionate about hosting such an important event and confident that it would be a remarkable contribution to the mission of WADA. The members might have noticed that she had covered only four letters of Busan, leaving out the S, which stood for *Sustainable legacy*. Her colleague Mr Jeong Min Lee, a Paralympic athlete, would make a short remark about the sustainable legacy.

MR LEE thanked Ms Park for her wonderful presentation on Busan. He was a former Paralympian and had participated in the 2018 Winter Paralympic Games in PyeongChang. He had been serving as the chairman of the athlete council in the Asian Paralympic Committee and was also an active KADA athlete committee member. From an athlete perspective, it was very important to protect the athletes from prohibited substances and maintain the fairness of sport. There were four sustainable legacies that could be promised throughout the WADA World Conference on Doping in Sport in Busan. First, the city would expand and increase the values of clean sport, collaborating with WADA. That year, there would be a memorandum of understanding between KADA and Busan's office of education to promote youth campaigns such as the Play True Marathon, special forums and fair play sports clubs so that young people could experience the fairness and integrity of sport. The campaigns would be started and the aim would be to achieve remarkable outcomes by 2025. Second, the city would promote the various anti-doping solidarity programmes, working closely with education sectors from the Olympic and Paralympic Movement. KADA had already been collaborating with WADA and NADOs. KADA would expand to more regions with much more financial support to spread the fairness and integrity of sport. Third, the conference would be made even more sustainable. In consultation with WADA, play true sport clubs would be run, named after WADA figures. Together, living legacies would be created through the WADA conference in Busan. Last but not least, one of the most beautiful bridges over the ocean in Busan would be coloured bright green, showcasing play true during the conference period so that everyone could feel the value of fairness in sport and the world conference. A new opportunity was being sought to create and provide clean sport for everyone. He asked the members to remember Busan as a global mega sport city, but also as a play true city. He humbly sought the members' valuable support for Busan.

MS YANG congratulated the Busan delegation. She had been to a couple of Korean presentations bidding for the Olympic Games, and that one was the best one. She congratulated the delegates and thanked them for their support.

THE CHAIRMAN introduced the representatives of Muscat, Oman, who would be presenting virtually. He welcomed Mr Tariq Sultan, Senior Business Development Executive, Oman Convention and Exhibition Centre, and His Excellency Dr Sultan Al Busaidi, the Chairman of the Oman Olympic Committee.

MR SULTAN said that he would be representing the Sultanate of Oman's bid to host the 2025 World Conference on Doping in Sport. It was an honour to address the members. He believed that Oman would not only provide the most convenient and the most memorable experience for the 2025 conference, but it would also leave a long-lasting legacy and most of all have an impact on those involved: the athletes participating in different sports.

He started with the people of Oman. At the heart of every congress was human interaction, and it was there that Oman really stood out. Oman was renowned for being warm and friendly, a place where being hospitable was a cherished value. A place where people still cared about people, even those visiting for the first time. Oman's peace and stability was thanks to the leadership of His Majesty, the late Sultan Qaboos, who had always promoted democracy, equal rights, free education, free healthcare coverage, religious freedom and harmony.

His Majesty Sultan Haitham Bin Tariq Al Said continued with Oman's great renaissance. It was a forward-thinking nation that had placed Oman in a number of global humanitarian and recent political negotiations.

Half of the world's population could reach Oman within just seven hours. There was an easy visa process. Visitors from over 100 countries could get visas upon arrival or get them electronically through the Royal Oman Police website. For the rest, there was a dedicated team that could assist when needed.

He had to agree with Lonely Planet that Oman was a must-see destination with over 1,400 kilometres of pristine beaches. That was one of the reasons why Oman had been chosen as the host country for the second Asian Beach Games, which had attracted approximately 10,000 athletes from around Asia. There were wonderful PGA Championship golf courses. One could trek through astonishing mountain landscapes. It was on one of those mountain peaks that Oman had hosted several sporting events, such as the Tour of Oman annual cycling event. In addition, it was a famous spot for mountain climbing, as well as hiking and trekking.

200 kilometres away from Muscat, one could watch endangered green turtles nesting or sail around the charming coastline and scuba dive and watch the dolphins. Oman had a rich wildlife, both in the sea and on land. From a cultural perspective, there was the world-renowned Royal Opera House, at which big names such as Placido Domingo and Andrea Bocelli had performed, and one of the most beautiful mosques, which was a living, breathing museum, collecting architecture from all the Islamic periods and which was visited by thousands of tourists throughout the year. There were over 500 impressive forts with panoramic views. There were also numerous UNESCO Heritage Sites with a rich history of being part of the Frankincense Trail, the Silk Route and the Spice Trail. Getting around Oman was easy, too. There was an integrated transport system with public transport, a bus network and regulated taxis that would make the attendees' stay during the conference easy. There were over 6,000 affordable hotel rooms to suit all budgets within just 15 minutes of the venue. In addition to that, there were over 600 hotel rooms on site within walking distance of the venue.

Moving on to the conference venue, the Oman Convention and Exhibition Centre was one of the few fully integrated purpose-built convention centres in the world. The centre had 22,000 square metres of exhibition space, and 55 meeting rooms that would perfectly meet the members' requirements. There was an auditorium and theatre, and the largest forum in Oman with a capacity of 2,000 people.

Indeed, in recent years, the country had established a track record for hosting a long list of world-class international events. The OCEC had hosted a diverse portfolio of events involving all sectors of society, including the recent World Athletics Race Walk Team Championships as well as the Asian Beach Games, as mentioned earlier. The centre would be a one-stop shop, offering a range of services including world-class catering and lots of branding opportunities.

Oman wanted to host the conference to leave a lasting legacy for Oman and the entire region. One of the priorities was to increase anti-doping awareness among athletes, coaches and officials. There was a plan to add anti-doping topics to the school curriculum. The opportunity to host the World Conference on Doping in Sport in 2025 would bring about learning, exposure and, most importantly, the importance of healthcare in sport. It was a further goal of Oman to use the event to push forward anti-doping awareness so that Oman and its neighbouring countries would benefit and ultimately make a difference. On behalf of

the Oman Anti-Doping Committee, the Oman Olympic Committee and the Ministry of Culture, Sport and Youth, he committed to ensuring the success of the World Conference on Doping in Sport. The various organisations had carefully reviewed the requirements and could meet all of them. Oman offered an environment that would make the event memorable. He hoped that the members would select Oman and looked forward to welcoming them there. He showed them a short video.

THE CHAIRMAN welcomed Mr Teemu Japissou, Secretary General of the Finnish Centre for Integrity in Sports, Ms Satu Heikkinen, Senior Ministerial Advisor of the Government of Finland, and Mr Perttu Pesä, Director of Major Events, City of Tampere.

MR PESÄ introduced himself and his colleagues. In the nineties, Finland had made a first step in anti-doping work in Finland and had thought that everything was fine. Just a few years later, a problem had been discovered in Finnish sport. The video the members could see had been shot 21 years previously and showed the situation when six Finnish skiers had been caught using illegal doping substances. Finland had understood that it had a mountain to climb and had started working from that point on.

MS HEIKKINEN said that it would be a great privilege to host the World Conference on Doping in Sport in Tampere in 2025. The Tampere candidature was endorsed by the government, the Finnish NADO and the NOC, all of which were committed to delivering a successful event. She showed the members a video message recorded on behalf of the Finnish Government.

MR JAPISSON stated that Finland had played an important role in developing anti-doping activities right from the very start of WADA. It was one of the founding parties of WADA, as well as an active contributor in the global anti-doping community in various fora, including UNESCO, the Council of Europe, IADA and INADO. Moreover, it had a very strong national involvement in sport ethics and integrity. Finland had signed up to international anti-doping conventions and the World Anti-Doping Code. He thought that a strong athlete voice would reinforce the work done on behalf of clean sport and bring continuity to the work in the long term. Finland saw a broad view of sustainability was important when it came to defending a level playing field and fair competition. It also saw that better consideration of sustainability was essential for all anti-doping actors.

MS HEIKKINEN said that Finland offered an excellent setting for international conferences in a stable and secure country. The government sought to promote an inclusive and competent Finland, a socially, economically and environmentally sustainable society. That meant that sport organisations and other stakeholders were highly committed to enhancing good governance, safe sporting environment, gender equality and diversity, as well as anti-doping and integrity in sport. Together, they had created a sustainability programme for the Finnish sport community.

MR PESÄ added that Tampere was one of the best-kept secrets in Nordic Europe. Tampere was the second-largest economic area in Finland and was very active in sport events. It was currently hosting the World Ice Hockey Championships. Tampere had, time after time, been voted the city in which Finns would like to be. Tampere was a narrow city, located between two large lakes. That made venues easy to reach on foot. The conference venues lay right in the middle of the city. All the hotels were next to the venue and it took less time to walk than drive. The proposed venues were Tampere Hall and Nokia Arena and offered excellent facilities for the World Conference on Doping in Sport to take place in a sustainable manner. The Nokia Arena would create a unique event experience for delegates. The venue had been built sustainably and had earned the gold level environmental certification and was naturally accessible to all. Tampere was easy to reach. There were ten European destinations with direct international flights. Tampere was near to Helsinki airport, with over 150 direct flights landing daily from all over the world.

MS HEIKKINEN assured the members that the City of Tampere would spare no effort to host an outstanding WADA event and warmly welcomed them to Finland in 2025.

THE CHAIRMAN thanked the delegates for their presentation and asked if there were any questions.

MS SZABÓ emphasised that, as one of the EU representatives on the WADA Foundation Board, Europe strongly supported Tampere, Finland, as the preferred city to host the World Conference on Doping in Sport in November 2025. Tampere was a highly competent and acknowledged host of major sport events and Finland was one of the founding parties of WADA. She was absolutely certain that Tampere would make

every effort to host an outstanding event in 2025. She hoped that the members would entrust Tampere with hosting the event and thanked them for their support.

THE CHAIRMAN informed the members that they had all received the detailed voting document. The first step was to appoint scrutineers to ensure that the vote would be truthful and accurate. Two names had been put to the Executive Committee the previous day to save time. It was still the Foundation Board's decision, but the Executive Committee recommended that the Foundation Board approve Professor Ulrich Haas and Ms Kady Kanouté. Did the members have any concerns regarding the two individuals? In the absence thereof, he proposed appointing them scrutineers. As the members were aware, the vote would be held in a hybrid manner. The members physically in the room would receive paper ballot forms and those attending virtually would receive their ballot via an e-mail link. The first round would include all three candidate cities. To win the election, the successful city had to receive an absolute majority of votes. Voting rounds would continue until that was achieved. The city with the lowest number of votes would be removed in each round. The document shared the previous Friday spelt out the rules. Blank votes or votes not submitted would not be counted towards the required absolute majority. The scrutineers would reflect that in their counts. The members would be given two to three minutes to vote and then the scrutineers would collect and review the votes.

MR ROLLAND said, on behalf of the sport movement, that he wished to thank all the candidate cities for their interest in hosting the World Conference on Doping in Sport in 2025 and also for the quality of the bids to ensure the best and most appropriate conditions. He added that it was great to see such interest from cities and also a recognition of WADA and it was a good sign for the future. He thanked all the candidates.

DECISION

Busan elected World Conference on Doping in Sport
2025 host city.

4. Governance

- 4.1 Recommendations from the Working Group on the Review of WADA Governance Reforms, final report

THE CHAIRMAN noted that the Foundation Board was going to conclude its discussion on the so-called second phase of governance reforms. In a moment, the members would hear from Professor Haas as to the recommendations that were finally on the table. Before giving the floor to Professor Haas, however, he also wished to clarify a procedural point. That day, the Foundation Board was expected to agree to the recommendations made by the Executive Committee the previous day. Those recommendations were outlined in two documents: 4.1, attachment 1, which included the original set of recommendations, and the paper tabled the previous day immediately after the Executive Committee meeting, summarising the areas of consensus where amendments had been proposed by the Executive Committee to the initial recommendations. He gave the floor to Professor Haas to guide the members through the recommendations of his working group.

PROFESSOR HAAS thanked the Foundation Board very much for having him and providing him with the opportunity to present the final report. He would run through a couple of things. That was just an overview. He would talk very briefly about the work of the working group. He would then touch upon the recommendations, as well as the changes that had been recommended and decided upon the previous day. Furthermore, he would have a look at the financial impact of the governance reform. Then, there would be a very short look into the future.

As for the work of the working group, it had comprised seven members (a chairman, two members nominated by the sports movement, two members nominated by the public authorities and two athlete representatives). The group had been given ample time to come up with the recommendations: 18 months. It had had 36 meetings, with hundreds of hours of recordings. It had consulted over 80 stakeholders, got a lot of feedback and comments (over 2,500) and, of course, it had worked intensely on the recommendations. There had been over 20 drafts before reaching the final conclusions. In terms of the major points when it

came to the recommendations, one of the cornerstones of the changes concerned the Athlete Council. The recommendation was to broaden the athlete voice within WADA, with an Athlete Council that reflected the broader community. It was going to be composed of five appointed members from the athletes' commissions of the IOC and the IPC, eight elected members from the IF athlete committees and, furthermore, seven appointed members appointed by a special appointments panel. The recommendations also provided for a couple of key principles for election and appointment. However, all the details could be found in the special rules that had been drafted by the WADA management in consultation with the WADA Athlete Committee. The recommendations also provided for a chairman of the WADA Athlete Council who would be elected by an absolute majority. They would be assisted by a vice-chairman, also elected by the Athlete Council. One of the major tasks of the Athlete Council would be to send and appoint athletes from the WADA Athlete Council to the various bodies.

The group recommended some important changes to the Executive Committee. First of all, when it came to the composition of the Executive Committee, the recommendation was to add one additional independent member, and the group encouraged the public authorities and the sport movement to provide at least two candidates for that position. As previously said, the WADA Athlete Council chairman would also sit on the Executive Committee. The group had drawn up a clear distinction of tasks between the Foundation Board and the Executive Committee, and it was the group's recommendation that the Executive Committee be competent for all the decisions that were not reserved for the Foundation Board or other bodies.

Furthermore, on substantive decisions such as decisions on the international standards, Code of Ethics reconsideration measures or Compliance Review Committee recommendations, the group proposed that the Executive Committee decide by a two-thirds majority, and finally proposed, in relation to the Executive Committee, that three regular meetings be held per year, with the publication of the decisions taken. There were a couple of recommended changes also to the Foundation Board, especially when it came to the composition. The recommendation was to have the NADOs' voice represented on the Foundation Board. Therefore, the recommendation was to add two NADO representatives on the governments' bench and also to have two additional athlete representatives elected by the WADA Athlete Council sitting on the sport movement bench. In order to decrease the overlap between the Foundation Board and Executive Committee, the group recommended that Executive Committee members no longer be on the Foundation Board, except, of course, for the president and the vice-president because the president and vice-president chaired the Executive Committee as well as the Foundation Board. As previously said, the group had drawn up a list of competencies for the Foundation Board. The decisions included governance regulations, changes to the World Anti-Doping Code, decisions on budgets, the strategic plan, major transactions and high-level appointments. All of those substantive decisions would be taken by a two-thirds majority at the Foundation Board. The group also recommended that there be one regular meeting per year of the Foundation Board.

As for the Nominations Committee, the working group thought it was a very well-functioning body whose composition and status should be maintained. However, it wanted to have a provision that clearly set out that the members were sitting in their personal capacity on the Nominations Committee and it wanted, in the section of the Nominations Committee on future governance regulations, there to be a section that really outlined every single task of the Nominations Committee. In order to highlight that, the group had made a schedule with all the tasks of the Nominations Committee in relation to the various organs.

As for the Compliance Review Committee, again, the group thought that it was a well-functioning committee, and recommended only a few changes. However, what it did think was that, because of the importance of the Compliance Review Committee, its status should be elevated to that of a special committee. The current composition should stay the same. However, the group did think that the athlete representative should come from outside the WADA Athlete Council. It nevertheless thought that the athlete representative should fulfil all the eligibility criteria for the WADA Athlete Council. Again, all the members sitting on the Compliance Review Committee should sit there in their individual and personal capacity and the group encouraged in the future having a skills map or setting out the skills for a position within the Compliance Review Committee.

The committee structure within WADA was complex. To date, the group had detected four layers. There were special committees, there were advisory groups, there were working groups and there were standing

committees. The recommendation was not to change those four levels, and that was why all the changes that had been proposed fitted into those four categories. The changes that the group proposed were to have a relatively small Finance and Remuneration Committee with five people chaired by the WADA president, an Audit and Risk Committee, again relatively small, with three members, and it proposed a couple of changes to the appointment process of the standing committees in order to simplify that. He would come back to the Finance and Remuneration Committee and to the Audit and Risk Committee shortly, because there had been some adjustments the previous day that he wanted to present to the members.

As he had previously said, the voice of the NADOs would clearly be heard in the future within WADA. There was going to be a NADO Expert Advisory Group comprising 10 members, and those 10 members would be elected on a regional basis, with two NADOs per continent. As to the key principles for that election, the members would find them in the recommendations. However, again, the details of the election and appointment process were in special rules that had been drafted by the WADA management in consultation with the NADO Expert Advisory Group and which had been approved the previous day. Out of the NADO Expert Advisory Group, the recommendation was to have two members sitting on the Foundation Board. Furthermore, reports should be provided to the Foundation Board and technical advice given to WADA when relevant.

Independence had been a great and intensely discussed topic in the stakeholder consultation process and it had been extremely difficult to come up with one single definition of independence, which was why the working group had decided to take a more pragmatic approach. It had approached the term 'independence' from three different angles: operational independence, personal independence and organisational independence. It had applied those across all the organs of WADA and had come up with three different types of position or WADA official: independent officials, who had to comply with all three levels of independence; nominees and applicants, complying with the first two levels (operational independence and personal independence); and then finally, representatives of stakeholder groups who needed to comply with one level only, and that was operational independence. To make the document a little bit more readable, colours had been allocated to the various types of official and the members would see that in the report because the independent officials were marked in yellow, the nominees and applicants were marked in green and the representatives were marked in blue.

Diversity was a hot and difficult topic. In the stakeholder consultation process, people had requested a broad approach to diversity, and the group had taken up the request. Diversity, from the group's perspective, covered various factors such as geographic origin, gender, disability, nationality, ethnicity, cultural background, age and other criteria. However, the group had felt, in the consultation process, that two criteria were particularly important, and those two particularly important criteria were geographic origin and gender. The group had then looked at the statistics within WADA and realised that, in the two governing bodies (and he was talking about the Foundation Board and the Executive Committee), there was room for improvement when it came to geographic origin and gender. The members would see that in the statistics provided. He thought that the situation was completely different in the standing committees. There, WADA had achieved a gender balance and, of course, also regional diversity. That was the reason the group suggested that the public authorities and the sport movement establish a mechanism in order to ensure progress in that field. The group was also aware that changes could not be enacted swiftly because positions had been filled. Therefore, the group recommended that there be a time lapse of three years during which significant progress should be made based on an action plan to be drawn up.

He wanted to present to the members the adjustments that had been decided upon the previous day based on agreements between the sport movement and the public authorities. First of all, there was a wish not to merge the Finance and Administration Committee with the Remuneration Committee, so both committees would stay distinct. Furthermore, there was a wish to decrease the number of members in the Finance and Administration Committee to six members only. There was also a wish to have an Audit and Risk Committee, so that was in line with the recommendation. There was a wish that the Audit and Risk Committee report to the Foundation Board and there were still ongoing talks on the tasks of the Audit and Risk Committee, which would be further detailed. As for the NADO Expert Advisory Group, the adjustments were that it would report to the Foundation Board as well and it would be a standing item on the Foundation Board. Regarding the elections for group two of the Athlete Council (those people elected by the athlete

committees of the IFs), the agreement there was that the person with the highest votes would be elected, and there were no additional criteria to be applied. Furthermore, the two nominated members of the Independent Ethics Board were required to fulfil the independence criteria, just as the appointed members from the Nominations Committee and the Compliance Review Committee were. Finally, there had been an agreement that the minutes of the Executive Committee would continue to be verbatim and, in addition, that the conclusions would be inserted.

He wished to say some final words on financial considerations. Of course, the impacts were quite considerable. The group did think that it was necessary to look at the financial implications of the first amendments, the 2018 recommendations and the 2022 recommendations together. If the members recalled, the final report in 2018 had said that there were two outstanding issues that needed to be dealt with. First of all, it was necessary to strengthen the voice of the athletes within WADA and, secondly, to find a solution for the NADOs. Those tasks had been accomplished with the new report, so the group thought that both reports should be looked at together when it came to the financial considerations. As the members could see, they were quite considerable: 1.2 million US dollars per year. He was aware that those were very high amounts. Nevertheless, the working group thought that they were offset by the advantages that would be obtained from a better governance structure.

The group was also aware that there had been two reforms within a very short period of time, 2018 and 2021. It therefore recommended that there be a pause in order to assess what had been achieved. The group thought that the review should be conducted only after a period of three to five years following the implementation period. The final implementation would be in 2023, so that would be a starting point for the time period to which he was referring. The group had also drawn up a list of certain topics that could be included in the next revision or in the next assessment, such as athlete representation models and whether there were other ways to further broaden the athlete community, transparency measures on the Foundation Board, changes to the Executive Committee in particular, whether there were ways to decrease the size or change the status of members, reduce or simplify the committee structures (there were currently four levels and it might be possible to decrease the number to three levels in the future), whether it was required to have a longer cooling-off period for certain people or introduce cooling-off periods for certain people and, finally, one suggestion might be to change the Code of Ethics when it came to the scope.

That brought him to the end of his report. He thanked the members very much. He thanked the Foundation Board for enabling the group to complete the report and, in particular, for having given the group a little bit more time to draw up the report. Secondly, he wished to extend his thanks to the members of his group for all the work, energy and time they had put into the report. He extended special thanks to Mr Sandford, because the Athlete Committee had been vital in terms of supporting the work of the group. Coordination as well as substantial input had been received from Mr Sandford and his group. Finally, he wished to thank the WADA management for the unconditional support given to the group in order to draw up the report.

MR COLBECK thanked Professor Haas for a very comprehensive report. On behalf of the public authorities, he confirmed that he supported the approval of the final report and the recommendations outlined in the updated agenda paper. He again commended the Working Group on the Review of WADA Governance Reforms, and particularly Professor Haas, for the work that he had done with his team to reach the final report. An enormous amount of effort had been made over a period of time, and he thought it was an exceptional piece of work. He would like to have his thanks recorded in the minutes. He also thanked his colleagues in the sport movement, particularly Mr De Vos, for the work that he had been prepared to do with the public authorities. Again, he thanked Professor Haas for his facilitation of that work, and sometimes his refereeing of that work. The members had been able to come to agreement on a really important topic and he was very pleased to have been able to have those (intense at times) negotiations, in the interests of achieving, in particular, the representation of athletes on the Foundation Board.

He made a couple of points with respect to some of the issues that had come through in the presentation from Professor Haas. Firstly, the adequacy of diversity was a critical point for the public authorities, particularly in respect of the elections to the Athlete Council. He expected that group three would do its job and ensure that nobody was left behind and there would be adequate representation and diversity across the Athlete Council. That had been one of the points for increasing the size of the council in the first place.

The history and the development of the proposal needed to be considered as part of what the Foundation Board was currently looking at. There would be an increase from 12 to a larger number, and part of that process was to increase the diversity and ensure that it was adequate. He was prepared, if it did not achieve that, of course, to seek a process to remediate that, but expected that group three would do its job. Again, to reiterate his comments, he thanked Professor Haas and his team, Mr De Vos and the Olympic Movement for their collaboration. Good governance was a process of continuous improvement, so it was necessary to remain vigilant in that and keep that at the forefront throughout the process. It was very pleasing to have got to the current position of the public authorities being able to support the reforms that were before them, recommended by the Executive Committee the previous day

MS ST-ONGE extended her thanks as well to the working group and to Professor Haas for his report on great work. Canada noted with interest, through the governance reform, the establishment of an Athlete Council and the inclusion of additional athletes and representatives from the National Anti-Doping Organisations within WADA's governance. Athletes and NADOs were the cornerstones of the anti-doping movement and for them to have a stronger voice within WADA's governance made perfect sense. She also wanted to highlight the recommendations to improve diversity, especially with regard to gender representation.

MR IKEDA: Thank you. These newly established governance reforms will reorganize various areas in WADA and it will be a full-fledged project. I believe it is important to steadily advance each reform and surely evaluate the effects and outcomes of these reforms. I would like to expect that WADA would enhance its presence more in clean sport.

MR DE VOS spoke on behalf of the sport movement to extend his gratitude and thanks to Professor Haas as the chairman of the working group for the excellent report and presentation, and also to the members of the working group. It had been a long road and hard work, but the result was there and, hopefully, after approval of the report that day and also, of course, the transposition into the statutes and regulations, it would be possible to move on with the core business of the World Anti-Doping Agency, which was the fight against doping, lest anybody forget. He thanked Mr Colbeck for his very friendly words, and he thanked him as well for the very constructive discussions, also thanks to the moderation of Professor Haas, and he wanted to thank him for his constructive contribution, the time that he had dedicated to that, especially given the different time zones, which had not always been easy, and for providing the necessary support to find compromises that had allowed, finally, for the report to be finalised. The result of negotiations was, of course, always a compromise, but he believed that the members could be proud of that compromise, and it would certainly open a new chapter for the organisation. In his view, the concerns raised by the sport movement (and he was happy also to hear the interventions from the public authorities that confirmed that they had the same feeling) had been addressed, including an important concern that the sport movement shared as well, of course, which was diversity and regional representation. The members should not forget that WADA would be moving from an athlete committee of 12 members to an athlete council of 20, which should largely address those concerns. The costs of the whole operation and restructuration, of course, remained a concern for all of the members. It was necessary to continue to look at how WADA could be more efficient and how, in the implementation process, it could be done in an efficient and cost-efficient way. All those recommendations laid down in the report needed, of course, to be integrated in the statutes and in the regulations. The process was not yet over, because sometimes the devil was in the detail, as the members knew. He was optimistic and the two sides would continue to work together. From the sport movement side, he could say that he was very happy to maintain the communication channel with the public authorities open, as had already been done. On behalf of the sport movement, he was happy to say that he fully supported the report and looked forward to the further implementation of those recommendations. He thanked Professor Haas again and congratulated him and his working group. Again, he gave special thanks to Mr Colbeck for the very constructive dialogue.

MR BERGE thanked Professor Haas for his excellent report and presentation. In addition to the very important points presented by Mr Colbeck, the One Voice chairman, he wanted to invite WADA to carry out a review of the governance reform in the next three to five years and regular assessments thereafter to explore whether further governance reforms were needed. Finally, on behalf of Europe, he wished also to

stress the importance of taking into account the UN Sustainable Development Goals and the focus on green sport when implementing the reform and in the future activities of WADA.

MR BAUM said that he was very pleased to represent the Americas region that day, and he wanted to thank the Colombian Sport Minister, Mr Herrera, for so designating him. Of course, the United States of America was part of the Americas region and he was pleased to also represent his government. He wished to add the region's voice to thank Professor Haas and his team for the very, very hard and thorough work done on the governance reform and the engagement with the public authorities. The discussions had been really valuable and the engagement much appreciated. He strongly supported the concept of a formal implementation review in three to five years, but wanted to emphasise that he understood that, as WADA implemented the reforms, it was important that, as problems came up, they be quickly addressed. So, if there was a need for some technical corrections, they should be brought to the Foundation Board so that they could be quickly addressed. He did not want problems that had arisen to be delayed in being addressed, and it was necessary to take the approach of continuous improvement as the reforms were implemented.

He wished also to add his voice to what Mr Colbeck had said, that, for the Americas region and for the United States of America, diversity was a really important priority. He thought that the members would see soon enough at the November meeting what the Athlete Council looked like and, if it did not really represent the incredible global diversity of sport, he thought that further action might be in order. Nevertheless, he thought that the Foundation Board could wait until November and see what it looked like.

MS KRUPKA wished to take the opportunity to thank the hosts for organising the WADA Foundation Board meeting in that historical area of Egypt. She truly believed that it showed that the fight against doping in sport was a valid point on the agenda of Egypt's government and highlighted the importance of the World Anti-Doping Agency. The issue of good governance was vital from a European perspective, and she wished to thank the members of the working group for the significant progress that had been made. In conclusion, Europe wished to support the recommendation of the working group and the position of One Voice.

MR KAYANGE EMONYI wished to join those congratulating Professor Haas and the working group on getting that over the line. In terms of the governance reforms and having athlete representation at the heart of the decision-making process at WADA, the IOC athletes' committee would be happy to promote candidates from all regions within its already existing structures to ensure the success of the election process.

THE CHAIRMAN concluded the discussion and thanked Professor Haas and his working group, as well as Messrs Colbeck and De Vos, for their hard work on the second phase of governance reforms. Without their commitment and dedication, achieving such a great success would not have been possible. It was much appreciated. It was no exaggeration from his side that that was another historical moment for WADA. He also thanked all of the Foundation Board members for their support and comments on the work. Did they agree to approve the reforms proposed by the working group with the amendments recommended by the Executive Committee?

DECISION

Recommendations of the Working Group on the Review of WADA Governance Reforms approved.

- **4.2 Governance reforms implementation update**

4.2.1 Athlete Council and National Anti-Doping Organisation Expert Advisory Group rules/procedures

- a. Athlete Council (group 2) election rules**
- b. Athlete Council (group 3) appointment procedure**
- c. Athlete Council transition measures**
- d. National Anti-Doping Organisation Expert Advisory Group election rules**

THE DIRECTOR GENERAL said that, as Mr De Vos had just said, the process was not yet over. The management was currently entering into the implementation of what the Foundation Board had just adopted.

As he had told the members, there had already been progress on some fronts, in particular with the election rules for the new groups that would need to have an election. That had been adopted the previous day, conditional on the Foundation Board members approving the reforms that day. That had been done, so the management would be able to implement that. The goal was to move quickly so as to have the election of the Athlete Council, and then the council could designate its members. The same thing would apply for the NADOs so that, by the beginning of the following year, the mechanism would be in place to have the new members of the Foundation Board and the Executive Committee. That would be very important, and he thanked the athletes for their help in promoting the election, because that would be important. The other thing the management would do would obviously be to transpose into the WADA statutes the reforms that were required and then have a dialogue with the Swiss authorities to make sure that everything was acceptable to them. The members would be asked again formally to approve the amendment to the statutes in November, hopefully, if the management received the green light from the Swiss authorities, so that everything would enter into the constitution. That would therefore be an important process.

Coming back to a few things, there was going to be a bit of homework on the members' side. First of all, the Executive Committee and the Foundation Board members could not sit on both bodies as of the following year. Therefore, they would have to decide and would have to tell the management by November who would stay on the Foundation Board and who would stay only on the Executive Committee. That was for each of the constituencies to look into, and that was important. The members would also have to come to an agreement between the sport movement and public authorities on proposing two independent candidates for the new independent seat on the Executive Committee. That was another thing that was in the members' hands. The last thing that was probably a bit longer-term, although important, as noted in Professor Haas's report, was that the diversity issue was not in the standing committees, which had both gender and geographical balance, because those committees had been formed over time. The issue was actually in the composition of the Foundation Board and the Executive Committee. The members were going to have to think, in particular the public authorities and One Voice, about how they wanted to address that in the future, because that was one of the recommendations that concerned them. That was an important one. He was less concerned about addressing Mr Baum's comments about WADA being able to meet the diversity requirements in constituting the Athlete Council. He thought that that was absolutely doable. The last thing he wanted to say was that he had taken note of the idea that there would be a review of all of that. It made perfect sense, once it had been implemented and been in practice for a few years. But, of course, as mentioned, if the management saw that there was a major problem or something that did not work, it would address that immediately. That was for sure. There was a lot still on the management's plate, but it would get on with it.

DECISION

Proposed Athlete Council and NADO Expert
Advisory Group rules and procedures noted.

- **4.3 Independent Ethics Board composition**

MS SMITH-GANDER said that she was joining the members from Melbourne that day, unlike the previous day, when she had been joining them from Perth. She just wanted to note that she was on the lands of the Wurundjeri people of the Kulin nation, and paid her respects to their traditional elders, past, present and emerging.

The Nominations Committee was pleased to present its report on its work in terms of the recommendation of the Independent Ethics Board to the Executive Committee and the Foundation Board of WADA. On the next page, the members would see the agenda proposed for that day. She would briefly outline the process employed regarding the Independent Ethics Board and then move to the member recommendations, followed by the chairman's recommendations and a couple of minor observations from the committee.

Turning to the Independent Ethics Board process overview, perhaps it would be helpful initially if she just reminded everyone of the design of the Independent Ethics Board and therefore the task overall for the Nominations Committee. The Independent Ethics Board was composed of nine members, seven of whom were independent appointees recommended by the Nominations Committee, and then a nominee from the

sport movement and a nominee from the public authorities. The nine-member board was led by an independent chairman recommended from among the seven independent appointees, again by the Nominations Committee, and the board then elected a deputy chairman from among its number. The role of the Nominations Committee was to receive all of the candidate nominations, which came from an open call by WADA through its various media channels, and also the two nominations from the sport movement and the public authorities. For those who came through the call for candidates, the Nominations Committee had the responsibility to assess the candidates to determine which to retain and, if there were not enough candidates to be able to generate an appropriately skilled or demographically diverse board, to search for additional candidates. Of course, the members would have seen in the report that that had not been necessary in that case and the Nominations Committee had, of course, been very pleased with the large group of potential candidates. The Nominations Committee had designed a process and been responsible for running the process to assess the candidates and then providing a recommendation to the President and Vice-President and bringing the report to the Foundation Board. The first part of the work that had been done had been to determine the competency profile for members of the Independent Ethics Board. That had been split into a set of core competencies that everybody had to have in order to be considered, and then some preferred competencies, which she would show the members on the next page. As the members could see, most of the core competencies were really about personal attributes, the way in which people worked together and the type of work that they were good at. The Nominations Committee had been looking for analytical people who were able to follow up based on facts that were developed through an investigation, people able to make difficult decisions, work well with others in a complex environment and, of course, able to maintain absolute confidentiality. The Nominations Committee had felt that there were some preferred competencies, which would really indicate the sort of experiences that people would have had to be able to fit them to do the work on the board, and those were shown on the next page. Those were people who might have a professional designation, membership of a professional body that had an ethics code, people who had past experience serving on an international ethics committee or an investigation committee and had experience overseeing standards of conduct and integrity, people with a background in conducting investigations and, of course, some people who had knowledge of WADA regulations and ecosystems. The Nominations Committee had been expecting that those competencies would be demonstrated across the board, of course, not in one individual, because she thought that everybody would understand that it would be a very special person who had all of those things.

The process would be familiar to many of the members, because it was the same process that was generally used in the Nominations Committee. It defined the profile that she had just shown. Based on that, the Nominations Committee agreed upon a set of questions that would be asked in a targeted selection interview, so as to be testing against the profile. Nominations Committee interviews were conducted by Zoom so that everybody had exactly the same experience, and there was always a lead interviewer and a support interviewer from the committee. Also, with the permission of the candidates, which had always been given, the interviews were recorded and kept on a SharePoint system within WADA so that the other committee members were able to see all the interviews if necessary. The Nominations Committee then went through a formal process of scoring all of those interviews, prioritising candidates, and then identifying the right questions to ask for referees. The Nominations Committee performed two reference checks for each candidate. Again, those were done by Zoom and recorded so that everyone on the committee was able to see them. Control Risks, the outsourced vetting organisation, conducted vetting and background checks, and then the Nominations Committee brought all the material together to make a decision.

The volume of work that had been done was shown on the next page. As the members could see, there had been 72 nominations, and the Nominations Committee had been delighted to receive such a large number of high quality nominations. With the support of WADA's legal team, the Nominations Committee had checked the independence criteria and only four nominations had been unable to meet that bar, so there had been 68 nominations to consider. From that population of 68, the Nominations Committee had retained 27 candidates and scored their fit to competencies with more detail at that stage. From that, the Nominations Committee had been able to interview 18 candidates, allowing it to construct a board, which it felt would be fit for purpose and meet the criteria regarding demographics and skills.

She moved to the next section, which would give the member recommendations that had been made. The following page provided an overall view of the demographic composition of the board. There was

diversity in culture and gender. There were four female and five male candidates recommended with one of the female members proposed as the chairman. The members came from four regions with nine individual countries represented. There were large and small nations, developed and emerging nations, and the Nominations Committee had been able to deliver some age diversity. The Nominations Committee did not believe that it was an issue that there was not greater age diversity because, when one thought of the task of the Independent Ethics Board and the complexity of the issues that would come before the board and the need to make determinations, she thought that the gravitas, the experience and the skills would generally require people to have some age under their belt and perhaps more grey hair than otherwise, as she had herself. Looking on the next page at the skills, as expected, there was a majority of legal skills but spread across different elements: judicial litigators, prosecutors, and very significant arbitration and alternative dispute resolution skills in the people who were legally qualified, but there was also representation from academic ethicists, from people involved and skilled in public policy and enforcement practitioners and other academics. It had also been possible to respect the athlete voice in the construction of the board. There was a past elite athlete and there were members who had experience in representing athletes in legal matters. As the members would expect, the majority brought experience in sport and anti-doping because they were the people who one would expect to be interested in an ethics board for an anti-doping agency. However, there were some with more limited exposure, bringing some fresh eyes.

The next page showed the members the names and the gender and geography and the main skill that was represented by each of the members. The members would see Ms LaBelle and Mr Thiesen, the public authority nominee and the sport movement nominee, respectively, identified on the first two lines of the recommended board. The Nominations Committee had interviewed Ms LaBelle and Mr Thiesen and spoken with their referees. It had done so not to assess their suitability for the board, because those nominees had been accepted directly onto the board, but to understand the direct skills and main skills that they would bring so as to create good diversity across the rest of the board. The members would therefore see that a public policy person such as Ms LaBelle and a lawyer, Mr Thiesen, with great exposure to the sports area, meant that the Nominations Committee had then been able to bring people such as the Honourable Mary Ang'awa, who, as a retired judge, certainly brought the skills that WADA wanted but had very limited exposure to sports. She was involved with the Golf Foundation, and that had been her only real exposure. Understanding what the nominee members brought had made it possible for the Nominations Committee to then construct the remainder of the board. It had also recommended that the Foundation Board appoint them on staggered terms so that the entire board would not need to be turned over at one point in time. On the next page, the members would see that the Nominations Committee had recommended that five candidates have a three-year term, and that would include the two nominees and then the people who the committee thought had the skills and were also prepared to be considered for the chairmanship, and that two-year terms be offered to two other independent candidates and a one-year term to the remaining two independent candidates. The Nominations Committee had really done that in a sort of random way. When the call had been put out, it had been noted to candidates that three-year terms would be offered. However, the Nominations Committee thought that it made more sense to ensure that there was some staggering. It had been noted in the call that that might be the case, so she did not think that any of the candidates would have an issue with that process.

Turning to the chairman and the recommendation for that position, the Nominations Committee had asked in the call that people express whether or not they were interested in being considered for the chairmanship, and there had been a number of candidates who had expressed that interest, and some others who the committee had assessed as having the potential. The Nominations Committee had raised with those other candidates whether they wished to be considered or not. It had confirmed with the various candidates who would be interested in the role, and what it was looking for was someone who had the leadership skills, the time capacity and the interest in the role, who had very good written communication skills and had a history of being able to take very complex problems, break them down into their component parts and get a group of people to come to agreement on those very difficult problems. The Nominations Committee had assessed Professor Mette Hartlev, who was a past chairman of Anti-Doping Denmark, as being the best skilled and most suitable candidate. She was a professor of law and an ethicist and a recognised subject matter expert on governance, anti-doping and ethics. The Nominations Committee had also assessed that the Honourable Mary Ang'awa and Professor Dr Pascal Borry would also make very

good chairmen of the group and they were prepared to take the role. They might feature in the nomination process within the board for the deputy chairman position.

Finally, the Nominations Committee had a couple of observations, which it asked WADA to take into consideration in the future. The committee was, as she had said, very pleased with the 72 nominations, but there were very few candidates from Asia in comparison to other geographical areas. The committee was therefore wondering if there was the potential to build some sort of new approach in the way in which the call was issued to get some more interest from candidates in Asia. The committee had noted that there had been fewer female candidates than male candidates, but there had been a critical mass. As the members could see, it had been possible to build a gender-based board. The committee had also noted that very few of the candidates had recent experience as elite athletes. That might be an artefact of the age profile. As she had described before, one would expect that it would be an older cohort of people who would have the experience to be able to aspire to such roles. However, the committee had wanted to just raise the question as to whether that was of concern. Was it something that perhaps could be raised with the Athlete Council to think in future about how it might be possible to have more people with that recent direct elite athlete experience to bring that voice into the various committees?

That was the end of her prepared comments. She thanked everyone who had been involved in the process for the support the Nominations Committee had received. The committee very much appreciated that and the confidence that the WADA Foundation Board and Executive Committee placed in the role that it played.

THE CHAIRMAN thanked Ms Smith-Gander for her great work, and also thanked her team for the enormous effort. Were there any comments or questions?

On behalf of the sport movement, MR DE VOS thanked Ms Smith-Gander for the excellent report and presentation. He commended the committee on the work that it had done and the thorough and solid process that it had followed. Consequently, the sport movement was happy to support and approve the composition of the Independent Ethics Board as proposed by the Nominations Committee.

MR COLBECK also wished to thank Ms Smith-Gander for her report and excellent presentation. The public authorities wanted to express their endorsement of the recommendations of the Nominations Committee. The list of applicants and consequently candidates was of a very high calibre and it was good to get to that point in time at which the Foundation Board was in a position to be able to accept the report of the Nominations Committee and get the committee up and running. He thanked the Nominations Committee for its excellent work in preparing the list and the very comprehensive presentation.

MS YANG welcomed the very detailed and clear report. She had two questions. Given her experience, with three years on the IOC athletes' commission, she supported regional balance. There was no candidate from Asia, but everybody knew that sometimes athlete matters were related to culture and it was important to cover all the regions. She strongly supported including athletes in the future, because it was a good experience to learn about athlete commissions but also important to have the athlete voice in an athlete-centred organisation.

MR TEMURCI said that the Code of Ethics had been approved at the Foundation Board meeting in November the previous year, recognising the importance of maintaining the highest ethical standards in the management of WADA. WADA invited all authorities to commit to respecting and promoting a culture of ethics, loyalty and integrity in their jurisdictions. In that regard, the composition of the Independent Ethics Board had been discussed at the Executive Committee meeting the previous day and, while approving the composition of the WADA Nominations Committee's inaugural nine-member Independent Ethics Board, including supporting the recommended chairman, on behalf of Europe he wished every success to the newly established board and its members.

DR AL KONBAZ thanked the hosts for the great organisation and excellent hospitality. He welcomed the report. He had two points. It was actually very good and he imagined it would be a permanent board. Would that be reflected in the budget? Nobody had mentioned the cost regarding the WADA budget. He believed it would be necessary to review the results every one or two years.

MS SMITH-GANDER reflected on Ms Yang's comment in support of the concerns that the Nominations Committee had had about ensuring cultural diversity and the athlete voice. One of the things it had been very careful about doing was ensuring that the people who it proposed had good international experience, but also were empathetic people who were able to see others' point of view and would understand where they needed to bring more information into their deliberations and consideration. That was also an important part of the chairman's role. The Nominations Committee believed that the group would understand that it did not have recent elite athletes and it also did not have representation from Asia and would be able to find ways of bringing those considerations in. Then, with the staggered terms, there would be an opportunity to really think about how it might be possible to find some candidates who brought that additional diversity into the group after the first 12 months if the Foundation Board decided not to roll over the terms of the people who had just a one-year term provided to them.

She was also very pleased to hear about the suggestion of ensuring that there was a review of outcomes and performance of the Independent Ethics Board on a regular basis. That was something that would enable the Nominations Committee to continue to improve its performance because that would be testing its understanding of the profile of candidates required and also the robustness of the process in delivering candidates in accordance with that profile. It was a very critical part of the Nominations Committee being effective. There were some times at which the members might feel the Nominations Committee could play a role in reviewing other committees and so forth, because of the sort of work that the committee had the skills to do, but where the Nominations Committee had been involved in making the recommendations in the way it had there, it would clearly not be appropriate for it to aspire to that role, but it would very strongly support those types of inquiry into the effectiveness of the various committees.

She thanked everyone for the comments. It was very encouraging to hear the level of understanding of the elements of the work that the Nominations Committee did.

THE DIRECTOR GENERAL said that the discussion on the budget would take place later on. That was one of the costs of the governance reforms that had been taken into account. The previous day, the Executive Committee had discussed that the magnitude of the cost, if one added all the reforms since 2019, was slightly more than a million dollars a year. And, for that particular committee, there would be a budgeted amount for normal, routine activities. But, of course, the cost would vary significantly depending on whether it had to deal with cases or not. So that would remain to be seen. After a few years of operation, he thought that WADA should review not just the Independent Ethics Board, but also all the governance reforms that the agency was about to adopt.

THE CHAIRMAN asked the members if they agreed to approve the recommendations of the WADA Nominations Committee concerning the composition of the inaugural nine-member Independent Ethics Board and the appointment of the chairman of the committee, Professor Hartlev. He saw some nodding, which meant that the members approved. He thanked them very much. He had to say that he was very proud that finally WADA had the Independent Ethics Board.

DECISION

Proposed composition of the Independent Ethics Board approved.

- **4.4 President and vice president, 2023-2025 terms**

THE DIRECTOR GENERAL informed the members that, in November, they would be asked to endorse the continuation of the President and Vice-President's mandate for a final three-year term. The management had therefore prepared for that deadline by doing two things. First, it had asked them if they would be willing to continue, and the members would have seen from the document in their files that both the President and Vice-President had indicated that they would be willing to continue their mandate. Secondly, the management had asked the Nominations Committee to validate that the independence criterion that applied to them was still being respected. That had been done by the Nominations Committee through a vetting process, and the management had received confirmation that both met the requirements. With the formalities over, he wished to inform the members that, in November, there would be an item on the agenda on extending the mandate of the President and the Vice-President.

THE CHAIRMAN thanked the Director General. As he had explained, Ms Yang and he had expressed their interest in being reappointed for a second and final term. The decision on that matter would be taken by the members in November, as mentioned by the Director General. At the meeting in Montreal, he and Ms Yang would try to sum up the past term and present their plans for the following one. That day, however, he wished to thank the members again on behalf of Ms Yang and himself for the trust they had placed in them over the past three years. It was a great honour and privilege for them to lead the organisation with so many committed and dedicated stakeholders.

DECISION

Renewal of 2023-2025 terms of President and Vice-President to be put to Foundation Board for approval in November.

- **4.5 Standing committee chairs 2023-2025 – call for candidates**

THE DIRECTOR GENERAL reminded the members that there was a deadline at the end of that month for candidates for the chairmanship of the four WADA committees: the Compliance Review Committee, the Education Committee, the Finance and Administration Committee and the Health, Medical and Research Committee. He wished to remind everybody that the deadline was at the end of that month.

MR BERGE said that he was pleased to inform the members that the call for candidates for the position of chairman of the standing committees had been very much promoted among the European public authorities and, in that context, wished to highlight Europe's support for the reapplication of Professor Engebretsen as chairman of the Health, Medical and Research Committee.

DECISION

Standing committee chairs 2023-2025 call for candidates noted.

- **4.6 Updated Foundation Board composition – changes since January 2022**

THE CHAIRMAN informed the members that that item was for decision. The Foundation Board was expected to formally acknowledge the membership changes to the composition of the WADA Foundation Board to meet the requirements of Swiss law.

THE DIRECTOR GENERAL informed the members that that was a recurring item on the agenda. They had a paper on the table with the three changes since January 2022. The Foundation Board needed to approve as new members of the Foundation Board Minister Tinoka from Madagascar, Minister Cho from Korea and Minister Arce, President of CONCECADE. The board was being asked to approve them as Foundation Board members.

THE CHAIRMAN thanked the Director General and believed that the membership changes could be formally acknowledged, if the members were happy to do so.

DECISION

Updated Foundation Board composition approved.

5. Finance

- **5.1 Government/IOC contributions update**

MS CHUNG said that she would go over the contributions from the governments and the IOC for 2022. There was an update from the papers that the members had received. As of 18 May, the previous day, WADA had received 53% from the public authorities. The previous year, WADA had been at 56.6%. Thus far, WADA had received 11.6 million dollars. Going quickly by region, Oceania had reached 100%, and the Americas were at 44%. The previous year, the region had been at 31%. WADA had recently obtained a commitment from Venezuela that it would pay the 2022 contribution and also pay for prior years. She would update the members in due course. Asia was currently at 59%. WADA had received confirmation the

previous day from Japan that it had paid the 2022 contribution. The previous year, contributions had been at 60%. Europe was at 54% compared to 69% the previous year. Since the members had received their papers, WADA had received contributions from the UK and the Czech Republic. Africa was at 30% compared to the previous year at 20%. WADA had received from Montreal International 603,000 dollars from a 2.44 million-dollar grant. Additional contributions of 116,000 dollars had come from the governments of Japan and India. For special funding, the Government of Saudi Arabia had pledged 500,000 dollars for research, and WADA had received 250,000 dollars in March. WADA had received all pending amounts for special funding from the IOC and public authorities for over 2 million dollars in 2021, bringing the total to over 7 million dollars. The members would also find all the latest details of contributions on the website. She thanked all of the funders for their contributions.

THE CHAIRMAN thanked the members very much, especially for all of the additional contributions, for which WADA was very grateful.

DECISION

Government/IOC contributions update noted.

- **5.2 2021 year-end accounts**

THE CHAIRMAN informed the members that he would give the floor to the PricewaterhouseCoopers auditor to provide an overview and to present the 2021 accounts for formal approval. That item was for decision.

MS EMERY gave the members an update on the audited financial statements. Her name was Lucy Emery, and she was a partner at the PricewaterhouseCoopers Montreal office, responsible for the audit work on the financial statements of the World Anti-Doping Agency. She worked directly, hand-in-hand, with her colleague Andrea Costa, a director at the PricewaterhouseCoopers office in Lausanne, Switzerland, who was ultimately responsible for signing off the auditor's report on the financial statements. She wished to provide a status of the audit work and cover significant accounting and financial reporting matters dealt with during the audit. As of that day, PricewaterhouseCoopers had finalised its audit of the World Anti-Doping Agency's financial statements for the year ended 31 December 2021. PricewaterhouseCoopers was ready, as of that day, subject to the approval of the financial statements by the Foundation Board, to release its report without qualification or references to violation of the law. As the auditor of the agency, PricewaterhouseCoopers' responsibility was to issue an audit opinion on the financial statements and to confirm the existence of an internal control system designed for the preparation of the financial reporting. PricewaterhouseCoopers was currently in a position to conclude that the financial statements for the year ended 31 December 2021 gave a true and fair view of the financial position, the results of operations and the cash flows of the agency in accordance with the International Financial Reporting Standards. The agency had also prepared a second set of financial statements under Swiss Generally Accepted Accounting Principles for the year ended 31 December 2021. PricewaterhouseCoopers could conclude that the Swiss financial statements complied with Swiss law and the foundation's deed. Just one point: subsequent to the mailing of the documents to the members, another version of the Swiss GAAP financial statements had been finalised, including the cash flow statement regulatory requirement. PricewaterhouseCoopers also confirmed that an internal control system was in place for the preparation and fair presentation of the financial statements in accordance with the requirements of the Foundation Board. The audit work had been conducted in line with PricewaterhouseCoopers' audit plan. As part of planning the audit, discussion had taken place with the management about key risks as well as the audit areas of focus and the audit approach. During the course of the audit, PricewaterhouseCoopers had reviewed all management accounting policies and positions, management judgments and estimates in establishing the financial statements, all financial statement presentations and disclosures and, during the year ended on 31 December 2021, she could confirm that no unusual transactions had been accounted for. No internal control deficiencies had been identified. There were no recommendations for improvement that she believed merited the attention that day of the Foundation Board. No uncorrected misstatements had been identified and no new accounting methodology had been adopted, nor change in accounting policies.

Those were the highlights of the audit. Unless there were questions, that concluded the report. In closing, she wished to thank the agency's management and members of staff who had assisted

PricewaterhouseCoopers in carrying out its work, particularly Mr Niggli, Ms Chung, Ms Vizioli and Mr Villegas.

THE CHAIRMAN thanked Ms Emery for her report. Were there any comments or questions for Ms Chung or the auditor? He did not see any, so he believed that the members were ready to approve the agency's 2021 audited financial statements. Did the members approve? He thanked them very much.

DECISION

2021 year-end accounts approved.

- **5.3 2022 quarterly accounts (quarter 1)**

MS CHUNG informed the members that, for the first three months of the year, the total operating expenses had reached 10 million dollars, or 20% of the budget. Although WADA continued to operate online or in hybrid mode, there had been encouraging signs of recovery from the Covid pandemic and travel restrictions that had allowed more activities and meetings to take place, notably the Olympic and Paralympic Games in Beijing, at which a number of WADA members had been present. The redesign of the WADA website had been completed and it had been launched at the beginning of the year. The agency's annual symposium would normally have been included in the first quarter, but it had been postponed to June that year. Most of the departments were slightly under budget, with a few exceptions, but those were mainly due to timing. Depreciation had reached 29% of the budget. The capital expenditure was at 17% and, again, that was due to timing, but also included the leasehold improvement of the Montreal office. The surplus, as the members would see, at 13.7 million dollars, was not representative at that point, as WADA received more contributions in the beginning of the year and expenses were more spread out throughout the year. That was the update on the quarter one accounts.

THE CHAIRMAN asked if there were any comments or questions.

DECISION

2022 quarterly accounts noted.

- **5.4 2023-25 budget forecast**

MR DONZÉ informed the members, by way of background, that the WADA management had presented its first draft of a budget forecast for 2023-2025 to the Finance and Administration Committee back in June 2021. That initial three-year budget forecast had included a proposal of budget increases of 8% for 2023, 6% for 2024 and 6% for 2025, which the Finance and Administration Committee had approved. The draft 2023-2025 budget forecast had then been presented to the Executive Committee in September 2021. At the time, the Executive Committee had asked for additional information prior to reconsidering the file and making a recommendation to the Foundation Board. That had resulted in a very detailed proposal presented with proper rationale to the Executive Committee at its following meeting in November 2021. At the time, the Executive Committee had appreciated the additional information, but had also requested additional scenarios for discussion at the Executive Committee and Foundation Board meetings in Cairo. Members had therefore received additional information related to the 8-6-6 scenario, as well as a scenario involving a 5% annual budget increase for the 2023-2025 period and a detailed explanation related to the financial impact. To provide the information, every area of activity within the organisation had been considered, and the previous day the Executive Committee had decided to recommend to the Foundation Board that it approve the proposal to increase the budget by 8%, 6% and 6% respectively for the 2023-2025 period. The current situation was one in which WADA had been asked by stakeholders to significantly expand the scope of its activities since 2016 in particular and the aftermath of the Russian scandal.

Among numerous developments and following approval from the Executive Committee and the Foundation Board, WADA had created a fully-fledged Intelligence and Investigations Department. It had significantly increased education and Code compliance activities. It had also engaged in governance reforms that had had and would continue to have a significant cost with a growing number of members in governing bodies. The members had seen that morning and heard Professor Haas speaking about an additional 450,000 US dollars annually to implement the reforms. Adding the latest reforms to the reforms approved back in 2018, the costs went beyond one million US dollars extra every year. IT security and

development had become a real challenge with exponential costs. If WADA wanted to continue to improve ADAMS and maintain the security of the global IT environment, significant investment would be required. In addition, at the meetings in November 2021, both the Executive Committee and the Foundation Board had supported the call from the chairman of WADA's Health, Medical and Research Committee and the senior director of science and medicine to increase the budget dedicated to scientific research in the future. WADA's increased mandate had indeed pulled funding from scientific research to a point at which it had fallen from a high of approximately 6.6 million US dollars in 2006 to less than 2 million dollars currently. It was the belief of the anti-doping scientific community that, in the future, an annual budget of 4.5 million US dollars for scientific research would be a minimum to be able to run a credible research programme.

He was therefore seeking approval from the Foundation Board for an 8-6-6 budget increase from 2023 to 2025 to be able to deliver the expanded scope of activities that had been requested from the Executive Committee and the Foundation Board, to increase the scientific research budget to a level that was considered acceptable by the scientific community and to properly implement the strategic plan. He was, of course, very conscious that, with the Covid pandemic, inflation rates soaring worldwide and other elements, the economic situation was extremely challenging in many parts of the world. WADA was extremely grateful to the Olympic Movement and public authorities around the world for their continued support. That was also where the funding system of split contributions from governments would help limit the increase in terms of individual contributions from countries. In real terms, with an 8% budget increase in 2023, the highest additional amount to be covered by an individual country would be just over 250,000 US dollars, while many countries would pay just above 30,000 US dollars extra and a majority of countries worldwide would pay less than 500 US dollars extra. WADA would, of course, as an organisation, continue to be fiscally responsible, to look at ways of continuing to streamline operations and be cost effective. That would be further supported by the implementation of new key performance indicators in line with the new strategic plan. The members had heard about them that morning and they would help better assess the performance of the various areas of activity and of the organisation in general. WADA would need to continue monitoring and taking into account the soaring rates of inflation, hoping to continue to operate without having to make too many cuts. As an example, Canada, where the headquarters were based, foresaw a rate of inflation of more than 7% in the coming month, a situation that had significantly worsened since he had started to talk about the 2023-2025 budget forecast back in June 2021. That meant that, even with an 8% budget increase in 2023, inflation at that level would force WADA to limit some of its activities. In terms of process, what he was seeking from the Foundation Board that day was a decision on the recommendation from the Executive Committee to approve an 8-6-6 increase for the 2023-2025 period. Following the board's decision on that matter, as was done every year, the management would discuss details of the draft 2023 budget with the Finance and Administration Committee, which would meet in late July that year, and would provide the Executive Committee with a detailed draft 2023 budget for review and discussion at its September meeting before asking the Executive Committee for further review and seeking formal approval from the Foundation Board in November. That concluded his presentation and he would be very happy to entertain any questions or comments.

MR COLBECK welcomed the report. He just wanted to reiterate some of the points that he had made on behalf of the public authorities the previous evening at the Executive Committee meeting. As he had indicated, the public authorities were prepared to support the requested budget forecast of increases of 8-6-6% on an in-principle basis. He was pleased to hear that the detailed budget information would be provided to the Executive Committee for recommendation to the Foundation Board for final approval. That was an important process. He reiterated the concerns that the organisation needed to aim to stabilise its staffing and administration costs in an inflationary environment that had just been discussed. It became all the more important that anything that WADA was doing was done as efficiently as possible. He would repeat the request that he had made the previous evening, that an efficiently operated working group linked to the Finance and Administration Committee and effectively operating virtually be established to look at efficiency improvements; again, with the environment everybody was living in, he thought that that was quite important. He acknowledged the importance of funding for research and part of the support for an 8-6-6 increase was on the understanding that funding for research would be maintained. As discussed the previous evening, particularly regarding the opportunity to seek external sources and partnerships for research, he had noted in some of the projects supported the previous evening that there had been a contribution of something of

the order of about 10% that was coming from other sources to the work that was being funded. He thought that that could be worked on and improved. And, of course, the other point that had been made the previous evening and mentioned by others as well at the Executive Committee meeting was the importance of the work in the regional offices of WADA and the prioritisation of activities in a regional sense to ensure that the activities of the organisation were appropriately spread in those regional areas.

MR IKEDA: Thank you. Japan would like to request WADA to stabilise the budget without increasing the contributions after 2026 and to make an approval for annual budget every year in the next three years. It is essential that WADA continues to work hard to develop sustainable projects and secure annual revenue without relying solely on the increase of contributions. As discussed yesterday, we should look into the possibility of, for example, raising funds from private sectors, foundations, or collaborating and having joint research with research institutions such as universities. That could be an option. In addition, I also believe it is required to carefully examine and prioritize WADA's projects in order of importance while reviewing existing projects. In doing that process, it would be important to deepen the discussion about what role WADA, the public authorities and the sport movement should play and how we should collaborate.

MS ST-ONGE stated that the Government of Canada stood behind the government colleagues' consensus that had been achieved through the One Voice platform to support WADA's proposed increases of 8, 6 and 6% in 2023, 2024 and 2025. That being said, the government was also aware that several public authorities had expressed their concerns with the steadily increasing WADA budget over the years, and she encouraged the agency to strive to stabilise its operational costs beyond 2025.

PROFESSOR ERDENER noted that, the previous day, he had mentioned something during the Health, Medical and Research Committee report and he wished to repeat it again because it was very important for him and for the sport moment. He thought that everybody agreed on that. Minister Colbeck had also mentioned something related to it. In terms of having more effectiveness regarding anti-doping activities in WADA, WADA needed more income to support scientific research projects; there was no doubt about that, especially where some new, sophisticated and expensive techniques or methods were concerned. He believed that, together, the stakeholders should make either more contributions or at least some extra contributions to WADA's budget for that really important aim.

MS KITSOU-MILONAS supported the points underlined by Minister Colbeck previously.

MR BAUM wished to add the voice of the Americas region and of the USA regarding the 8-6-6 budget forecast. The region was fully supportive of that proposal, as Minister Colbeck had laid out. He recognised, as the management had pointed out, that the investments in governance reform were important, and asked for those reforms since they had been approved and they had to be implemented. He understood that there was a cost involved, as had been explained. His region also supported the baseline of 4.5 million dollars for scientific research but was very encouraged about the possibilities of WADA cooperating with national governments and other entities on research. To that end, he was pleased that a dialogue had been initiated between the National Institute of Drug Abuse in the USA and WADA and looked forward to a virtual meeting that was going to take place the following week, specifically on areas of collaboration. His region also supported and welcomed the investment in WADA regional offices and welcomed the comments by the WADA management about the intention to increase staffing for those important regional offices. He reiterated one of Minister Colbeck's points about how the region was really looking forward to the virtual working group that had been proposed, to explore among all stakeholders potential savings on the budget.

MR COSGROVE stated that, like others on the public authorities side, he wished to endorse Mr Colbeck's view as a reflection of the unanimous position of the public authorities in respect of the budget. He also wanted to pay tribute to the Japanese contributor, who had said the previous evening, very eloquently at the Executive Committee meeting, that WADA needed to be mindful and accountable and transparent with regard to the taxpayer dollar. Unlike the sport movement, the public authorities were responsible to their respective taxpayers and every dollar was important to them. He would certainly also endorse and noted that there had been no objection at the Executive Committee meeting the previous night to Mr Colbeck's recommendation, which the public authorities had unanimously accepted, that there should be a low-cost virtual working group attached to the Finance and Administration Committee. He found it very strange, in an organisation of that size, that the Finance and Administration Committee met once a year and was quite restricted in terms of how it could interact with the various players and the governance groups.

He found meeting once a year very strange. He knew it had been a tradition going back some years. He would have thought that, at the very least, the Finance and Administration Committee, given the current tough times, should be meeting quarterly. To that end, he would suggest that the working group, as part of the Finance and Administration Committee, meet at least quarterly and report to the Foundation Board its findings. It was necessary to be very careful predicting the future. Those were extremely difficult economic times and to commit holus bolus to a three-year budget without the appropriate scrutiny that had been recommended came with great risk. He would say to the members of the management who had suggested that the increases proposed were relatively modest for some that that was slightly disingenuous given that there had just been a report about contributions. For the avoidance of doubt, and he meant no disrespect, there were members who needed assistance and who were struggling to meet that year's obligations and the previous year's obligations. There were no retrospective-looking projections further behind than that. Yet, the members were being told that those increases were modest and that it was going to be okay. Some of the members needed assistance and some were struggling to meet their particular contributions. Finally, there needed to be, in those budget papers, far more transparency. For instance, unlike most international organisations, WADA did not publish salary banded information, which on the one hand protected the privacy of staff, but on the other hand provided transparency and accountability. WADA did not do that and he did not think that it had ever done that. WADA should do that. As he had said, WADA should have a finance committee that met more than once a year, and equally should be looking not only to stabilise expenditure but also present budget proposals without the governance body having to ask for them proactively. The management should actively and constantly be looking for savings and reprioritisation and suggesting and bubbling up those proposals, as was done in their own jurisdictions, to the Executive Committee and to the Foundation Board. WADA might well be one of the few private or public sector organisations that had not gone through a restructuring because of Covid. That probably was a good thing because it protected WADA's people. However, in many of the jurisdictions within which the members resided, there was an old adage regarding government departments and jurisdictions. Government departments were often told do more with less, or to take it from baseline. And there would always be demands on that organisation, as there should be, to do more. However, as the Japanese delegate had pointed out the previous evening, there had to be very clear transparency and accountability back to the taxpayers and jurisdictions. If the hand was going to keep coming out for more and more money, the members would have to go back to their people and justify that; even if they were small increases in the scheme of things, it was necessary to justify that. He would simply note that there had been no objection the previous evening at the Executive Committee meeting to a working group. WADA had working groups on all sorts of things. He would suggest, given the hard financial times that people were in, that it was mission critical that WADA keep a very close eye on the finances. As Minister Colbeck had put it, WADA should learn to do things, take learnings and try its best to be as efficient as possible. He would endorse the unanimous position of the public authorities.

MS GROSSENBACHER spoke on behalf of the sport movement to thank WADA for the detailed presentation as well as all the work conducted in preparing the three-year plan, and she expressed support for the increase in budget as proposed. That said, echoing the concerns from her colleagues from the public authorities, the sport movement's support was also tied to some requests, which were also the request to have a balanced budget for operations to be presented for approval to the Foundation Board, as well as WADA continuing to strive towards greater efficiencies, which included improving reporting mechanisms on targets being met. The work presented that day on the KPIs was a very good step in that direction and would also allow WADA to better inform on its objectives being met, stabilising the growth of the organisation through increased controls over cost and headcounts, prioritising projects and activities based on the assessment of WADA's mission and leveraging other resources, as Professor Erdener had mentioned earlier on. As the members had heard as well the previous day from the chairman of the Health, Medical and Research Committee, it seemed that WADA was considering using consortia to stimulate research and to attract more funders. That was something the sport movement would like to further encourage, not only on specific topics, but maybe more generally as a global strategy.

The sport movement had noted that WADA had included an extra amount for the operational reserve the previous year. That was something it welcomed. That said, the sport movement noted as well that, in 2015, the Executive Committee had agreed to an amount for operational reserves of 9.6 million US dollars

and the sport movement would like to see that target being met using excess of income over expenses accumulated. The sport movement would welcome that and would like the Finance and Administration Committee to review whether that amount needed to be modified in the future.

MS MORALES thanked the meeting hosts and the Chairman for organising the meeting. In the Americas region, a sport summit had been held in the Dominican Republic, involving the CADE, CID and CONCECADE, and the issues of fair play and WADA had been covered. The request from the various bodies taking part in the summit was that, when approving the budget increase, funds be assigned not only to research but also to support the regional offices, because the small countries in Latin America really needed the regional offices, as there was still a lot of work to be done to be more efficient and to be able to provide clean sport. In Paraguay, her country, the South American Games would be held in October, and regional support would be very important. In Paris, there had been talk about seeking sponsors or other consortia for research. It had understandably not been possible to find sponsors because of the pandemic, but she hoped that it would be possible to find sponsors the following year, as they would be an alternative way of stabilising the budget. It was very important to invest in research and she congratulated the Chairman and the Finance and Administration Committee on their work.

On behalf of Panama and CONCECADE, MR ARCE echoed what the speakers from Paraguay and the USA had said, because it was important to promote regional support for the work that needed to be done in the field. The comments made by his colleagues were very opportune, as it was appropriate to take into account the small countries and regions (in his case, Central America and the Caribbean) to design a budget that reflected the current situation. He echoed his colleagues' request to continue to strengthen research and scientific progress for athletes.

MR COSGROVE asked if Mr Colbeck's and the unanimous public authority recommendation for a working group was endorsed by the Foundation Board. Was the Chairman going to put that to the body or should the members just take it as read that it was endorsed and would happen?

THE DIRECTOR GENERAL noted that Mr Cosgrove was obviously very impatient to have a response, but he would be happy to respond to a number of interventions that had been made, including the requests made by One Voice. He would go through the list of detailed conditions or requests from One Voice which he thought had been discussed the previous day already and with which nobody had had a problem. The members had been told before that the process for the budget was a yearly process. That was clear. What the Foundation Board was agreeing upon that day was the global envelope. Every year, there would be a detailed budget, which would, as mentioned by some, have to take into account the situation and the new priorities or the new challenges WADA was going to be facing in the future. He understood the message of stabilising costs and administration costs. There could be a debate, but not that day, on the percentage of administration costs versus operational costs. He did not think it had got out of proportion at all, but that depended obviously on the requests and the activities. He understood and would do that within the budget and, by 2025, thought that WADA would see where it was and what the priorities were. He had no issue with setting up a virtual working group within the context of the Finance and Administration Committee, and would talk to the chairman of the Finance and Administration Committee and would certainly relay that to him and set that up with him so as to have a discussion and then report to the Executive Committee and potentially to the Foundation Board in November.

He acknowledged also the fact that a good portion of that increase would have to go towards research. That was the plea, and that would be done. WADA would also seek synergies in research, as discussed by many and proposed by the USA. He hoped to be able to have access to other existing funds for research and the objective was to try to develop synergies as much as possible and at a much higher percentage than the 10% mentioned that day. He would absolutely like to do that. In saying that, he also acknowledged the importance of regional activities. As mentioned the previous day, that was already in the plan and WADA would continue to have an increase in staff at the regional offices. It was already the case for the Asian office and the plan was to continue to the other regional offices in the coming months, to be completed and implemented before the end of the year.

On the other comments made, just to highlight a few, he was not sure what the basis was for saying that the interactions of the Finance and Administration Committee were limited. He thought that they were absolutely not limited. The Finance and Administration Committee could interact with whomever it wanted

and seek whatever documents it wanted. He objected to the accusation that WADA was not transparent in its accounting. It produced very detailed sets of accounts. They were audited under the International Financial Reporting System and the Swiss GAAP, and they were always available. The members had heard that day a very clean bill of health from PricewaterhouseCoopers. He therefore thought that the basis for those remarks was not supported by facts. The only question was on the balanced budget. He had already made the remark the previous day. He thought everybody agreed with the best practice of having a balanced budget. However, maybe for a few years, a small deficit might be proposed, because WADA had made some savings over the past few years. Some would be used, as mentioned, to reconstitute or to fully attain the operational reserve that had been proposed by the Executive Committee some time ago. Then, if there were some remaining, and there would be a few remaining, WADA proposed to use them based on the needs and the priorities. He had understood from the discussion the previous day that WADA would be allowed to propose a small deficit if it was to fund some priorities and some important matters; of course, with the available unallocated cash that was available.

In conclusion, the most important thing was to thank the public authorities and the sport movement for their support of the proposal, because it was really important for WADA to be able to continue to deliver on its mission, including making sure that research could be increased. He thanked the members very much for that and for their confidence.

THE CHAIRMAN also thanked the members very much for their support for the 8-6-6 budget increase that was being proposed for the period from 2023 to 2025. He believed that, even with the current inflation rate, it would help WADA to meet the expectations of its stakeholders and improve capacity in underfunded areas such as research. He also wished to assure the members that WADA would continue to look for alternative sources of funding for activities. WADA would continue to look for partnerships in the field of science and apply for external funding for projects, as it had done successfully with the European Union project on investigative capacity building for which WADA would receive 1.5 million euros from the European Union. That was a really good project. The project was for countries (not only from the European Union) to increase their investigative capacities. Of course, WADA continued to actively seek sponsors, and the members might have noticed that, over the past few weeks WADA had signed its first contract with a company from Africa, SuperSport. He truly believed that it was a really very good and positive step and WADA would like to use its resources and the partnership with the company to create good programmes in Africa to promote clean sport using the tools available. He was really happy with the comments regarding that initiative with the private sector. He agreed that it should be the goal of WADA to reach out to private sector companies to work with them and to encourage them to co-finance some of its actions. He remained optimistic that WADA would soon have other partners working with it. That was extremely important, not only from WADA's perspective, but from the anti-doping movement perspective as well.

Did the members agree to approve the 2023, 2024 and 2025 budget forecast? He thanked them very much for their support.

DECISION

2023-25 budget forecast approved.

6. Athletes

THE CHAIRMAN noted that a comprehensive oral report had been provided to the Executive Committee the previous day. The members had a written report in their folders. Mr Sandford was present in case the members had any questions or comments.

MR BINDRA seized the opportunity to commend Mr Sandford for his leadership and the committee for all of its work and efforts. The IOC looked forward to continued cooperation and partnerships.

MR SANDFORD thanked the IOC athletes' commission for its ongoing support as well, and the contributions that its members made to the WADA Athlete Committee.

Since he had the microphone, he noted that there would be an athlete forum on 13 June in Lausanne. He encouraged the members to send along any athletes from any of their countries or sports; he would love to see them there.

Finally, the ombuds project was advancing really well. There had been an overwhelming amount of interest in the position, so the Athlete Committee was working through that at that moment. He thanked the members for their support.

DECISION

Athlete Committee report noted.

- **6.1 Ombuds update**

THE CHAIRMAN noted that the written report was included in the document set for that day's meeting. Were there any questions for Mr Sandford?

MR SANDFORD informed the members that, since the update given the previous November, when the project had been approved as a pilot project, WADA had continued to develop the ombuds project to the stage at which the job description had been released earlier that year. Over 140 applications had been received, which was quite amazing. WADA had been working through those applications to find the right person and there was currently an interview process taking place with a number of those people. The aim was to have someone to recommend to the Director General and President, hopefully later that month, for the position because the Athlete Committee wanted to get the ombuds up and active as soon as possible. It saw an enormous benefit to athletes from around the world having that and, talking to the applicants and seeing the number of applicants, it was clear that, within the sporting landscape out there as well, they also saw the benefit of having an ombuds out there. The Athlete Committee continued to work on the project and he thanked the members of the working group and WADA for their support.

DECISION

Ombuds update noted.

- **6.2 Athlete engagement update**

THE CHAIRMAN asked if the members had any comments or questions for Mr Kemp on his athlete engagement update. He did not see any requests for the floor.

DECISION

Athlete engagement update noted.

7. Education

THE CHAIRMAN asked if the members had any comments or questions for Ms Kanouté. They could find her report in their files.

MS KANOUTÉ expressed her gratitude for the continued support and perseverance of the colleagues in Australia who had not wavered from their commitment to host the next edition of the WADA Global Education Conference. That would take place at the International Convention and Exhibition Centre in Sydney, Australia, from 20 to 22 September that year. All of the members were invited to join WADA there and importantly to do what they could to ensure that all those responsible for education in their organisations or NADOs were able to travel to that very important event. The focus of the conference was on education, action, innovation, cooperation and implementation, and there would be a range of plenary and practically-focused breakout sessions. There would be a bonus day on 22 September during which there would be opportunities for specialist sessions such as a Code compliance clinic and a focus on education technology to enhance innovation in education. Opportunities would also be created for smaller regional groups to connect and discuss their specific challenges and solutions, sharing good practices across nations, with specific time to ask questions to her as the chairman, but also to the WADA Education Department Director, Ms Amanda Hudson. She hoped the members would support the Education Committee and Department in promoting the event and enabling those who would most benefit from it to attend. She showed the members a small teaser video.

DECISION

Education Committee report noted.

8. Compliance Review Committee report

THE CHAIRMAN asked if the members had comments or questions for Mr Gourджи. There was a written report.

DECISION

Compliance Review Committee report noted.

9. Health, Medical and Research Committee report

THE CHAIRMAN said that Professor Engebretsen was present, and his written report was in the members' files.

PROFESSOR ENGBRETSSEN noted his thanks for all the support, over the past two days, for the research projects and the goal to increase output, economically, of course, but also from the point of view of anti-doping. The only way of achieving the goal was by investing in research. He thanked the members very much.

MR PIGOZZI strongly supported research being considered a priority pillar in the fight against doping. Everybody was aware that the research budget had decreased significantly in recent years. Consequently, anti-doping science urgently needed financial support. That had been discussed already, and he wanted to take the opportunity to strongly encourage greater reliance on strategic funding and partner initiatives to support the implementation of new anti-doping approaches, such as the use of new technologies and long-term storage and reanalysis programmes. Those areas would be game-changing and represent a turning point in the fight against doping in sport and the protection of the clean athlete. Therefore, to achieve more funding, of course, new sponsors and partners would be required, for example, engaging with the industry and other sponsors of research. He also stressed the importance for the World Anti-Doping Agency of promoting the development of scientific consortia between stakeholders belonging to the network, to deal with the considerable application of all available technology, including OMIC technologies, big data, bioinformatics and machine learning and artificial intelligence.

DECISION

Health, Medical and Research Committee report noted.

10. Legal

- 10.1 RUSADA CAS update

MR WENZEL noted that he would be fairly brief on the item, as the reports were extensive, in particular, the report on the LIMS cases that had arisen from the CAS case. Of course, the monitoring work regarding the consequences imposed by the CAS in December 2020 continued. WADA was still in the so-called two-year period and the consequences and monitoring work related in particular to the restrictions imposed in connection with world championships. It had to be said that, in recent months, in view of the consequences that had been imposed by sports bodies and IFs on Russia and Russian athletes in connection with the invasion of Ukraine, the monitoring work had become somewhat less. Nonetheless, it was closely monitored. The CAS award had also imposed, in addition to consequences, a number of reinstatement conditions that needed to be fulfilled for RUSADA to be reinstated at the end of the two-year period. Broadly speaking, those reinstatement conditions could be put into three categories: financial conditions, some of which had been met, some of which were due only at the end of the two-year period; cooperation with investigations by WADA and others, and also the adjudication of cases resulting from Operation LIMS; and the independence of RUSADA and non-interference with its activities. WADA continued to monitor RUSADA, including monthly activity reports and contacts between WADA's NADO Relations Department and

RUSADA, and it would continue to do that throughout the two-year period so that it was in a position to assess whether or not the reinstatement conditions had been met.

The written report, which the members had, also set out the current state of play with respect to the cases that had arisen from Operation LIMS. It did that in great detail. He certainly did not propose to go through it in the same level of detail, but would provide a few noteworthy figures. The members would be able to see, even from the executive summary of the LIMS report, that 810 cases had been referred by WADA to ADOs, many of them to IFs, but also a number to the Russian Anti-Doping Agency, RUSADA. There were two categories. One was use cases or article 2.2 cases, which related to the forensic data, the analytical data that had been retrieved by WADA in January 2019. Those were the use cases. And then, on the other hand, there were presence cases, article 2.1 cases, which resulted from adverse analytical findings in connection with the samples that had been seized by WADA in the first instance at the end of 2014. Further thousands of samples had been seized or handed over in 2019, in June, he believed. The members would see again in the various tables, but the one in the executive summary gave a pretty good picture, that the number of LIMS cases, use and presence, that were being closed was increasing, closed either because the anti-doping organisation had decided to sanction or acquit an athlete or because it had made a decision not to proceed with the case based on a lack of evidence.

However, it had to be said that a significant number of those 810 cases remained subject to investigation, and there had been and would continue to be regular calls for updates by WADA's Legal Department. WADA was providing ongoing assistance to ADOs, IFs in particular, with respect to the assessment and prosecution of those LIMS cases, including reports from the relevant people within WADA's Intelligence and Investigations Department, on occasion adduced as evidence within those proceedings. There had been, as the members could see from the table on page eight of that report, 120 sanctions imposed already across the presence and the use cases. The decisions that ADOs were making, in particular IFs, but of course also RUSADA, were being scrutinised closely by WADA's Legal Department and, where WADA considered that those decisions were not compatible with the World Anti-Doping Code, it would appeal, and it had appealed already in a number of cases. It had appealed in a number of cases from three different IFs and also a number of cases from RUSADA. That would continue if the decisions were not compatible. WADA was scrutinising them all particularly closely, then appeals would be lodged.

DECISION

RUSADA CAS update noted.

- **10.2 International Weightlifting Federation update**

MR WENZEL referred to a number of historic non-conformities by the International Weightlifting Federation, the IWF, which had been the subject of a report by WADA's Intelligence and Investigations Department at the end of 2020 and also investigated and reported upon by Professor McLaren upon the invitation of the IWF itself. In particular, those non-conformities related to a failure to prosecute or timely prosecute anti-doping rule violations to move forward with result management. The non-conformities, as was clear from the investigation reports, were in the past and they had occurred indeed even before the first edition of the International Standard for Code Compliance had come into effect in 2018. And, therefore, it was clear, at least with respect to the merits of the matter, the substance, that the old compliance regime as set out in the World Anti-Doping Code would be applicable, not the International Standard for Code Compliance by Signatories. Under that previous regime in the World Anti-Doping Code, no meaningful consequences could be imposed by WADA in respect of the situation. It would have been possible under the old regime for WADA to refer the matter to the IOC to consider a possible withdrawal of funding or other more symbolic consequences. However, at least as far as WADA was concerned, none of the consequences that were listed in the Code would be applicable in that instance. A further point to make was that the current compliance system, based on the International Standard for Code Compliance by Signatories, sought to correct existing non-conformities. The first step of the process was a corrective action report being sent out to the relevant anti-doping organisation. It was not geared at dealing with non-conformities that were in the past, and arguably the old compliance regime, based on the provision in the World Anti-Doping Code, had also been geared in the same way it used the present tense when it referred to conformities, suggesting that they must be existing at the time of the action. The non-conformities, in

particular the failure to move forward with result management in a number of cases, had been, as was clear from the report, almost entirely dealt with by the International Testing Agency on behalf of the International Weightlifting Federation. Of the cases that were not proscribed, only four out of 146 were still pending. The rest had been dealt with and those four were in process. They had not been abandoned. So the non-conformities, to a very large extent, had been dealt with. Also, in addition to dealing with those non-conformities, there were also pending actions against certain senior members, including the former president of the International Weightlifting Federation. So the WADA management took the view that, given the combination of the absence of meaningful consequences that could be imposed by WADA and, in addition, the fact that the matters were historic and there could be legal risks associated with proceeding against purely historic non-conformities, in those circumstances it did not make good sense to move forward with a compliance action. That was the end of his update.

MR SANDFORD had one question about lessons to take away from what had happened with the IWF, mainly in relation to the timeliness or untimeliness of the federation's prosecutions and its failure to move forward with result management. Was WADA currently in a position whereby it could monitor that in all anti-doping organisations, so knew that that was not happening in any other anti-doping organisation? Was that currently something that WADA could track through ADAMS to make sure that such things were not happening?

MR WENZEL responded that, to the extent that those were concealed practices, it would be difficult to do it through ADAMS and difficult to discover it through the normal compliance process. Of course, where adverse analytical findings were in the system and one could see that they had not been dealt with within a reasonable timeframe, that was something that could be looked at. He was not specifically aware of the functionalities that existed or were in the process of being put together in order to better throw that up. However, an important part of that was, as discussed the previous day, the increase in WADA's investigation powers so that the Intelligence and Investigations Department would, outside the normal compliance process questionnaires, etc., have the tools to discover wrongdoings of that nature more quickly. He did believe, probably to answer the question more specifically, that the functionalities in ADAMS were an important part of that, and he thought that they either had been dealt with or, if not, would be dealt with.

DECISION

International Weightlifting Federation update noted.

- **10.3 Possible consequences due to unilateral withdrawal of funding**

MR WENZEL thought that it was widely accepted that that was a serious issue and it required measures to be taken. WADA, of course, assumed in putting together its budget that the contributions would be paid and, if they were not or if they were delayed, it created concern as to whether WADA would be able to deliver on its mission. It was therefore a serious issue. It was also not a theoretical issue. There were certain well-known examples of payments being withheld or delayed other than for reasons of financial penury. Without going over some of the better-known examples, he would give a very recent one without, of course, giving the specific name of the anti-doping organisation concerned, but a European NADO had had an appeal case against WADA and WADA had appealed against one of its decisions. The issue of who should bear the arbitration costs in that appeal had been a contentious one. It had been the object of written and oral submissions before the Court of Arbitration for Sport and the Court of Arbitration for Sport had ultimately agreed with WADA's position that the NADO should bear the arbitration costs of the CAS. In the aftermath of the CAS award, which had awarded those costs against the European NADO, WADA had received a letter in which the European NADO had continued to resist payment of those costs and suggested that, if WADA insisted on the payment of those costs, it could have potentially an impact on the contributions of the relevant government. That was a further example of the non-payment of government contributions being used for political or strategic gain. That was a serious issue, as he had mentioned at the beginning. WADA had identified a range of potential options that would include, if implemented, changes to the statutes and/or to the World Anti-Doping Code. Some of those options had been identified quite recently and, frankly speaking, they needed to be considered further in terms of their legal and also political feasibility. He took the view that it made better sense, rather than to discuss those options there or put them out for consultation,

to work up those options properly, at the same time as considering the legal risks, through a form of ad-hoc consultation. As set out in the report, the proposal was that there would be one representative from the public authority side and one representative from the sports movement side who, with relevant people from WADA, would discuss the potential options with a view to identifying the ones that would be taken forward and presented in a future meeting.

MR TEMURCI observed that a lot had been said about finance, but he would like to underline several points and share his views about those subjects on behalf of Europe. As everybody was aware, it was more of an issue that every stakeholder fulfilled their financial commitment. The possible consequences of withdrawing the financial contribution to WADA for any reason needed to be analysed very well. As everybody knew, some possible solutions to address those problems had been discussed at previous meetings and it had been agreed that WADA would continue to explore the issue and develop a discussion paper. Unfortunately, he saw that there had been no consultation and no new options had been presented since the meetings held in November the previous year. That was very important, as it could put a strain on WADA's operations and reduce its ability to lead the fight against doping. He reminded the members again that WADA needed to develop a constructive approach in communication with all the stakeholders and develop appropriate tools not requiring changes in the court. He considered that a report containing the approach or options proposed by WADA could be put on the agenda of the Executive Committee meeting the following September. The development might enable a more informed decision to be taken to solve the problem.

MS GROSSENBACHER echoed the remarks on the update provided by Mr Wenzel. Unfortunately, WADA was not immune to threat or actual withdrawal of funds from a unilateral side. Both the sport movement and public authorities had committed to provide funding to the organisation in the interest of clean sport and clean athletes. WADA was asking for support to study avenues on how to help prevent such threats and, of course, the sport movement would be happy to take part in a discussion.

THE CHAIRMAN thanked Ms Grossenbacher very much.

On behalf of CADE, as Mr Reyes had done the previous day, MR BAUM noted that CADE's view was that WADA should be careful to avoid collateral damages or indirect sanctions on NADOs whilst considering the issue.

MR DE VOS said that the sport movement also wanted to avoid collateral damage, more specifically to the athletes. That issue should also be taken into consideration together with that of the NADOs.

MR WENZEL noted, of course, that there were no new options being put forward that day. It was important that, when options were put forward, there be buy-in from the stakeholders so that they would be voted in. It was also important that those options be legally enforceable and that they could not be subsequently successfully challenged by the relevant entities. Some of the options that had been identified had been identified relatively recently. In order to get to a point whereby WADA could be confident that they would be both legally and politically feasible, he took the view, as he had said, that a further consultation needed to be conducted. Within the context of that consultation, he noted the comments from the sport movement and elsewhere about collateral damage on NADOs and also athletes and, of course, those were the kinds of consideration that would be considered carefully with representatives from the sport movement and the public authorities within the context of the consultation proposed.

DECISION

Update on possible consequences due to unilateral withdrawal of funding noted.

11. Departmental updates

THE CHAIRMAN asked the members to let him know if they had any comments or questions on any of the departmental updates included in the document set for that day's meeting.

MS KRUPKA expressed her gratitude and support for the recent development of a private funding strategy. That was a meaningful step forward in the exploration of additional sources of funding for WADA. She was looking forward to receiving further information about planned activities in that area.

12. Other business/future meetings

THE CHAIRMAN said that, before concluding the meeting, he had been asked by his Korean friends from Busan for the floor.

MR COLBECK said that he wished to make a couple of quick points that he thought were worthwhile making. Firstly, he thought that it was good to see the progress that had been made that day on a couple of really important items. He thanked the Chairman, Professor Haas and particularly the sport movement for their collaboration. In relation to the Global Education Conference that would be held in Australia in September, he looked forward to welcoming the members to Australia. There were a couple of significant sporting events on at a similar time. If the members got the opportunity to spend a little bit more time in Australia than just for the meeting, the UCI World Road Racing Championships would be on in New South Wales, just south of Sydney, at about the same time, and also the FIBA Women's Basketball World Cup. There was going to be great sport in Australia at the same time and so he looked forward to the opportunity to see all of the members in person when they went to Australia in September.

Finally, he had made some comments the previous day and asked some questions about the ice skating case at the Olympic Winter Games. One thing he had not done and should have done was to congratulate the Chairman on his comments, which had been very strong and very appropriate. There had been a quick interchange in relation to that the previous day as a part of the Executive Committee meeting. However, he thought that expressing the strong view of the organisation in relation to those circumstances from the perspective of WADA had been most appropriate. He also thought that an observation out of that day's meeting was important for everyone to consider. All of the members sat around the table as one organisation and the objective that they had in sitting around that table was the promotion of clean sport. He thought that keeping that at the fore of what the members were thinking about in the context of their decision-making was really important. He therefore wished to congratulate the Chairman on those comments, because he thought that a very strong statement had been made on behalf of WADA. There were disappointing circumstances in respect of the CAS appeal review of the case, but a very strong statement on behalf of WADA and the principles that the members sat around that table to stand for. He thanked the Chairman very much.

THE CHAIRMAN thanked Mr Colbeck for his comments regarding the statement after the CAS decision on the figure skater and also thanked Mr Colbeck for his support in that regard. He wished to use the opportunity to thank Mr Colbeck for his warm words and kind invitation to Australia. It would be a great pleasure to visit and to enjoy the time and the sporting events and the global conference on education.

MS KITSOU-MILONAS made a very short information point on behalf of the Council of Europe. As the members knew, the Council of Europe had published its strategic priorities for sport for 2022-2025 in January 2022. One of the focuses of the strategy was, of course, human rights in anti-doping. In that respect, the Committee of Sport Ministers, meaning the 46 member states, had adopted on 20 April a new recommendation on fair procedures applicable to anti-doping proceedings in sport. Those recommendations built on the work carried out by WADA and took into account the Code and the jurisprudence of the European Court of Human Rights. She also thanked WADA for its contribution to the recommendations with principles on independent investigations, independent panels for the athletes, access to documents and evidence, effective defence, the right to a lawyer and the right to public hearings and to decisions that were published. Its implementation would be promoted at national and international level. She reiterated the thanks to WADA for its contribution to the important work.

MR ARCE said that, as the deputy minister for sport in Panama representing the CONCECADE ministers for sport from Central America and the Caribbean, he wished to welcome the support given to the Latin American regional office for the work that it did in the region. He thanked WADA and encouraged it to continue supporting development, as the countries from Central America and the Caribbean in particular needed WADA's support. He was very grateful. That year, the Central American and Caribbean Games were to be held in El Salvador, and work was taking place to ensure fluid communication between the various organisations involved. Being a member of the Foundation Board of WADA and representing 28 countries was a huge commitment and responsibility. WADA's political decisions were taken at Foundation Board meetings, which was why he was delighted to take part and represent his region, working together

with other countries with a single objective: athlete health and doping-free sport. The start of the Olympic Games had seen the start of the pursuit of peace in the world. Panama wished to congratulate WADA and all the meeting participants on the extraordinary meeting dealing with so many different issues, which would be of use to all the countries in the region. He thanked Egypt, the host country, and congratulated the Director General and Chairman and their team on their organisation of a successful meeting.

THE CHAIRMAN welcomed the warm and positive comments and thanked the members for their engagement and commitment and willingness to work hand in hand with WADA. He echoed what had been said by Mr Colbeck as well, and he was very confident that the members shared the same values, the same goals as a part of the anti-doping community, whose mission was to eradicate doping in sport, to do everything for the athletes, to protect the positive values in clean sport. That day, once again, WADA had proved that its members were working together hand in hand with the same goals in their souls and hearts and their common mission to protect clean sport was an extremely important value. He welcomed the comments.

MS PARK thanked all of the members for choosing Busan as the host city for the World Conference on Doping in Sport in 2025. It had been an honour to compete with such great cities as Tampere, Finland and Muscat, Oman. She expressed her deepest appreciation to the WADA Foundation Board members for giving Busan such a wonderful opportunity. She was so grateful and felt privileged to have been chosen; but, at the same time, her delegation felt a huge responsibility to make the conference a genuine success in terms of logistics, hospitality and spreading the values of clean sport regionally and globally. On behalf of her city, she assured the members that Busan would do its best, building on the collaboration and partnership with the WADA Foundation Board and secretariat, as well as with domestic related agencies and organisations. She believed that the success of the conference would largely depend on broad collaboration and partnership. That was the reason the Busan delegation was composed of representatives of related bodies, such as the chairman of the Busan Chamber of Commerce and the secretary general of KADA, the CEO of Busan's tourism organisation, the representative of the Bexco Convention Centre and sport diplomacy experts. All of them had worked hard on the bid, so that day's outcome was the fruit of such collaboration. Busan would further build collaboration and partnerships, especially with the private sector. She would encourage the private sector to collaborate with WADA. Once again, she thanked the members for choosing the global city of Busan as the host for the World Conference on Doping in Sport. Mr Kim Kum-pyoung, the Secretary General of KADA, would deliver some very short remarks.

MR KIM thanked all of the honourable dignitaries and friends who had supported Busan and also those who had not voted for Busan for their kind objection. He was sure that KADA and Busan would prepare well. He would like to show the members what could be done in terms of spreading the value of sport through the conference. Lastly, he commiserated with the other cities that had missed out on the opportunity, but he was sure that Busan would share its experience with them and support them later. He thanked the people responsible for organising the meeting in Cairo, especially Minister Sobhy for the excellent meeting preparation by his team, and thanked WADA.

THE CHAIRMAN said that, for the future meetings in November, WADA would be back in Montreal. For 2023, it would be necessary to look at the calendar to map out what the year might look like in light of the governance recommendations and changes. He hoped that the members, regardless of location, had found that day's hybrid meeting a positive and informative one. He thanked them for their participation. He sincerely thanked the very impressive Egyptian hosts, especially Minister Sobhy. A lot of detail and support had been put into the meetings and he was extremely grateful for that. Finally, he thanked the WADA staff for planning and supporting the conduct of that hybrid meeting. He also thanked the interpreters for their hard work, along with all of the volunteers and people who had been engaged. He was looking forward to seeing the members in Montreal in November. He wished everyone well and a safe journey back home to those who had to travel.

DECISION

Executive Committee – 23 September 2022, Sydney, Australia;
Executive Committee – 17 November 2022, Montreal, Canada;
Foundation Board – 18 November 2022, Montreal, Canada.
Executive Committee – 9 May 2023, Montreal, Canada, TBC;
Foundation Board – 10 May 2023, Montreal, Canada, TBC;
Executive Committee – September 2023, TBC;
Executive Committee – November 2023, TBC;
Foundation Board – November 2023, TBC.

The meeting adjourned at 15.10 GMT+2.

FOR APPROVAL

MR WITOLD BAŃKA
PRESIDENT AND CHAIRMAN OF WADA

MR OLIVIER NIGGLI
DIRECTOR GENERAL AND RECORDING SECRETARY