

**Minutes of the WADA Executive Committee Meeting  
17 September 2011  
Lausanne, Switzerland**

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The meeting began at 9.00 a.m.

**1. Welcome, roll call and observers**

THE CHAIRMAN called to order the meeting of the Executive Committee and firstly acknowledged the support of the IOC in allowing WADA to have the meeting in Lausanne and for supporting WADA with the facilities of the IOC headquarters, at which the meeting was taking place that day, and also its hospitality in hosting the dinner the previous night that most of the Executive Committee members and WADA management had attended. He was very grateful for that and thought that it was a good initiative for the Executive Committee to go to other places and not to simply be always in Montreal; WADA needed to be seen to be mixing with its constituency and this was an opportunity to do that. He welcomed the members to the Executive Committee meeting, in particular the new minister from Nigeria, Mr Suleiman. He trusted that Mr Suleiman would enjoy the meeting and looked forward to his cooperation and contribution. He also acknowledged that Japan had a new minister, who would be joining the Executive Committee members a little later in the morning; in the meantime, the minister was being represented by Mr Yamaguchi, whom he also welcomed. He indicated that all were present, with the exception of Mr Fetisov, who was not present because of the tragedy of the airline crash that had sadly obliterated one of the KHL hockey teams. Mr Fetisov was the president of that particular union that the team had played in. There were numerous enquiries currently taking place in Russia and a series of funerals for the various players.

– **1.1 Disclosures of conflicts of interest**

THE CHAIRMAN asked the members to look at the issue of disclosures of conflicts of interest. He had the written documents from everybody; each of the members had put their written conflict of interest documents to WADA and it was also necessary for him to ask whether, since that time, there was anybody who wished to disclose anything further that might be in conflict with the agenda or more generally. Were there any conflicts of interest? The answer was no, so he would move on.

The following members attended the meeting: Mr John Fahey, AC, President and Chairman of WADA; Professor Arne Ljungqvist, WADA Vice-Chairman, IOC Member and Chairman of the WADA Health, Medical and Research Committee; Dr Rania Elwani, Member of the IOC Athletes' Commission; Mr Jaime Lissavetzky, Secretary of State for Sport, Spain; Mr Yamaguchi, representing Mr Tenzo Okumura, Minister in Charge of Sports, Japan; Mr Tenzo Okumura, Minister in Charge of Sports, Japan; Mr Craig Reedie, IOC Member; Mr Patrick McQuaid, President of the UCI; Mr Yusuf Suleiman, Minister of Sport, Nigeria; Mr Rowe, representing Mr Mark Arbib, Minister for Sport, Australia; Mr Gian Franco Kasper, IOC Member and President of the FIS; Dr Schamasch, representing Mr Francesco Ricci Bitti, President of the International Tennis Federation and Member of ASOIF; Mr MacAdam, representing Mr Bal Gosal, Minister of State (Sport), Canada; Mr Patrick Ward, Acting Deputy Director for Supply Reduction, ONDCP, USA; Mr David Howman, WADA Director General; Mr Rune Andersen, Standards and Harmonisation Director, WADA; Ms Julie Masse, Communications Director, WADA; Dr Olivier Rabin,

Science Director, WADA; Mr Rob Koehler, Education Director, WADA; Mr Alan Vernec, Medical Director, WADA; and Mr Olivier Niggli, Finance and Legal Director, WADA.

The following observers signed the roll call: Javier Odriozola, Andrew Ryan, Françoise Dagouret, Liene Kozlovska, Hiroshi Furuta, Naoki Himiya, Kaori Hoshi, Ichiro Kono, Shin Asakawa and Christian Thill.

## **2. Minutes of the previous meeting on 14 May 2011 (Montreal)**

THE CHAIRMAN drew the members' attention to the minutes of the previous Executive Committee meeting on 14 May in Montreal. Were the members happy for him to sign those minutes as a true and accurate record of the proceedings of the Executive Committee and the decisions taken that day? Was there any other matter relating to the business of the previous meeting that had not already been brought to his attention?

### DECISION

Minutes of the meeting of the Executive Committee on 14 May 2011 approved and duly signed.

## **3. Director General's report**

THE DIRECTOR GENERAL informed the members that his report in September was always a little longer, as it included brief updates from his directors. He intended to traverse some of the key matters only in the discussion.

The first item was UNESCO. 160 countries had ratified the convention, with 32 countries to go and one territory. Three countries were in the pipeline in relation to ratification, and he hoped that the others could be covered. As the members would see, the outstanding countries were generally small countries or countries in which there was such strife and disturbance that these sorts of thing were difficult to get to the end of the road. The conference of parties for UNESCO would be held in Paris on 14 November. Mr Lissavetzky was the chair of that conference; he looked forward to participating in it, and the President would be giving a speech and he would be making a presentation to UNESCO. He looked forward to hearing about its progress. The members must understand that the UNESCO people would be providing a compliance report in relation to their treaty. WADA would have to work very carefully with UNESCO to ensure that the public was aware that the compliance report under the treaty was not the same as the compliance report under the Code. He was trying to ensure that there would not be any difficulties in that respect. The only other thing about UNESCO was the report that many had been anxiously awaiting in respect of legislation on trafficking and distribution of prohibited substances. UNESCO and WADA both hoped that the report would be available and tabled at the conference of parties in Paris.

Regarding Interpol, he had not yet heard whether Mr Holz would have his secondment continued, but was hopeful that that would take place. The Interpol general assembly would be taking place in Vietnam at the end of October, and WADA would be represented there by a new staff member, Jack Robertson, a chief investigative officer coming from the US DEA. Mr Robertson had already been active, making sure that the way in which WADA gathered evidence and passed it on to those responsible for result management could be done in a better and more professional style.

WADA had signed the memorandum of understanding with the World Customs Organisation; this was the document that had been tabled at the May meetings, and he had a copy with him if anybody wished to see the final signed copy. WADA was now planning meetings with the WCO in Brussels, the first of which would be held in October, so that the practicalities of this arrangement could be discussed and put into place.

The various departmental reports were there not for him to traverse but for the members to note and, if there were any questions coming from them, he would ask his

respective directors to respond. There was a list there of legal cases determined or in progress at present. He would not discuss those but wished to bring to the members' attention the fact that WADA had continued its dialogue with the CAS. The concerns previously shared with the members had been shared with the CAS. The CAS was revising its rules, and had prepared and distributed a new strategic plan containing some suggested changes and had asked WADA to comment on those, which it had done. The ICAS, the body responsible for the rules of the court, would be meeting in October, and he expected to hear from it as to probable changes.

There was a brief note about working committees. Nominations closed on 14 October. He reminded the members that WADA had to have nominations; it could not consider verbal or oral representations, but needed them in writing with some details about the individuals being nominated for these committees. The working groups were done by way of rotation; approximately one-third of the groups' members would be retiring or were nearing the end of their terms, and would need to be replaced or renominated. He looked forward to receiving nominations.

The issue of NADO development and the programme with five major countries continued. The minister from Nigeria could update the members on progress there, so he would not steal his thunder. It was an opportunity for him to tell the members what was going on in Nigeria. Russia and Brazil were still subject to scrutiny and assistance, and the special team authorised by the Executive Committee made up of representatives of the IOC and WADA, Dr Schamasch and Mr Andersen, had undertaken that task. They continued it and could not finish until things were in place. In Brazil, there was still no legislation in place or NADO. The new government had determined that it would still progress with such an agency, but it would take some form of action from the President of Brazil to ensure that that was fast-tracked. He could tell the members that the plan for the agency had originally involved a staff of 92; that had been revised, mostly due to the representations made by the WADA team, but also due to economical reasons. The new staff of the agency would total 48, so that was perhaps one step that could be noted. Legislation could go through under the fast-track procedure and the agency could be in place by the end of the year, but there was the grave danger that Brazil would remain in a position that meant that it might be non-compliant. In Turkey, the government had not really taken any steps to establish the NADO. The NOC had therefore accepted the responsibility of doing so and had operated positively in that direction. India was at a stage whereby WADA could take it off the list, and it would look at replacing India the following month with one of the other big countries for which WADA felt assistance was necessary.

The reports from the communications and education and medical directors were there for noting. WADA had won another award, for PlayTrue Generation, winning second prize at a very prestigious competition, coming up against some real high-tech companies. The members should be very proud of what had been achieved by the directors.

WADA had participated in the All Africa Games, and he was sure that the minister from Nigeria would be able to give more detail. It had been a successful venture, both in terms of the Athlete Outreach programme and the aspects that the regional director, Mr Swigelaar, and his team had performed at an executive level.

WADA was planning for the Pan American Games, and there would be an Independent Observer and Athlete Outreach team in Guadalajara. WADA was making sure that the Mexican Government could give some assurance as to the quality of the food available to the athletes partaking in that event.

An education symposium had been scheduled for Johannesburg in November. The members would be pleased to hear that the applications for that seminar had been completed; it was full. WADA could take one or two extras, but it was full, showing the interest on the part of the African countries, which was very pleasing.

The members would see in the medical report a brief note in relation to the No Needle Policy. That was there to remind the members that it was not a doping or anti-doping

matter; it was a medical matter, not to be confused, but to be applauded. He wanted to make sure that there was no confusion that it was a matter under the WADA mandate; it was under the Medical Commission mandate, and appropriately put into place.

The members would get a very full report on the Athlete Biological Passport in November. There might be some changes made to the guidelines in January, but they were elements relating only to result management. There would be no technical changes that would affect events in 2012; it would be more purely result management-based.

He knew that the members were interested in ADAMS and the progress being made there. The management had been told to commit to a date in November for the launch of the new whereabouts system. It had, and everything was on track for that to take place in November. There had already been a trial and other enhancements were in train in relation to ADAMS. He would be happy to respond to questions about that.

The members would see the reports from his regional directors; these were for noting. He would be happy to answer any queries. There would be a meeting of the regional directors at the end of September at the Japanese office of WADA.

A very successful joint meeting had been arranged by the IOC and ASOIF together with WADA, with all the summer Olympic IFs in the IOC building on Thursday, and that meeting had included all those who were essentially the anti-doping people from the various IFs, and it had ended up in a very helpful discussion about the rules and procedures in place for London. It was a significant advance and he thanked Mr Ryan, Dr Schamasch and Mr Thill for ensuring that the meeting had taken place, because it showed that collaboration and partnership could work. He looked forward to similar meetings.

Mr Donzé had met the ASOIF group responsible for the research undertaken and various elements of that had been discussed, and there had been an agreement to work together over the next six months or so to enhance each of their recommendations, and some matters discussed the previous day could be enhanced or developed in the coming weeks. He thanked them for arranging that under the chairmanship of Mr McQuaid.

As far as the management was concerned, WADA was hiring a new scientist, and the reason for this was that the members had said that one of the most important aspects of WADA's business was the laboratories: accreditation, reaccreditation and auditing and monitoring of laboratories. WADA needed another person to help in that respect, and was hiring a scientist whose task would be to work with those in the science team, particularly on laboratories. One of the aspects he had raised at the May meeting: increasing the double blind samples and the scrutiny on the laboratories to make sure that they maintained the high quality standard that was expected by all athletes and all of those at the anti-doping organisations. He had mentioned the addition of Jack Robertson to the team; he would provide a huge amount of expertise and assistance to the legal and science teams, in the way in which information could be put together and passed on to those responsible for sanction processes. WADA would take Mr Robertson to Europe in October, so that he could make contact with investigative bodies at national and international level, and that could be reported upon further in November.

In the section on other matters, there were a couple of important points, about which he hoped there would be some discussion. The first related to courier costs. Those involved in testing programmes realised that a huge amount of the cost of testing programmes was in fact the cost of transporting samples from the event or the place of collection to the laboratory. He had undertaken discussions with DHL to see whether there could be some form of global contract, under which each of the anti-doping organisations could benefit from a cost saving in terms of having some sort of bulk deal. The WADA management had commenced those discussions and would continue them unless the members told it to stop. He would report further to the members later that year or earlier the following year. One of the issues that WADA had already had to confront was that a lot of anti-doping organisations had current contracts with various couriers and they would have to be seen through before these anti-doping organisations

could be part of a new deal. Some anti-doping organisations also had some form of sponsorship arrangement with courier companies, and WADA would have to look at that as well, but this was one effort being made by WADA to respond to the call by many to try to help reduce costs of sample collection. He welcomed comments in relation to that topic.

The second area was one that might need a lot more discussion: the paperless project. It was high time that WADA moved out of the seventies and its reliance on documents in triplicate and carbon copies. His children did not even know what carbon copies were. WADA had been engaged for the past six to nine months in looking into doing it in a paperless fashion. The members could see the report, which was an annex to his report. He thought that this was the right way to go, but the management needed to be told that this was the right direction, and some discussion was needed on how it could be managed and funded. The members would see in the report the suggestion that, if WADA continued with IBM, it might be an initial cost of one million dollars. All of the members around the table knew, from talking about IT in the past, that such figure could almost be doubled. He thought that it was well worth pursuing but needed some guidance as to how that might be followed through. The WADA management accepted the fact that it should be leading the project; it did not wish to give it away, but needed to know how to do it in such a way that the beneficiaries (essentially all the anti-doping organisations) might contribute. He welcomed the members' comments on that. The management would do more calculations on numbers and provide more information in November. He would be very happy to lead this project. Some of the anti-doping agencies were already looking at this in their own way, and WADA did not want to end up with two styles of paperless project, resulting in the same sort of headache with ADAMS and those who did not wish to accept ADAMS. That would be regrettable. He knew that the use of the iPad was another way of looking at this paperless project, so WADA would like to be able to factor that in and see if IBM and Apple could be brought to the table together to see which system was best. Some partnership was required from those who were already investigating Apple.

Regarding major leagues, his report was reasonably brief. There would be more meetings with the major leagues in the coming weeks; there had been a lot of discussion with the NFL, with football, and WADA had provided information to the NFL and the player association in relation to Hgh. WADA still expected that it would introduce Hgh analysis in the programme, but it had not yet done so, and WADA was unfortunately the whipping boy in relation to that, being used as an excuse by the player association as the reason for which it did not want it in its programme. That was wrong; WADA had given all the information and research available, and there was simply no reason to say that WADA was withholding anything. The members would see that there had been a positive Hgh case in major league baseball, which was doing testing for this substance. The NBA was on strike. WADA had liaised with Mr Baumann and FIBA concerning its relationship with basketball, and would continue those discussions with basketball once the strike was resolved. That was anticipated to occur prior to the commencement of the season, in the same way as the football strike, and WADA had been discussing fruitfully matters with the NHL and would be talking to it again before the start of its season, as there were some projects that it wanted to do in partnership with WADA to show that it was getting closer to looking at ways and means of adopting the Code, or at least aspects of it.

Regarding statistics, he wanted to deal with this as a separate item after his report as there was quite a big discussion paper. That would enable the Executive Committee to raise some issues that needed to be discussed.

Everybody had received his correspondence about Shady Rat, which had effectively become shady little mouse. There had not been much more in that it had become an aspect of spin on behalf of the IT company rather than actual damage or danger to WADA and, he suspected, the 72 other international organisations mentioned in the report, including the IOC and governments of many represented around the table. Just so that the record was clear, he was not aware of any transfer of information as a result

of the intrusion into one computer in WADA's system. The one computer had been on the desk used by visiting interns; it had not often been used and no information had been taken from it. It had been thought that ADAMS might have been compromised, but there had been no suggestion of any attack on ADAMS and certainly nothing had occurred there. The fact that WADA had undertaken the investigation had been useful. WADA had worked together with the IT company that had reported the intrusion, and it had been unable to provide any information to show that more had happened, and he liked to think that the matter was now dead and buried.

He was pursuing the policy of trying to hold WADA meetings outside Montreal from time to time. WADA had received an invitation from the IPC to hold its Executive Committee meeting on Monday 10 September the following year, the day following the closing ceremony of the Paralympic Games in London. Members would be invited to attend that ceremony. Sir Philip Craven had extended an invitation to the members for that purpose. WADA would conduct the meeting in the Guild Hall in London, a pretty fine place to have a meeting, with a similar atmosphere to that enjoyed at the famous building in Stockholm, so that was the idea. Planning had already been taking place. It would be cost neutral in terms of the cost of the meeting; there would be no extra expense to WADA, but it would be an opportunity to take WADA's work out and work together with one of its key stakeholders.

He mentioned South Africa, and the fact that, when the IOC Congress had been on in Durban, he had had a meeting with the NADO there, and one of the issues that it was discussing was the testing of minors, notably in sports at high school or college level, in which rugby players, for example, were not far off professional contracts and athletes were vying for professional contracts. The NADO was now testing those players and, at a recent tournament, four players had tested positive for steroids. The NADO had an arrangement in place for how this could be conducted, but raised two questions: was this something that WADA condoned? Two, was this something that ought to be done under the Code? WADA's reply to the first had been that it was not a matter that WADA wanted to influence; it was a matter for the NADO to determine. In response to the second question, it was a Code issue, and the Code prevailed in terms of result management, but those involved had asked him to raise the matter at the Executive Committee meeting to see if there was suggestion that there be a discussion in another direction, i.e. the treatment of minors in a different way or with lower-level programmes. It might be something that came up during the Code review, but he was putting it on the table to carry out the promise he had made.

There were two things coming up: the Code review, for which letters would go out after the November meeting inviting submissions for the first round of consultation, and an international pharmaceutical symposium being held in Paris on 10 February 2012 in partnership with the Council of Europe, the French Government and, of course, WADA. That would be a significant meeting at which opportunities would be made to further the relationship with the pharmaceutical industry in general, but also for comments to be made on how that could be done in a practical way as far as the fight against doping in sport was concerned.

Briefly in his report, he mentioned the fact that the drug database project that WADA had decided not to pursue had been pursued elsewhere. There was an iApp in Switzerland in French and German, progress was being made headed by the group led by USADA and the UKAID, and both were proceeding in the way WADA had anticipated. From the point of view of information for athletes, the database was in place and would be able to give the information that athletes were seeking without the further involvement or financial commitment of WADA.

Those were the aspects raised in his report but, because it had been written more than three weeks previously, there were a number of things that had occurred since on which he wished to update the members. The first two matters related to the laboratories. At the meeting of laboratory directors in Dresden in February, he had mentioned that WADA was concerned that many anti-doping organisations had contracts

with laboratories asking for a select menu process. He did not know what that meant or what prohibited substances were not being analysed for, so WADA had informed them that it would ask for copies of the contracts that they had with the anti-doping organisations. That request had been made a few weeks later, and WADA had asked them to provide it with that information by the end of August. He had received a letter from the WAADS, the organisation to which all of the laboratory directors belonged, to say that such information would not be made available to him because of aspects of confidentiality. He had asked that confidential material not be included. He was not interested in pricing or deals; he was just interested in the ways in which laboratories were analysing samples because, if there was a difference, sport to sport, country to country, in the way in which samples were being analysed, WADA was not being successful in what it was trying to achieve. He had been told that WADA was not getting that data but, if WADA was to monitor the laboratories properly for accreditation and reaccreditation, it needed that information, so he was suggesting adding a clause to the ISL making it a condition of the accreditation process. If the members agreed, this would require another change to the ISL, and he would suggest that, if that change were made, WADA should defer approval of the ISL until November so that all of the changes could be made in one go. If WADA approved a change that day and it was published, and then approved another change in November, people would start to get a bit annoyed with constant changes.

The second aspect in relation to the laboratories was that the advice already from the chief investigative officer was that WADA ought to have the right to remove samples from one laboratory and have them taken to another laboratory to check on issues such as fraud and so forth. WADA did not have that power under the current ISL. He had suggested, and the team concurred, that this was another aspect of the audit programme or the accreditation programme that should be included in the ISL; so, if WADA was going to include the clause he had previously mentioned and this one, it was another reason for deferring the ISL until November. He recommended that both be included, so the management thought that both suggestions should be incorporated in the ISL. This could be done early the following week and put out for consultation and discussion, so that it could be discussed further in November.

Members should know that the Prague laboratory had closed; the Czech Government had not continued to fund the anti-doping programme in the Czech Republic to the degree that it had in the past. The laboratory could not function without that funding, and WADA had received a letter from the laboratory director at the end of June indicating that the laboratory would therefore close. He knew in addition that the laboratory in Greece was under threat because the funding in Greece was also limited, and the members would see from the compliance programme or report to be presented by Mr Andersen later that Greece was not conducting any anti-doping programme at all. The NADO was not in existence, it was not being funded, and things were just not happening in Greece, so that was a potential second laboratory that might face closure.

Another issue in relation to laboratories was that, since the previous meeting, the CAS decision in relation to the Malaysian laboratory had been handed down. It was a very lengthy decision, and he had a copy with him if anybody wished to read it or take it away. Essentially, the decision, which was some 68 pages in length, upheld the process adopted by WADA, the Laboratory Committee and the disciplinary panel, endorsed by the Executive Committee. There had been a lot of criticism about the way in which the laboratory had operated and the fact that the accreditation had been revoked had been upheld by the CAS. One or two comments had been made by the panel which he wished to read out. Towards the end of the decision, it said that, "In the panel's view, the entire anti-doping system presupposes that, and can only work if, WADA-accredited laboratories actually operate in accordance with the International Standard for Laboratories and in accordance with their SOPs. The credibility of the system also requires that the laboratories be seen to operate in accordance with the standards. Any doubts about one laboratory could very quickly jeopardise the entire system. The panel therefore confirms WADA's revocation of the centre's accreditation. The panel would,

however, add that WADA might, as far as permitted by the regulatory framework, consider whether by appropriate mentoring and monitoring it could assist the centre in reaching a position in which the centre could make a credible application for reaccreditation, and again within that framework might accelerate the relevant procedures if such application is made." WADA had not yet received any application from Malaysia but did anticipate an application seeking accelerated reaccreditation. Until WADA received it, he could not put it to the members but, when it did, he would. The same issue pertained to the laboratory in Turkey. WADA anticipated that it would seek accelerated reaccreditation. The other aspect that had come out of the decision was that WADA needed to change the rules for the disciplinary panel. There had been a member on the panel for this particular case who had also been on the Laboratory Committee, which had considered the issue previously, and the CAS had said that this was inappropriate and that one should not be on two groups. WADA had therefore introduced a new phrase in the disciplinary rules (it did not need to be approved by the Executive Committee as it was a management issue) which said that, "No member of the Laboratory Committee considering any issue relating to the accreditation of a laboratory shall serve on a disciplinary panel that may have subsequent jurisdiction." That was pretty simple, but the alteration had been made immediately.

Regrettably, ANADO was bankrupt, and the degree of the bankruptcy was now known. Debts of ANADO totalled 1.345 million dollars. That was a lot more than WADA had originally been told (the figure had started at 100,000, increasing to 300,000, and now it was nearly 1.4 million). ANADO had enough money to pay 35 cents of a dollar. The list of creditors included many NADOs, affecting everybody around the table, RADOs, which was really disappointing to WADA as the RADOs struggled for money, and many of the laboratories. WADA could not do anything about this; he was obliged to bring it to the members' attention. He did not want to make any further comments about ANADO; it was obviously a disaster and it was necessary to move on. WADA, however, benefited from a group of NADOs and was hopeful that from the ashes a new body would rise, that the body would not take on commercial projects that it could not handle, but that it could get engaged in lobbying and advocacy, and do so in a way that could be very helpful to the anti-doping movement. He had been talking regularly with those trying to advance that and, when they were in a position to go forward, he would report on that to the members. It was probable that they would seek similar funding to the funding initially sought by SportAccord. He did not wish to take the matter any further until there was a formal application, but he did wish to alert the members to the point.

The IAAF had conducted a research project with WADA in Daegu whereby every athlete had been blood-tested. The blood testing would be the subject of a research project to be carried out by the laboratory in Lausanne. There had also been a second project conducted together with the IAAF relating to the prevalence of doping. Again, that was a research project. Both of the projects would have results, neither of which would be available for some months, but the members should be alert to the fact that both projects had been undertaken pursuant to an agreement signed and funded under WADA's research budget.

The members would recall that Tom Murray's book was a ten-year birthday present to WADA. It was on target for publication, hopefully late that year, and he hoped that Mr Murray would come and talk about it to the Foundation Board at the November meeting.

He mentioned an item in relation to the Eastern European RADO. This RADO comprised a number of countries in Eastern Europe, including Russia, Belarus and Ukraine, all of which, in his view, should be running national anti-doping programmes on their own. They were not countries that were short of athletes, resources or population and ought to be running programmes on a national basis, as they very strong countries sports-wise. A situation had arisen whereby Russia was saying that it wanted to host the RADO in Moscow, but he did not think that this was appropriate, as RADOs were in existence for small countries and should be hosted by one of the small countries as was the case for the other RADOs around the world. He would be advising that RADO at its



meeting that week in Georgia. Georgia had offered to host the RADO, and he thought that this was the right place for the RADO to be established, but WADA was taking pretty strong steps, and he had been involved in correspondence over the past few weeks indicating that this was the policy and the way in which WADA proceeded with those bodies. If the bigger countries wished to be engaged, they could help by way of money or human resources and training, but not by participating in the RADO themselves, it was just not appropriate. It would be like saying that Canada could be part of the Caribbean RADO. That was nonsensical. On the other hand, Canada could go and help the Caribbean RADO, which it did by way of finance and training. That was the sort of thing that he expected would take place in Eastern Europe.

He reminded the members that he did want to talk about statistics separately at the conclusion of the agenda item.

PROFESSOR LJUNGOVIST said that, as Vice-President of WADA and an IOC member, he was happy to see the Executive Committee having its meeting at the IOC headquarters in Lausanne. He thanked WADA for accepting the invitation to Switzerland. The IOC saw this as a symbol of cooperation between the Olympic Movement and WADA. He had given each of the members a small book, which was based on a publication that had come out in his own country, Sweden, in 2008, but had been updated and published in Great Britain earlier that year.

He continued with some comments on the Director General's report. One minor comment, although perhaps important, was that the Director General had referred on page 9 of his report to the Olympic Congress in Durban, and then on page 11 to the IOC Congress. It was not a congress; it was the IOC Session. A congress had taken place in 1993 in Paris and another in 2009 in Copenhagen. A congress was something that occurred quite infrequently and he did not know when the next one would take place.

As to the actual matters in the report, he had a few comments, one of which related to the Athlete Biological Passport. It was important that Mr Verneq and he maintain contact on that, as they would like to see not too many dramatic changes taking place shortly before the Olympic Games in London. He understood from the report that changes were not foreseen, and minor result management amendments would be made, so he expected that to be the case when the matter came back in November. He would keep in touch with Mr Verneq about that.

He had one other comment related to the Independent Observer mission. Not much had been spoken about it, but it was in the report. The new format in place in Vancouver had proven to be quite successful. It was an initiative taken by the WADA management to make the Independent Observer mission more of an auditory than observatory matter with a lengthy report of everything observed. There had been cooperation during the games, with daily meetings, and any corrections suggested by the independent observers had been taken on board by the IOC. He would strongly advocate that this be the procedure at the upcoming Olympic Games. On the other hand, that meant that the number of mission staff did not need to be very big. From a cost-saving point of view, the WADA management could look into the size and composition of the Independent Observer mission in the future, taking into account the aspect of cost saving.

The Director General had asked for some reaction to the matters that had come up with respect to the laboratories and information sought from the laboratories. As a laboratory person, he agreed that the information should have been possible to obtain. If there were legal or formal problems in giving them to WADA, these should be incorporated into the international standard. He had not fully grasped the second problem, but understood that it would come up again when the Executive Committee reviewed the international standard for a final decision.

MR SULEIMAN thanked the Chairman for his welcome, as this was his first Executive Committee meeting. He reported that, even though his country had not yet reached the required level of compliance, significant progress had been made in anti-doping activities in Nigeria. The authorities had just recently appointed and established a national anti-

doping committee, comprising Nigerian NOC members and members of the private sector, and they were working hard to expedite the process of ensuring full compliance in terms of operational activities whilst handling the process of getting the legislation completed through the national assembly. There had not been a very stable political climate since January of the previous year as, some may have been aware, the president had been sick and incommunicado for almost four months, leading to political tension in the country, culminating in the president's death in April the previous year. He assured the members that everything had returned to normal. The new Nigerian president had asked him to reintroduce the national anti-doping bill to establish a national anti-doping agency in Nigeria but, in the meantime, a national anti-doping committee had been established and it had been tasked with taking all the measures and responsibilities of the national anti-doping agency until a final decision was passed. He had asked that the structures in South Africa serve as a benchmark for the agency in Nigeria and, in terms of compliance, the authorities would try to do as much as necessary. He thanked WADA for the extensive cooperation, particularly from the regional organisation in South Africa. Mr Swigelaar had been quite helpful, and had facilitated the visit to the South African anti-doping agency, for which he wished to thank WADA.

He had been at the opening of the All Africa Games, and had personally seen the Athlete Outreach programme conducted by WADA in Maputo, and it had been pleasing to see a very unique environment for WADA. He had been very impressed by the number of athletes he had seen; in fact, when he had arrived, there had been a very long queue of athletes trying to participate in the WADA games, winning hats and small balls and playing football outside. The spirit had been really quite encouraging. He thanked WADA for sending the Athlete Outreach team. It really helped and it showed the need for athletes to play clean. The games would be officially closing the following day. He noted that the team had been useful in advising and assisting with athlete testing, and the WADA representatives had contributed to providing athletes and their support staff with information in a very fun and interactive manner.

In terms of activities in Africa, the Supreme Council for Sport in Africa, which usually organised the All Africa Games, would officially close in a few months' time. The authorities had introduced new sport architecture for Africa and had called for a meeting of African ministers for sport to take place on 17 October in Addis Ababa. He happened to be the chairman of the African Union Conference of Ministers of Sports, giving him an opportunity to convey all of the information regarding WADA, particularly in terms of Africa's nomination and membership of the Executive Committee and Foundation Board. He would seek to bring that to the attention of Africans and he hoped that, by the time the Executive Committee met in November, he would be able to report back in terms of nominations for the next Executive Committee and Foundation Board. He thanked the members for giving him an opportunity to talk and looked forward to a continued and better relationship between WADA, Nigeria and Africa.

DR SCHAMASCH thanked the Director General for his very specific report. He had mentioned a meeting that had taken place recently. He wished to add to the list Mr Donzé, who had largely contributed to the meeting and he thanked him for taking part. Regarding ADAMS, he had been informed that ADAMS had a function in order to eradicate some of the whereabouts data in order to be fully in compliance with the standards regarding data protection and he sought some information on this. As to the paperless technique mentioned, he of course did approve the implementation and development and idea of such a procedure, however, as the Director General himself had said, he would like a first coordination phase in order to find out what was being done so as to avoid any organisations working in isolation, because some systems had developed separately at the beginning of ADAMS and, for this kind of new technology, WADA should be able to work out a checklist, which would not confine people in a precise part but giving criteria under which the people concerned could take part in the exercise. The iPad problems had been mentioned. He knew what Apple was doing throughout the world but there were other systems existing, other tablets like iPads and for instance the IOC respected its partners and therefore, when looking into new systems and new

technologies, there should be a precise checklist in order for other companies to reply and then see what bridge could be established between the various systems. The Director General had mentioned the problem of Brazil, and he thanked him for mentioning what had been done in cooperation between WADA and the IOC. He had noted the proposals by the minister of the plan, which was to provide funds for 48 positions; of course, this should become a reality and he would like to go forward as soon as possible. The members would understand that a statement of non-compliance in November would be problematic as to the IOC and would give a negative image; thus, in other words, he noted the proposals by the minister of the plan; there were two months to go prior to the proposals becoming a reality.

MR MACADAM thanked Mr Howman for his comprehensive report. Regarding the UNESCO convention, Canada's chair of the anti-doping commission in the Americas had and continued to encourage the remaining countries in the Americas to ratify the convention and knew that the WADA Latin American regional office had been making efforts in this regard as well. He was also very encouraged by the number of projects in the Americas funded under the voluntary fund, which had significantly increased from previous years. He supported the ABP project and the recommendation that more anti-doping organisations implement these programmes to enhance their domestic programmes. On the matter of DHL, he looked forward to further information that autumn and, if successful, perhaps there were other aspects of common approaches (equipment, etc.) that could be coordinated by WADA moving forward. Regarding the paperless project, he recognised the technology available but, even attending that meeting, he realised that a lot of trees were killed in terms of paper and wanted to make sure that WADA looked at the pros and cons of that initiative, realising that there might be some up-front costs to implement such a system. He looked forward to further reports in that regard. On the matter of the testing of young athletes, in Canada, younger athletes were tested, but the important aspect was to ensure that any testing was accompanied by thorough education initiatives. Obviously, the Code had to be applied, but to the extent that there were tests carried out on younger athletes, the educational aspect was paramount as well. In terms of the Code review, a number of independent initiatives were under way that would contribute to the Code review process, including IADA and the Council of Europe, and he wanted to make sure that the various processes were coordinated so that comprehensive and meaningful input was provided as part of the Code process and, in that regard, he wondered whether, as part of the Code review, some themes might be identified by WADA that related to evaluation of the current Code and might assist these exercises in terms of ensuring coordinated input to the Code review. Finally, commenting on what Mr Howman had said about the RADOs and Canada joining the Caribbean, he had been quite disappointed to hear that Mr Howman would not let Canada join the Caribbean, particularly during the cold winter months when it was minus 30 degrees in Canada!

MR LISSAVETZKY congratulated Mr Howman on his presentation and the work undertaken. The report was very complete. Anything that allowed the members to get rid of paper, any initiative along the lines of the paperless project, was a good idea. Sometimes it was absurd how much paper was used. They often took up more place than what the members did at the meetings. Maybe it would be necessary to go for the iPad or the computer, like his colleague. Aside from this, he wanted to make a comment on the testing of young athletes; he thought that this was a paramount issue. He would rather that national laws rather than NADOs sanction those who trafficked with these substances; some of these young athletes actually did not take part in sports competitions. Sometimes they were weightlifters, they did bodybuilding, so he thought that efforts had to go beyond what WADA did, even though WADA had to or should be present in those other initiatives as well. If any of these young athletes played in second or third tier leagues, then obviously, if they tested positive, they would have to fulfil whatever sanction was imposed on them. Although a holistic approach was necessary in this issue, at a national level, everybody should make efforts to insist on anti-doping education programmes and adopt standards to sanction for example trafficking with

substances, a crime in Spain. And it was many times these traffickers who ended up taking the sanction rather than the young athletes. In any case, he congratulated Mr Howman for the very complete report.

MR YAMAGUCHI thanked Mr Howman for his comprehensive report. Japan had a new cabinet and a new member of the Executive Committee, Mr Okomura, the Japanese Minister for Sport, who had been held up by the parliament in session, and would arrive later that morning. He apologised for Mr Okomura's delay. The minister would address the Executive Committee on his arrival but, until then, he would represent the minister. He was also new to the meeting. On the subject of the UNESCO convention ratification, the Director General had reported that there were still nine countries in the Asian region that had not yet ratified. He reported that Japan, as an Executive Committee member for the Asian region, had continued its efforts, as in the past, working closely with Mr Hayashi from the WADA regional office in Tokyo. It had continued with embassy visits and letter writing and, in particular in August and September, had visited the embassies of those countries that had not yet ratified, and was delighted to see some results: the parliaments of two countries, Tajikistan and Bhutan, had approved the ratification. The new minister planned to write to the remaining countries to persuade them to ratify. Japan would continue its concerted efforts. He had one comment regarding support for the RADOs. Japan would continue to support the RADOs in the Asian region as part of its contribution to the expansion of anti-doping activities in the region.

MR MCQUAID thanked Mr Howman for the extensive report and for his contribution to the meeting held the previous day, and he had already heard comments about the meeting that had taken place the day before that, at which there had been staff members present. He thought that the meetings like the one held the previous day and the day before that were very good for the relationship between the sports movement and WADA, and could solve a lot of problems on an ongoing basis, which was a better way to work for the future, and he hoped that these could continue. On a specific point not mentioned in the report, as a follow-up to a point that had come up in the meeting in May that year in relation to new signatories from the sports movement to the Code, he reiterated that the position of the sports movement was that, for any new signatories coming in, consultation should take place with the umbrella organisation of that particular sport before WADA took a final decision on the new signatories.

MR ROWE had a couple of comments and a question. He thanked Mr Howman for his comprehensive report. With regard to ratification, he noted the improvement in the Oceania region with now four countries to go (only a couple of years previously, there had been nine countries remaining), and thanked Ms Jansen because, without her efforts, Oceania would not be in that position. He commended WADA on the paperless project initiative and noted the intentions reflected in the Director General's comments and those of other speakers of the need to have this properly coordinated, but it was a long overdue initiative. On the courier project, which was a very good initiative, he asked whether those facilities would also be open to accredited laboratories as well as anti-doping organisations, because the Sydney laboratory had certainly indicated an interest in participating in that project.

MR WARD reiterated that the USA did support the ABP. On the paperless project, while understanding some of the issues that had come up with ADAMS, he fully supported the paperless project but proposed looking at other NADOs that had moved out with regard to paperless projects on their own to look for congruency and hopefully avoid any disconnects when moving forward. Regarding the testing of young athletes, he thoroughly agreed that testing should be done and with the comments made around the table as to education aspects, and thought that a strong rehabilitation programme that would bring these athletes back into compliance and allow them to compete was necessary.

THE DIRECTOR GENERAL said that he hoped that Professor Ljungqvist had signed the books for all the members. He apologised for the mistake about the IOC Congress. He must have lost his mind for a moment; that could be remedied.

WADA did not intend to make any changes to the passport that would make any issue arise in relation to the Olympic Games in London.

Professor Ljungqvist had commented kindly about the Independent Observer mission. WADA was reducing the team and was looking at having nine or ten people in London, so that was a significant change. There was no longer the need to have the same approach and the audit approach was very helpful. For the missions to Maputo and Guadalajara, the observers would go for one week of the competition; they would be there for the starting week with out-of-competition testing and then the first week, as there was no point in staying for the whole period. The idea going forward was that WADA was now producing models for the organising committees of multisport events in terms of rules, so they would not have to rewrite them all the time, and would offer to be part of the planning for those events (obviously it could not do them all), at least the major ones, so that the test distribution plans and so forth could be done well in advance of the event. WADA would not just turn up a week before the event but could work with the organisers 12 months out and be far more effective in terms of the programme offered. That was the idea going forward. WADA might need to look at a change of the name in the Code, as it was no longer an independent observer; it would have to be something else. It fitted in to WADA's role of compliance and audit. WADA would, in that respect, save costs.

The aspect of the laboratories involved some of the issues about which WADA was concerned in terms of corruption and bribery and allowed WADA to take some steps that it could not presently take.

He thanked Mr Suleiman for his comments and looked forward to working with Nigeria, and was pleased that Mr Swigelaar had been able to organise some mentoring through the African agency. If Mr Suleiman needed some assistance to get past go, so to speak, he should call WADA, as WADA representatives could go and spend time with Nigerian officials to make sure that the right rules were in place and Nigeria could become compliant as quickly as possible. He was pleased that Mr Suleiman had been in Maputo and to hear such a generous report on WADA's programmes. He had received a report from Ms Spletzer, who was very enthusiastic about the reception on the part of the African athletes and dearly wanted to go back to Africa because she could see that the enthusiasm was worth fostering at other events.

He thanked Dr Schamasch for his comments about the meeting and for mentioning Mr Donzé. Mr Andersen had also been present at the meeting. He did not think that there was a problem regarding data protection and ADAMS and would perhaps discuss this in greater detail with Dr Schamasch during the coffee break.

He had received comments from many members and would now advance the paperless project in coordination with others engaged in similar projects in a way in which WADA could seek tenders from others. WADA would be happy to work directly with the IOC in relation to its sponsor, as it might well be that the sponsor saw yardage in being involved in the project, and that might be of some assistance in terms of finance, so WADA would look at all of those; there was a lot of work to be done, and the management would report back in November in relation to all of that, undertaking some of the issues mentioned by the members. He thought that very sensible suggestions had been raised and these would be put into practice in the coming days.

Brazil did worry WADA. His president had mentioned it to the IOC president at the meeting on Thursday. He thought that discussions at the very highest level in Brazil were necessary, and Dr Rogge had assured WADA that he would do that. WADA would do similar things, and he could only hope that something might happen by November, but there was a good chance that Brazil would not be compliant by November and WADA would have to work out ways and means of talking about that after the November meeting.

He thanked Mr MacAdam for his comments; the UNESCO voluntary fund had been of huge benefit to developing countries and regions, and he hoped that that would continue.

One of the aspects about which he was frightened was the bureaucratic delay in responding from UNESCO, and it might be quite helpful if the members could work with WADA in that respect. For example, a project had been granted to a Latin American country at the voluntary fund meeting in April, for work to be carried out for an event to take place in early October. The funds were not yet available, and the project would not go ahead because of bureaucratic delays. There was a six-month delay between the grant being given and the project being put into place, and it would not go ahead. That was most regrettable and very distressing to his regional director in that part of the world, because she had done a lot of work to get countries to put in the applications. He would talk about that before going to Paris in November.

He took on board the support mentioned by the members in relation to the ABP. It was an important project and he would provide a detailed report in November. It was something that had to be proceeded with slowly, as it required money and a coordinated approach so that it was done according to the guidelines and in a harmonious fashion.

He would proceed with the DHL project and report to the members in November.

In relation to young athletes, WADA did have processes in place for collecting samples from young athletes, but the issue the South Africans had wanted to address was whether the result management process would involve a lower penalty for young athletes; at the moment, the Code did not provide for that, and he had simply said no, but it was a subject that might come up in the Code review.

Turning to Code review, the WADA management was aware of issues that might be tweaked, to make sure that the Code worked in practice. The bigger, philosophical or political issues should not be a matter for the WADA management to promote, such as whether there should be an A and a B sample. If WADA put out a paper saying that it wanted that to be debated, the management might be inferring that it had a view; it did not, and the preference had to be to let the first round of submissions come in. People were already preparing these papers and, in the first round of consultation, the management would see the big themes and then be able to report on them at the May meeting the following year. Every submission would be published, and there would be a system whereby everybody could see everybody else's submissions. The Code review team would have the huge responsibility of putting it all together and providing a first redraft by May; after May, there would be something in black and white with which to go forward for the second round of consultation. He thought that the first round had to be to receive as much information as possible, not to stop anybody from making a submission, because it was important in terms of transparency to receive everything. That was the current view. If the management was wrong, it would certainly change it, but he thought that this had worked very well in 2006. It put the WADA management in a position whereby it could not be challenged; all the management was doing was carrying out the Executive Committee members' instructions. There would be a list of the smaller things that the management suggested WADA change for practical reasons, and it could be made available to the members in November, just so that the members could see what was required for practical reasons, but he would not want to publish that.

He told Mr Lissavetzky that he would love to work off a computer for the meetings, as a lot of trees were being wasted and the files were very heavy, so WADA desperately needed to advance, and he took on board Mr Lissavetzky's comments in that regard. Perhaps if WADA could get a deal with some company, all of the members might be supplied with appropriate secure tablets and the information could be supplied on these rather than documents. He understood what Mr Lissavetzky had said in relation to trafficking, and he agreed that those involved in trafficking should be dealt with under criminal law, and he hoped that other countries would follow Spain's example.

He welcomed Mr Yamaguchi and would welcome the new minister, and thanked Japan for its work in relation to ratification and the immense help that Japan was giving to the RADO projects in Asia, without which some of the RADOs working there currently would simply not be able to operate. He took the opportunity to thank Japan, Australia and

Canada for their contribution to the RADOs in their regions; it was a fantastic example of how countries that had resources could assist those that did not.

He agreed with Mr McQuaid that the meeting the previous day had been outstanding, and that could be continued without any hesitation. Those sorts of things could certainly get rid of a lot of problems that really did not exist when they were talked about, but they could exist in writing, so WADA would continue to meet with the UCI and try to advance the issues discussed the previous day.

Regarding the point that Mr McQuaid had raised, there was no paper before the Executive Committee that day about the process that WADA would operate. He had had discussions with SportAccord, and WADA would put up a paper for the November meeting along the lines of the suggestion so that the policy could be put into place. That was the idea; it had been discussed, and it was a good way to deal with the sporting federations. WADA would then have to deal with those signatories that were not part of SportAccord or those that wished to become SportAccord members, and WADA could deal with those as part of the whole policy.

He told Mr Rowe that he thought that he had dealt with the two issues raised, but he certainly agreed that the laboratories needed to be part of the issue related to courier costs.

He believed he had covered all of the other issues raised by other members in his previous responses.

THE CHAIRMAN emphasised how pleasing it was to hear the comments about the interaction between the WADA team and the various sporting bodies in that part of the world over the past few days. That vindicated the fact that WADA had travelled to Lausanne, and it had been very productive, simply by virtue of the fact that these meetings could be held, and it was not always that easy to do it on other occasions.

If he took one lead out of the discussion that had taken place over the past hour and a half, it was the encouragement about the paperless project, which was without a doubt something that WADA could ill afford not to progress and, inasmuch as there was clearly a cost issue, there had been some very helpful suggestions about the competitive nature of such a programme going forward and engaging with more than just one IT company. It seemed to him that there was an enormous advantage for whoever produced this outcome for WADA to do other things with it. He could think of political parties that could get an advantage out of the sort of process that WADA was looking at trying to bring forward to remove those 1970s pads with carbon paper in them.

Elaborating on the comments on ANADO, it needed to be abundantly clear that this was disappointing to WADA; it was an entirely independent body, as the members knew. WADA would see great benefit in having an association of ADOs going forward, as bringing ADOs together might assist the revision on which WADA was about to start. Many of them worked informally, thank goodness, notwithstanding the lack of a formal body, but it would certainly be his wish to see a new body rise from the ashes of the demise of ANADO as it had once been known, and it was in everybody's interest and in the interest of the fight against doping in sport for that to occur.

MR MACADAM informed the members that Canada had appointed a new minister of state for sport, who was unfortunately unable to attend the meeting, as it was Sport Day in Canada, and he was also preparing for the resumption of the parliament the following Monday.

THE CHAIRMAN stated that the Director General wished to speak to the paper on 2010 adverse analytical findings and atypical findings and the report from the laboratories.

THE DIRECTOR GENERAL said that this was the first year during which the management had tabled the laboratory statistics before they were published. They would be published the following week and posted on the WADA website. He wanted to

make sure that the members were all aware of what they meant and what the process was before going to publication. All of the laboratories were on ADAMS. All of the information from the laboratories came to WADA, which compiled it and then sent it out. It had gone to all of the laboratories, which had checked it. From a laboratory perspective, they all understood and agreed with the way in which the figures were advanced. WADA had also sent them to every ADO, so that the ADOs could read them and comment on them. He recalled that these were laboratory statistics only and, from a point of view of anti-doping, did not provide the full picture. The full picture could be provided only once the result management process had been completed. IRMS and TUEs also had to be taken into account, and so on. This picture showed only the results that came from the laboratory. The project foreshadowed in his report, with which Mr Andersen would continue when proposing a change to the IST, was looking at ways and means of compiling statistics in a more meaningful fashion. WADA had to start compiling information from the laboratories so that it could see whether testing was as helpful as it thought, whether out-of-competition testing should be continued, and all those kinds of things. WADA did not currently have the information to work with, so the suggested changes to the ISL and IST were to get this information and then make it available. Having said that, looking at the statistics for 2010, the number of samples that had gone to the laboratories in 2010 was down 20,000 compared to the number in 2009, representing 7% fewer samples collected. He did not want to say what that was attributable to; it could be better quality testing, not so much money being spent on testing or the lack of money available for testing, but the decrease was across the board, consistent through Olympic and non-Olympic sports. 7,000 blood samples had been collected for the purpose of the ABP, the majority by the UCI, and then the members would see that other blood samples had been collected to test for Hgh, CERA or transfusion. Those numbers were probably duplicates so, if the figures were added up, they would not total the actual number of samples, but rather the actual number of analyses. He thought that probably in 2010 somewhere between 3,000 and 4,000 blood samples had been collected for the purpose of analysis outside of the passport, and he brought this to the members' attention, as they would later be discussing a paper on blood collection. He emphasised that some countries had collected more than others. China had collected a huge number of samples for Hgh analysis. Not many others had. The members could draw some conclusions but should be careful, as these were only laboratory statistics. The major leagues still contributed a huge number to the report, although they were not Code signatories. The members would see that, for American football, 24,000 samples had been taken in 2010. He was not sure of the breakdown in terms of basketball, hockey and baseball, but 18,000 tests had been collected for baseball. The majority of those had been collected by the major leagues and certainly not by the IBF. There was still a significant amount of samples going to the accredited laboratories from the major leagues, although they were not signatories.

Finally, the members could look substance by substance to see how many substances had been involved in detection: 535 cannabis cases, 3,374 anabolic steroid cases, of which 1,884 had exceeded the T/E ratio and were therefore subject to further testing and might not be positive cases. There had been 36 EPO cases; this number had shocked him, as it was known that EPO was the drug of choice for those who were cheating, not just in specific sports; it was across the board in far greater numbers than WADA was detecting. That had led to the query he had raised with the laboratories as to selective menus: how many samples were going to the laboratories and actually being checked for EPO? He would suggest a very low percentage, which meant that the drugs of choice were not being detected because they were not even being checked for. He did not want to say that it was a disgrace, but it was certainly a disaster or a disappointment if that was the case. The members would see three Hgh cases. WADA now knew of eight since the test had been reintroduced 18 months previously. More blood samples had been collected for Hgh under intelligent testing, and the members would probably find that that number would climb as well, as Hgh was another substance of choice for cheating athletes.



The subject would be brought up again by Mr Andersen under item 5 on the agenda. The report would be on the website on Tuesday or Wednesday the following week, and he was sure that there would be some media attention and some queries that WADA would have to answer. The management would post a series of questions and answers on the website so that normal questions could be answered immediately, and would also post reports from the ADOs that had supplied WADA with their annual reports, and the members would see that their reports would show that the result management process would lead to a number that was different to the number coming from the laboratories.

THE CHAIRMAN said that, bearing in mind that the members had received the report only that morning and there was some considerable content there, he was sure that the members would look at it in the days ahead.

DR SCHAMASCH asked whether it would be possible in the future to have a breakdown for in- and out-of-competition testing. That might be of use. Also, regarding the ranking per federation, it would be useful to see whether the tests had been carried out on RTP or non-RTP athletes. Such information would help WADA to see in the future where it stood, particularly with regard to the Code and RTPs.

MR LISSAVETZKY said that he had a query regarding the data on blood analysis by the laboratories. There had been 6,610 samples taken in relation to the ABP and, in the final table, there was a total of 7,063. There was a difference of 453 samples, highlighted by an asterisk, which had been communicated by non WADA-accredited laboratories in 2010. Which were these laboratories? He did not understand. He repeated his query. On the penultimate page, 6,610 blood samples had been analysed by different laboratories but the final table showed 7,063. An asterisk with a note below stated that 453 samples had been reported by non-WADA laboratories. What was the role of these laboratories and to whom did they report?

PROFESSOR LJUNGQVIST noted that this was an interesting issue and needed to be looked into carefully in order to understand it fully. When he had heard the Director General's concerns about the relatively low frequency of blood sampling, he had agreed with him but, on the other hand, it was necessary to realise that the ABP and blood model had not been introduced until 2010, so this was only the first year. His feeling was that it had been increasing over 2011, so it was a very recent event. WADA had decided on the blood model only in December 2009. This was the very first year and, as such, it was not so bad after all.

MR ROWE asked if there was any visibility (and it would not be through these statistics, as they were collected from the laboratories) of other blood testing done, for instance, he knew that his country did a lot of blood profiling to help the testing regime, to the extent of something like 1,500 samples, so he wondered whether there was any visibility about that sort of activity as well, and the other point, to which he would come under item 5.3, was whether those targets suggested under 5.3 were targets for samples to be sent to accredited laboratories only.

THE DIRECTOR GENERAL responded to Dr Schamasch that that was exactly what WADA wanted to do by enhancing the way in which the statistics were gathered, so that it could delineate between in- and out-of-competition testing. It was a major necessity and, similarly, with the comment regarding athletes and RTPs, this was something that WADA needed to look at, to see whether the whereabouts system was actually working or whether WADA could show statistically that there was some benefit from it, so that was the rationale behind the change and the approach. This would take at least a couple of years before the data were obtained, as it would take some time before people put the information in properly, and WADA was very reliant on the human component of the gathering of the statistics. This would be pursued.

The UCI passport programme, when initially set up, had not been subject to the protocols introduced by WADA, and some of the UCI samples had been going to non-accredited laboratories. The UCI had since changed that, so it was not a question of anybody breaking the system or going to non-accredited laboratories; it was just the way

in which the UCI had set up its programme initially, and it had since altered its programme to adhere to WADA's guidelines, so that was the reason for that.

He told Professor Ljungqvist that the passport numbers were one aspect; the blood collected for Hgh was another. That was the area about which WADA was most concerned. The passport would progress in an appropriate fashion, as he had said previously, slowly, as it had to be done in a considered fashion, but the blood collection for Hgh and other elements on the Prohibited List had to be heightened, and he thought that WADA needed to heighten EPO analysis; those were the two aspects of concern to him.

He told Mr Rowe that he did not have information on blood tests in that report that might have been checked by an approved blood laboratory. As time went on, WADA would have access to that information, and he thought that this was what Mr Rowe was suggesting was happening in his country as it had an approved laboratory. Otherwise, WADA relied on the reports from the ADOs. If Australia were on ADAMS, WADA would get them automatically. That was probably the way in which everybody would have to proceed in order to collect the information that was sought, and that probably also answered the other issue in relation to blood, because that was where WADA was going.

THE CHAIRMAN concluded that the information would be published the following week and would no doubt attract some media attention.

#### DECISION

Director General's report noted.

### **3.1 Revised process for acceptance of new signatories**

THE CHAIRMAN stated that this item would be deferred until November. There would be a paper on that.

#### DECISION

Revised process for acceptance of new signatories deferred.

THE CHAIRMAN welcomed Minister Okumura to his first meeting of WADA and congratulated him on his ministerial appointment in Japan. Mr Okumura had indicated that he would like to extend his courtesies to the Executive Committee.

MR OKUMURA thanked the Chairman for his introduction. It was his great honour that the first international meeting that he was attending as minister was the WADA Executive Committee meeting. He apologised for his late arrival and thanked the members for giving him the opportunity to say a few words. In March that year, there had been a huge earthquake and tsunami in Japan, after which, at the Executive Committee meeting in May, Japan had received information from many countries and also WADA's kind responses to the information that had been provided at the meeting. He thanked the members for their assistance and support. Japan was currently working hard on recovery and reconstruction and all of the international sports events had been carried out in Japan as planned, and Japan intended to continue to host events to contribute to a peaceful society through the Olympic spirit.

He had personally been in the sports world for 40 years and, in Japan there was a Basic Sports Act in force, which had been preceded by the Sports Promotion Act. Since the initial enactment of the Sports Promotion Act, 50 years had passed, after which this had been reborn into the Basic Sports Act and, with this new act, Japan provided a legal framework for government-backed anti-doping activities in Japan. The authorities intended to carry out active public campaigns to let the nation know about their determination to fight against doping in sport. At the same time, Japan intended to continue to make a strong contribution to the international development of doping-free sport. He looked forward to working with all of the members and to receiving guidance from them.

THE CHAIRMAN wished Japan well in its recovery and the challenges that Japan had to face as a result of the tragedy in March that year.

#### **4. Finance report**

##### **4.1 Finance and Administration Committee Chair report**

MR REEDIE said that there were six sections to the finance report, the first being the chairman's report, and he referred to the minutes of the meeting held on 23 July in St Andrews, which was very roughly on a direct line between Montreal and Lausanne, the attempt being to make it as cost neutral as possible.

The Finance and Administration Committee had started by looking at the 2010 audited accounts that had been approved by the Foundation Board and had noted with considerable satisfaction that the internal memorandum received from WADA's auditors was about as clean as it could possibly be. There had been one item of reference of no significance and that, to any finance committee, was an extremely important piece of paper.

He would deal with government contributions, the 2011 revision and the 2012 budget later in the report.

The Finance and Administration Committee had looked at the investment review. It tried to keep long-term WADA funds in the main in a series of bonds or protected investments so that no risk was taken and some reasonable prospect of accumulation was possible, and the committee was happy with the portfolio that it had, and he knew that Mr Niggli and Ms Pisani had met WADA's bankers in Lausanne the previous day and had been brought up to date.

The Finance and Administration Committee had looked at and discussed for some time the phrase "alternative sources of revenue". It had had the advantage of the paper from the Council of Europe, which had a slightly unusual way of raising money in his experience. It seemed to have a base budget accepted by all of the 47 contributing countries, and then it circulated to those countries a series of projects and actually invited countries to fund those projects, and it was not a bad idea. He was not sure that it was entirely relevant to WADA, but the committee would try and see if it could develop that, perhaps by going to governments with specific projects, so there were a number of issues in this, first of all identifying those to whom it might be worthwhile making an approach, and secondly identifying the kind of project that a particular country might find attractive. There was also the opportunity to approach people who were "in the business", and again WADA needed to handle that very carefully, first of all because one needed to identify how high up the particular institution one could get, then one needed to work out very carefully who did the asking, because quite frequently people gave money to people who asked politely. This was quite a complicated issue, but the work was in hand and he hoped to be able to be much clearer when the committee met in November. However, he did not want anybody around the table to believe that those efforts would solve the base financial issues facing WADA. It was impossible to say, "If we wait a little while, somebody will give us enough money and that will solve the problem"; that was not the situation that he wanted people to understand.

The Finance and Administration Committee had also dealt with the question of the auditors, which was on an individual paper, and he would come back to that.

#### DECISION

Finance and Administration Committee Chair  
report noted.

## **4.2 Government/IOC contributions**

MR REEDIE said that the members had an updated list before them (dated 13 September) and, when this item had been discussed (and if they looked at the minutes, the members would see), the Finance and Administration Committee had been a little concerned about the rate of calculation because, at that time, WADA had not received a contribution from the USA. Clearly, the message had been passed from St Andrews to Washington very quickly, because the payment had come from the USA two days after the concern had been raised. The minutes were accurate but the payment had come from the USA. Looking at the current list, the members would see the number of non-payers. There were one or two in the Americas; Costa Rica seemed to have escaped contribution on a permanent basis, and maybe should be reminded that it was part of the real world. The Dominican Republic was another one. Moving into Asia, there were countries such as Cambodia, Iraq (which might be problematic), Kazakhstan (which still owed substantial funds), Lebanon (which he would have thought would be able to pay, despite the difficulties in that part of the world), and Oman (WADA must have a reasonable connection with Oman through the Olympic Movement, but that was another issue). The members could see where the debtors were. If he had to point out any particular ones, Turkey and Ukraine stood out, and clearly efforts needed to be made to collect their contributions, as that would make a substantial difference. The members would see that the Finance and Administration Committee thought that it was up to 97.04%; the year before, the figure had stood at 99.52% at the end, so WADA was not all that far away, although it was not where the Finance and Administration Committee wanted it to be.

### DECISION

Government/IOC contributions update noted.

## **4.3 Quarterly accounts**

MR REEDIE said that the Finance and Administration Committee had also looked at the half-yearly accounts in July. As always, he would not spend any time on these. They proved what always happened, which was that, in the first half of the year, contributions were collected, income was high, expenditure was relatively steady, and a substantial surplus was shown in accounting terms, and then, in the second half of the year, much less was collected, expenses still remained high and, quarter by quarter, a small loss was probably made. Anyway, it was a useful attachment, and gave up-to-date information.

### DECISION

Quarterly accounts noted.

## **4.4 Revised 2011 budget**

MR REEDIE informed the members that, as part of the process, the Finance and Administration Committee had also received a statement of budget against actual for the first six months of the year, and that had made it possible to have a look at what was happening to the budget approved by the Foundation Board in November 2010, and look to see how it was actually going to work out in 2011. It was based on the first six months of activity and, in general terms, income was up by about 368,000 dollars. The Finance and Administration Committee's estimates had been wrong by 5% on every salary paid, as WADA collected in US dollars and paid in Canadian dollars or Swiss francs, and WADA was getting killed on the exchange rates. There was not a lot that could be done about it, and he did not suggest that WADA start paying the staff in US dollars. That was an issue.

The committee was always interested to hear Mr Niggli's latest report on litigation, in which there was a whole range of issues, such as the additional costs of appealing cases to the CAS and the additional costs of simply being involved in the litigating process, and the committee had decided to retain in the budget the litigation figure at 900,000 dollars.

If the accounts worked out all right and there was any increase, the committee would leave it in the accounts, and if they did not work out all right at the end of the year, the committee would take the excess out of the litigation reserve created a few years previously.

The members would have noted the comment under the section on the executive office that the Finance and Administration Committee had questioned whether WADA needed so many independent observers, so if for other reasons the management had decided to reduce the number of independent observers, that would go down well with the Finance and Administration Committee. The work that they had done had been regarded as very important ten years previously; he thought that the whole anti-doping system at major events was currently hugely improved and therefore the same degree of supervision was not needed so, from a financial point of view, it would be helpful, but the principal reason would be for the reasons already expressed.

The IT figure would be retained; a little bit of money was saved on information and communications, as a WADA athlete meeting had been married with an IOC athlete meeting, so WADA had piggy-backed on one set of expenses. The education budget had been increased by 200,000 dollars because of the need to develop the RADO programme, and there were slight increases in operational costs, but he would invite the Executive Committee to bear in mind that these would be offset over a number of years by the much better arrangement on rent and tax in the Montreal office; that had been a really good piece of work. At the end of the day, if everything worked the way in which the Finance and Administration Committee thought it would work, it expected a deficit of just over 2.3 million dollars, which could be funded out of the unallocated cash that WADA currently held, but it was a figure that he asked the members to bear in mind when looking at the next issue, which he suspected was the one that interested most of the people around the table, and that was the draft budget for 2012.

#### DECISION

Revised 2011 budget noted.

#### **4.5 Draft budget 2012**

MR REEDIE said that, when the Finance and Administration Committee had put the figures in place, it had looked at the whole question of the Strategic Plan and Operational Plan, and all of the statistics on which it based the final budget were set out in the Operational Plan. He assured the members that it was not just done willy nilly; it was done on the basis of what the Finance and Administration Committee thought that the Executive Committee and Foundation Board had said that they wanted WADA to do. The Finance and Administration Committee had ended up with a draft budget for 2012.

The committee had had a long debate on the overall question of the contribution rate that would be required, or not required as the case might be. It had listened very carefully to the messages received from the public authorities, which were actually in the majority on the committee, and there had been a full and frank exchange of views. The committee understood that there were a number of economic difficulties facing public authorities all around the world. One had only to pick up a newspaper and financial Armageddon stared one in the face. That having been said, the end result had been that, to provide a fair presentation, the public authorities had asked the Finance and Administration Committee to present the 2012 figures to the members on two bases, one with an increase in contributions of 2% and one with a zero increase in contributions. In both cases, it would involve subsidy the following year and, in both cases, it involved quite a substantial reduction in expenses and therefore the activity of the agency. Clearly, if one had no increase in contributions, the savings had to be greater. The committee had tried to put together a budget, and this was the recommendation from the Finance and Administration Committee to the Executive Committee, that the deficit should be no more than 2 million dollars. The end result of all of that (and, if the members wanted, they could go through the 2012 budget on a blow by blow basis,

looking at every department and every penny of money spent) was that it had all been carefully calculated based on the most up-to-date information available, which was half-way through the previous year, but most important of all were the principles underlying all of this, and at the end of 2011, if everything went correctly and there was only a deficit of 2.3 million, WADA's unallocated cash would be restricted to 6.85 million dollars, so WADA was beginning to make reductions. A few years previously, WADA had been up at 9.10 million and was now down to 6.8 million. What all of this was showing was that WADA would have to continue each year to cut costs, and it was quite clear that, each year, WADA would be subsidising deficits as a regular feature and, depending on the rate of increase that the stakeholders were prepared to make over the next two to three years, WADA would exhaust its unallocated cash either by mid-2014 or by mid-2015, and that always assumed, excluding 2012, a 4% increase in 2013 and 2014.

The cost savings looked at for 2012 were based across the whole range of WADA's operations. The committee had not just turned round and looked for the biggest budget from which to take the money off; it had thought that that was entirely wrong and, as the members could see in the minutes, research played its part, social science research played its part, the testing budget had to play a part, and the committee had invited Mr Howman to look hard at the whole operation of the agency, and somewhere in excess of 200,000 dollars of cost had been taken out as well, so the members were looking at a situation whereby there could be a deficit of 2 million and a reduction in costs, and therefore a reduction in activity of 1.3 or 1.6 million dollars depending on the contribution increase rate that the members decided to accept. As they discussed that, the reduction in the US dollar actually meant that, with the exception of the IOC and the USA, practically all those who had been paying money had paid more; it had cost them less in dollar terms as the dollar had depreciated, and he hoped that they were delighted about that. Athletes, he knew, still cheated and he thought that, of any of the current examinations of the problems of world sport, and things like match fixing, which seemed to be targeted at team games, doping was the major problem in world sport, and to that extent WADA was in a situation in which, within reason, it was beginning to reduce activities. If he looked at a 2% figure and ran it across a number of companies, and he had tried to explain this the previous night, it was actually not much more than a rounding-up figure; in fact, it was so small that it would not even be included by a government accountant as a rounding-up figure as it was almost totally insignificant, but he did accept that there were differences.

It was quite clear that continuing cost reductions would reduce the effectiveness of the organisation and they did become dispiriting to staff so, unless the principles of a regular contribution increase were understood and implemented, two things would happen: the first was that WADA would become ineffective and things like paperless project development, assistance to NADOs, etc., all of which WADA wanted to do, became rather more difficult to do and ultimately, since WADA was funded on the basis of the Olympic Movement meeting public authorities' contributions on a dollar to dollar basis, eventually, over the next two to three years, there would have to be the most enormous increase in contributions from public authorities, so basically he thought that regular controlled increases should be adopted and then, like everybody else, hoped that there would be a modest economic recovery in the world economy sooner rather than later.

All he could say in conclusion was to go back to the actual minutes, which said that, "The committee firmly believes that there needs to be some measure of cost restraint taken now," (and he thought that the committee had done that) "but agrees with the general principle of a steady increase in contributions; steady increases would be more effective than a zero increase in one year followed by a higher rate of increase in years to come." That was what the Finance and Administration Committee thought that the Executive Committee should do, and it did understand the pressures around and that this would need goodwill and assistance all round the table to make it work. His guess was that there would be something of a debate at the moment, but that there would certainly be a debate at the Foundation Board meeting in November. The Finance and

Administration Committee would want the Executive Committee to put forward a draft budget for 2012 on the basis of a 2% increase and he would leave it to the Chairman to decide how to do that.

THE CHAIRMAN said that Mr Reddie had given the members a very good overview of the deliberations of the Finance and Administration Committee, which had on it a majority of public authority representatives, and had given a rationale for what would occur to WADA in the years ahead depending on the Executive Committee members' decision, which did not necessarily need to be taken that day but, if they did wish to take a decision that day they could certainly do so, and that decision could only be a certain recommendation to the Foundation Board in November, but it was important for views to be expressed on this and he was certain that there would not be any shyness in that occurring.

MR LISSAVETZKY thanked and congratulated Mr Reddie and the Finance and Administration Committee on the work carried out and the presentation. He wished to share the position of the European public authorities, which met in a group known as CAHAMA. Europe, because of the economic situation, proposed a zero percent increase, for fundamental reasons. The current financial climate was very difficult, there were budget headings linked to important services that were not being increased and in some cases were being decreased, and the majority believed that it was not the right time to increase contributions to WADA and that a zero percent increase should be approved. He also agreed with what Mr Reddie had said, in that a permanent budget deficit would not be desirable, because this would clearly eventually affect the financial health of WADA. Therefore, it was necessary to try to increase income, although no miracles could be expected since the public authorities were proposing a zero percent increase, so it would be necessary to try to reduce expenditure. In many European countries, it would be almost impossible to increase contributions to WADA whilst paying the same amount or less for other important budget headings. That morning, during the meeting held with the other continental representatives of the public authorities, it had been decided to put forward a zero percent increase (the African representatives had stated that they would not mind an increase), but Asia (and he took the opportunity to welcome the Japanese sports minister), Europe, Oceania and America had supported the proposal. He hoped that the situation would improve at some point in the future, and he was sorry to have to say what he was saying as he believed that WADA did an excellent job, but perhaps funds should be sought elsewhere. Looking at this optimistically, he was convinced that some of the countries that had failed to pay to date would pay. He believed that Turkey would be bidding to host the Olympic Games in 2020, and he did not think that it would bid to host the Olympic Games without making its contribution to WADA. The idea of seeking alternative sources of funding was a good one. Unfortunately, the situation was such that he was unable to put forward a proposal other than the one he had just made.

DR SCHAMASCH asked whether there were any processes that could be in place with regard to Ukraine. He knew that a laboratory was being accredited in Ukraine. Ukraine had not paid its dues and he wondered if the non-payment could be linked up somehow with the issue of accreditation.

THE CHAIRMAN informed Dr Schamasch that Ukraine had indicated that it would pay in a couple of weeks' time, so he was not terribly concerned about this.

MR MACADAM said that his European colleague had expressed the collective view of the governments, realising that they all continued to ensure that they were supporting the global fight against doping but recognising the current economic situation that many countries were facing and the fact that Canada was looking at reducing overall budgets. Having said that, he wondered what the assumptions being made around the overall income projections were at 97%, realising that, over the past few years, collections had actually been closer to 99%, and he realised that Mr Reddie wanted to budget conservatively but any given point swing in that collection obviously increased revenues by about 300,000 dollars a year.

PROFESSOR LJUNGQVIST said that he understood what Mr Lissavetzky had said but thought that it was a very disappointing decision with respect to the expectations of the Olympic Movement, which had been ready to go for a 2% increase. It was not his business, but he would be interested to know whether this 0% standpoint was based on a psychological rather than a true financial aspect. Mr Lissavetzky was talking about very small amounts of money, and had hinted that it was difficult to show an increase in one area when there were reductions in others. Was it more a psychological than an actual financial matter?

MR WARD said that he understood Professor Ljungqvist's question from a political point of view and, from the US point of view, it was not a psychological issue; it was looking at hard budgetary decisions moving into 2012, 2013 and 2014, and the economic situation throughout the world did not need to be reiterated. That did not mean that the countries did not see value in WADA, or that they did not see anti-doping as a significant issue, but many countries around the world were having to make very difficult decisions and unfortunately the USA stood with the 0% increase for 2012.

MR LISSAVETZKY wished to answer the question asked by Professor Ljungqvist. He did not know much about psychology; he truly respected the IOC, but the IOC had different things to do than governments or parliaments and, in difficult situations, there had to be priorities. Everything had to be reduced. The financial climate was bad. This was not based on a whim and, with all due respect to the IOC, the decision taken that morning by the public authorities had been to put forward a 0% increase. This should not be seen as an attack on WADA. It was necessary to find ways of promoting research. In his country, for example, anti-doping research was carried out as part of the national research and development plan. It might be possible to fund part of a research programme, but it was necessary to understand that the situation had changed. The Spanish NOC received funds from the national budget, and he was not going to take money away from the Spanish NOC and give it to WADA as part of a 2% increase. The CAHAMA group had taken the decision, and he was obliged to pass it on to the Executive Committee members. This was because of the real situation in Europe and in other parts of the world. He thanked Professor Ljungqvist for his comment but hoped that Professor Ljungqvist could understand the situation of the governments.

THE CHAIRMAN pointed out that the Executive Committee did not have to make any decision that day. He hoped that, in November, a recommendation would come from the Executive Committee to the Foundation Board. The budget was a matter for the Foundation Board to approve and, if the members were in a position to make a clear recommendation that day, he would be delighted to accept that, but what he saw from his end of the room was a level of division, which was somewhat along the lines of public authorities versus sport, and he therefore suggested that the Executive Committee should probably not proceed to a recommendation to the Foundation Board at that point in time but that it give further consideration to the matter, and one of the things that he would certainly like the members to consider between then and November was the actual dollar increase to each of the areas and countries. He had a chart in front of him (and he did not intend to name countries at that meeting) which indicated that, in actual dollars, some countries were paying some 31% less than they would pay on a 2% increase; still, some 31% less based upon currency movements and, as Mr Reddie had pointed out in his opening remarks, with the exception of the Olympic Movement, which believed that it was necessary to continue to give the message that the fight against doping in sport was extremely important and was prepared to say that it would present the 2% increase for 50% of the total budget, which was what the IOC paid to WADA. He had also noted that, on the other hand, because of the US dollar and its current position, there was probably a bigger problem for the USA and its contribution than anybody else, so there were winners and losers, simply based on currency, and that was the case every year, but it had been so pronounced over the past 12 months or so. It was in that context that he suggested that the members perhaps needed to think a bit more about it. He would want a resolution from the members, whatever it might be, and it could well be to ask the Foundation Board members to be the wise people in their vote on the Sunday, but he



would leave it until then. He also added that everybody had very honestly and genuinely acknowledged that there was no wish to reduce the effort in the fight against doping in sport, but that there was a particular malaise in the world that had a greater impact in certain parts of the world than others. He could say that, for some countries, it would be quite frankly bedside change with a 2% increase, literally hundreds of dollars, not thousands, although the message of 2% was a bad message to give when there were countries such as Greece, which had not paid WADA, but everybody knew about the problems in Greece and knew of the difficulties in so many other countries. The Government of Canada, which one might argue was less affected than other parts of the world from what he could see, in the prudential approach that it was taking, was reducing budgets, so how could one say that a government should increase its contribution to WADA? He could understand the argument but, since the Executive Committee was not required to make a decision, if Mr Reedie was happy to support this approach, the Executive Committee might just note the report from the Finance and Administration Committee and the advice given by Mr Reedie that day, including his preferential recommendation that there be a 2% increase, but defer a decision on that until November, when there would be another discussion. The world might not have changed, it might be worse for all he knew, but he could see a clear division of views around the table that day and thought that it would be appropriate to leave it until November.

MR REEDIE responded to a couple of the issues that had been raised. WADA would try to collect 100% of contributions, and not 97%, but the difference between 97% and 100% only scratched the surface of the problem. It was small money as opposed to large money. The members should also understand that the 2% figure was actually below the rate of inflation in Canada, where WADA was based, so even by agreeing to 2% WADA was actually not solving this problem; it was beginning to solve it. The ultimate solution would be higher rates of contribution at a later date when everybody would have to hope that the world economy would be better than it currently was, but he agreed that not a lot could be done. The members should be grateful that there was nothing quite like encouraging countries to pay than an Olympic bidding contest. It was a good job that there was a contest to run the Olympic Games, as that made life easier in terms of extracting contributions from all those who wished to put their names forward, and he would have thought that it would not be too difficult, after explaining it clearly to Turkey and, if this was an issue, he would go to his colleague at the Turkish NOC who was a member of the IOC and point out to him that it would probably be a good idea. He thought that something could be done about collection. There was a clear difference between sport and governments, and this had been enshrined in 1894 by a bunch of people (and thinking back, this had been space-age thinking) who had said that there would be this wonderful sports event and the only people who could enter it would come from an NOC that they appointed and approved. Thinking back, that had been an absolutely wonderful thing for sport, as it had kept a degree of neutrality from government and it had worked very well over the years. There was a clear divergence. He was happy with the way in which the Chairman had phrased it, and happy that the minutes would record that it would be deferred, not necessarily until the Executive Committee meeting in November. Unless something changed dramatically, the Finance and Administration Committee could update the figures, it would probably go to the Foundation Board and he noted that the Finance and Administration Committee, on which there was a public authorities majority, recommended that a 2% increase be accepted. He wanted that recommendation to be in there somewhere so that the debate was quite clear. The debate would be 0% or 2% and the Foundation Board would be allowed to decide.

THE CHAIRMAN thought that it should be discussed again by the Executive Committee and, if there was a resolution that could be put by way of a recommendation by the Executive Committee to the Foundation Board, that recommendation could well be that the Foundation Board had the two options and should vote accordingly in favour of one or the other, but the Executive Committee did not have to decide that day, and he

did not particularly want to see a show of hands (or not) when it was not critical to make the decision.

#### DECISION

Decision on the draft budget 2012 deferred until the Executive Committee meeting in November.

#### **4.6 Selection of auditors for 2012**

MR REEDIE said that, ever since WADA had been founded, the members would remember that the original funding had been paid by the IOC for the first two years, and WADA had used the IOC's auditors, PricewaterhouseCoopers, and had not actually done anything about that other than encourage them to sharpen their pencils occasionally. This time, WADA had run a proper tender process with the four major international accounting firms, as WADA was an international body with offices all around the world, and had asked Ernst and Young, KPMG, Deloitte and PricewaterhouseCoopers to make submissions. WADA had received a whole range of very interesting suggestions, not least the fee cost. The committee had not believed that one of the applicants had understood the business at all, and unfortunately the applicant had said that he reserved the right to charge additional fees when he did find out what the business was so, at the end of the day, the Finance and Administration Committee asked the Executive Committee to recommend to the Foundation Board that it retain PricewaterhouseCoopers, which had quoted a fee of just over 62,000 Swiss francs. The committee had thought that that was a little bit high, so he had taken it upon himself to pick up the phone and speak to the partner who had done the auditing for WADA to pass on the happy message that modern transparency and governance meant that he should pass over the responsibility to one of his partners but, before doing so, he might reduce the fee that WADA paid, and the partner had agreed, so the fee had been reduced to 60,000 Swiss francs and Mr Roth, who had served WADA well, would stand down in Lausanne and one of his partners would take over as lead partner for the WADA audit, so the process had been professionally conducted and he hoped that the outcome was to everybody's satisfaction.

THE CHAIRMAN observed that, in the interests of corporate governance, it was timely that this particular issue had been addressed. He thanked the Finance and Administration Committee for doing it in a very comprehensive manner. The recommendation was that the Executive Committee endorse the proposal of the Finance and Administration Committee and recommend to the Foundation Board at the meeting in November the approval of PricewaterhouseCoopers for auditing services in 2012. Were the members happy to support that recommendation?

#### DECISION

Proposal to recommend to the Foundation Board PricewaterhouseCoopers as auditors for 2012 approved.

### **5. World Anti-Doping Code**

#### **5.1 Interim Code implementation and compliance report**

THE CHAIRMAN noted that this was a matter that would activate certain steps after the meeting but would be ultimately determined at the next meeting of the Foundation Board in November.

MR ANDERSEN said that he would not go through the paper in detail since he assumed that the members had read the report carefully, but he wanted to update them on progress since May 2011 and also update them on the period from when they

received the papers for the meeting until 6 p.m. the previous day, as there had been quite considerable progress since the papers had been sent out.

In the lead-up to the meeting, many had stepped up their efforts and committed in terms of rules, programmes, testing activities, TUE activities and also result management activities. There had been a huge movement in trying to step up to become Code-compliant. He would not speculate why, but his impression was that there was a real commitment among most stakeholders to step up their anti-doping efforts and not only become Code-compliant. The commitment from the IOC, ASOIF, SportAccord and ARISF (the Association for Recognised International Sports Federations) had been invaluable in this approach to the IFs, and also the contribution to the RADO project by Australia, Japan and Canada had been invaluable in the progress seen before and after May.

In the green dot report, the members would see the update since the meeting in May, and would see black squares around the green dots, which meant that there had been movement since the meeting in May. He wanted to give the members an update as of 25 August, and he could now report that all Olympic summer sports were Code-compliant, including golf and judo, which had been the two remaining summer Olympic sports. In terms of IOC-recognised IFs, pelote basque, surfing, water-ski and wakeboard and bridge had been included. For the non IOC-recognised SportAccord IFs, ski mountaineering and kick-boxing had been included in the Code-compliant category. As for NADOs that were now Code-compliant, Algeria, Bosnia and Herzegovina, Cayman Islands, Chile, Colombia, Dominica, Luxembourg, Myanmar, Tonga, the Netherlands, Samoa, Surinam, Sweden, Sri Lanka and Venezuela had been declared Code-compliant since 25 August. In terms of increased levels of Code compliance, the members could see the list of those who had either updated their rules or upgraded testing programmes, etc. He also mentioned some of the countries that WADA had approached specifically in order to provide assistance. Nigeria had been mentioned that morning. WADA had also approached Argentina, Uruguay and Brazil, and knew exactly what the issues were in these countries, as there was close contact from Montreal and the regional offices. In Asia, there was an issue with North Korea, where there was no programme in place and the NOC now acted as the NADO. In Europe, Austria was still on the list of non-compliant countries; there was an issue with legislation, as the legislation was not in line. WADA had met the Austrian representatives at a meeting in Strasbourg on Tuesday, and they had promised to step this up quickly, so he was quite confident that this would happen. There was a special focus on Belarus, which needed to enhance its programme, and on Belgium, with the German community and the city of Brussels, in which programmes and rules needed to be in place as was the case for the two other communities in Belgium. There was an issue in Croatia, since it had shut down its agency the previous winter, and was now creating a new one, although WADA had very little information on it despite having written many times. Greece had been mentioned that morning by the Director General. WADA was trying to help Greece, and had written to the minister and the NADO several times. There had been some correspondence with the NADO, as there was one but it was not doing much and, the previous day, he had received a letter from the ministry stating that it would do whatever was needed in order to step up Code compliance issues. WADA had been quite specific, but had not received concrete results back. WADA was working closely with Portugal, and there had been a meeting with the ministry, which had assured WADA that it would have a programme in place shortly. The anti-doping programme was quite comprehensive in Portugal but there were problems with legislation. In terms of Olympic IFs, there were two left for winter, ice hockey and luge, and these two federations had executive meetings coming up, and there would hopefully be positive results from those meetings shortly.

Looking at progress since May and up until the previous day at 6 p.m., ASOIF had a 100% score with both rules and programmes in place. Two IFs were still in progress and, looking at the IOC-recognised IFs, there had been an increase in Code compliance from 15 to 22 since May, which was a considerable effort. For SportAccord, there had been an increase from 3 to 5 Code-compliant federations and obviously a decrease in the non-compliant categories. For Paralympic IFs, the IPC, which was also an IF, had been

added to the list and was Code-compliant. Looking at the various regions of the world, the members would see that there was an increase in the level of Code compliance, with Africa noticeable from 2 to 14 Code-compliant, the Americas 11 to 24, Asia 14 to 24, Europe from 19 to 27 and Oceania from 2 to 5. The red columns had decreased accordingly. The total picture of all signatories showed that 51% were Code-compliant, 31% or 94 in progress and 18% not yet compliant.

The next set of statistics had been shown to the members in May, demonstrating the significant sporting nations. The Olympic Games from 2000 to 2010, from Sydney to Vancouver, had been taken, and all of the awarded medals in that period had been listed. Of those medals, 83% came from the 94 compliant countries. Including the in-progress countries or NADOs, the figure was up to 94%, which meant 3,342 of the 3,545 medals awarded. The same statistics had been calculated for the global population (6.6 billion people), and 73% (4.8 million) were in the 94 compliant countries and, including in-progress countries, 88% of the global population was covered.

He had reported previously on the three categories of stakeholders: compliant, in progress and not yet compliant. Moving ahead towards November, his proposal was now to report on compliant or non-compliant stakeholders, as there was nothing in between. He had moved the in-progress signatories to the non-compliant list in the overview. That was how he proposed that this be presented to the Foundation Board in November.

THE CHAIRMAN asked the members to bear in mind that, as a result of that day's discussion, there would be a letter sent to all those signatories that had not yet reached compliance and they would be given the opportunity to give written arguments for their non-compliance for ultimate consideration in November, and then the report would have to go to the Foundation Board.

PROFESSOR LJUNGOVIST said that the Olympic Movement had discussed this previously and he noted that the Olympic Movement supported the reporting system to declare stakeholders either compliant or not compliant in November, but emphasised the importance of having clarification as to why certain signatories might not be compliant. Some might be very close and others might be further away. On a specific matter, he was a little worried in view of the upcoming Youth Olympic Games in Austria. What was the problem there? It was obvious that there would be stakeholders that would not be compliant in November, as only 51% were currently compliant, but it was particularly important to try to help those in particular need of being compliant by November, Austria being one example. What was the legal problem in Austria?

DR SCHAMASCH said that it would be particularly important between then and November to have good relations, as was currently the case, with WADA and to be able to have from WADA for those countries posing problems with the IOC, for example, countries bidding for the Olympic Games or countries such as Austria, the exchange of mails or letters between WADA and those countries so as to have sufficient material when going to the NOCs to tell them that they had been duly informed and had received a warning from WADA. Between then and November it would be useful to have such documentation to be able to go to the NOCs and show them such documentation.

THE CHAIRMAN responded that there had been a discussion with the IOC president on Thursday and WADA had promised to give such information to the IOC. That would be forthcoming over the next few days. Mr Andersen had not been at the meeting in question.

MR ROWE referred to item 5 in the paper, regarding additional elements for discussion, and he presumed that the intention was to have a discussion about those elements. He wanted to comment on them and notably the two issues in the paper about the rules on eligibility for FIFA and FIBA and, notwithstanding article 10.10.1 in the Code and the comments that appeared underneath it, which referred to training camps, that there were provisions within the rules of those two IFs to allow training prior to the period of ineligibility expiring. He knew that those rules were mandatory and would

appreciate comments or feedback as to how what appeared to be non-compliance with a particular provision was considered to be in line.

THE CHAIRMAN responded that he would endeavour to provide the background to the issue. To the knowledge of WADA, the rules that FIBA and FIFA had in place allowing some team training prior to the end of the sanction had never been activated. WADA had no knowledge of any football or basketball player who had actually gone and done that. It might well have occurred, but anyhow WADA really did not have the resources to police that, and it was probably fair to say that, unless a complaint was made to WADA, it would not otherwise know about it. The rules were in contravention of the Code; the dilemma that WADA had had in dealing with those two very major sports was to say that, to the extent that their rules contravened the WADA Code, was there a breach? In actual fact, not one of which WADA knew, therefore was it worth focusing on that when there was no concrete outcome if resources were put into doing just that and, bearing in mind that this had always been a controversial area, and he recalled the debate on it as an observer at the 2007 World Conference on Doping in Sport in Madrid, he could confidently anticipate that, in the revision that was about to start, the debate would begin all over again, the outcome of which he did not know, that was a matter for everybody who was part of the process to decide before putting forward any further recommendations. The embarrassment, or difficulty, that WADA had in this was to say that it did not wish to make a unilateral decision on this without the understanding, advice and perhaps even direction of the Executive Committee, and it was for that reason that the fairly detailed explanation had been prepared by Mr Andersen and put to the members for the discussion that day, so that was the background and he would be happy to hear further discussion if anybody wished to raise that point or others.

MR MCQUAID said that a subject had come up the previous day relating to compliance. The results had been seen, and there would hopefully be a hive of activity in the next four to five months to see to it that a lot more were compliant. Looking to the future and going into a new Code review, and within that would be the discussion on compliance and how to approach it, the Executive Committee spent a lot of time talking about compliance and trying to ensure that all of the stakeholders were compliant, perhaps it might be more useful to have a discussion and maybe ask the WADA staff to look at another way of approaching compliance and, rather than the way that this had been done to date, perhaps it might be possible to discuss on an interim basis when a particular NADO or IF took actions that were not Code-compliant. These could be individually brought before or discussed by the Executive Committee and sanctions if necessary handed down, and the current two- or three-year Code compliance period could even be extended to four, five or six years, to make the whole thing a little bit more efficient in the long term.

THE CHAIRMAN responded that Mr McQuaid had touched on a point that had certainly been the subject of some discussion within WADA, and this was the most productive way to use resources. WADA was a regulator but, to the extent that every two years the Code said that WADA had to carry out a report on compliance, this was a non-stop effort by Mr Andersen and his team from start to finish, one might argue that WADA was focusing on the process rather than on the outcomes, and whether resources were being put into the outcomes rather than on the process, and it was certainly a view that he would support that every two years was too frequent and, looking back on the history of this, WADA had not managed this well, as he had been reminded by somebody in the media that week who had made some comments in that regard. To the extent that WADA had not managed it well, it had been extraordinarily difficult to manage, made more difficult by the fact that there was this revision process, which had to be carried out. The 2008 process had been a deferral from 2006 to 2007 to 2008 and, when it had come to crunch time at the end of 2008, it had been deferred to May 2009. On 1 January 2009, the revisions approved at the World Conference on Doping in Sport in Madrid in 2007 had come into effect, so the report in May 2009 really could not have been a report of any substance, as there had been a change to the Code and WADA had been reporting on a document that was obsolete. This process was now continuing into

the next cycle; WADA was about to start revision, and letters were to be sent out inviting submissions, and that would culminate in whatever the decision might be at the end of 2013 and, at the end of 2013, WADA would be required again to do a compliance report, so it would be his view that the two years should probably be changed to at least four years and, to the extent that WADA was operating in a manner whereby it was fairly black letter law and there was no other way under the Code to avoid it, WADA should change the process to some sort of self-reporting on the basis of having the capacity when somebody was in the breach of being able to action that breach through the authority of the Executive Committee with a report that might be forthcoming. In other words, the view should be taken that WADA had matured to the point where there was an understanding of what was required to be done in the regulatory compliance sense, and WADA should be focusing on doing the job of catching cheats and have resources focused that way. He thought that Mr Andersen's team would much prefer to be going to individual sports and saying what kind of effective programme would be appropriate, specific to sport or country because of the nature of it all, bearing in mind that some sports required testing and certain types of testing more than others. He suggested that, since Mr McQuaid had raised the point, and he wholeheartedly supported Mr McQuaid, the Executive Committee might ask the management to do some more work on this and come back in November as to the way forward, as he thought that WADA was only giving itself a headache and heartache if it continued to operate as it had been doing with compliance reporting every two years.

MR ROWE supported what had been said about timing as he thought that it made sense, but he would like a response to his earlier question. He did not think that the issue was about whether those rules had been activated or not; indeed, if they had not been activated, they could easily be wiped out, and he did not think it was up to WADA to police them either. Signatories, IFs and governments had agreed to support the Code and it was up to those organisations to police their own back yards. He was not suggesting for one moment that WADA should police those kinds of thing. It ran to a fairly fundamental issue of what the mandatory rules were and agreeing that, if indeed the interpretation of that particular article in the Code meant no training, WADA should not accept rules that included training. No doubt this would be the subject of discussion during the Code revision phase; indeed, the situation might change as a result, but the fact of the matter was that there was a current Code and this matter had been brought to the attention of the group, and he did not think that it could be ignored, so he would be very interested in comments from others.

THE CHAIRMAN asked whether there were other views on the differences in rules.

MR REEDIE said that he had been listening to the statement about the whole way forward, and it seemed to him that, first of all, WADA had to get finished with the responsibility that it had in November. Secondly, he would have thought that any of WADA's reasoned stakeholders would have a very clear view on compliance going forward, and that that was an essential subject for Code consultation and review. Thirdly, he thought that WADA as the regulatory body must have a very clear idea of what it thought was the best way this could be done. There were all sorts of organisations around the world that had a system of self-certification under a set of rules, meaning that all one had to do was work out whether they were cheating, and very few of them did (it happened particularly in the financial services sector), and that might work, and then at Johannesburg, when debating this, WADA should ask people whether this was precisely what they wanted WADA to do. As WADA was getting everybody compliant under that set of rules, there must be an easier, more cost-effective and better way for all concerned to stay compliant under what would be relatively minor changes to the rules, and it was probably up to the WADA management plus a couple of outsiders with some experience of this to sit down and work out exactly what the best system for WADA was, without in any way dictating to stakeholders and telling them that this was the system that they had to adopt. The management did not want to be dictatorial; it wanted to say what had been done under the rules that the stakeholders had given to it, that it did not think that they were right and that the stakeholders should tell it what

they wanted but, since the stakeholders had asked, it thought that this was the intelligent way to go forward.

THE CHAIRMAN said that he would value a comment in respect of FIBA and FIFA.

MR MACADAM said that the report suggested that WADA had declared that the rules were in line but earlier comments suggested that they were not. He sought clarification on the status.

THE CHAIRMAN explained that WADA had given a qualified letter to FIBA and FIFA, but not an unequivocal compliant status, and the management had brought the matter to the attention of the members, as it was looking for some advice or guidance. Mr Rowe had made a very clear point, stating that article 10.10.1 of the Code differed from the FIBA and FIFA rules in respect of training towards the end of the sanction and the period of time differed based upon the length of the sanction in each of those sports. Should WADA proceed to apply its rule when it had been indicated that there was no actual knowledge of anybody being in breach of it in the context of footballers and basketball players training with the teams? Should WADA apply it on the basis that, until they removed the rule, WADA would not give them compliance, or should WADA say that it was a distraction that would only cause it aggro for very little gain? Those were the questions that the management wanted resolved.

MR KASPER said that it was necessary to be careful when talking about this matter in reference to team sports, as it was also the case in many individual sports that there was no way to train other than with the team. In ski jumping, for example, an athlete had to train with a team as nobody would open a jump for one athlete, so there was no other way than to train with the team. The members should be aware of this.

MR MACADAM concluded that the Chairman was suggesting that there was a potential difference between the practical and the paper, and he thought that both had to be in line in order to be compliant.

THE CHAIRMAN noted that the Director General had a suggestion to make.

THE DIRECTOR GENERAL said that the Chairman had expressed most of what he had put together. The real issue here was whether the Executive Committee wished to recommend that FIFA and FIBA be considered non-compliant when the Foundation Board had its meeting in November, as they would not change their rules before November. If the Executive Committee was of the view that what was going on meant that the federations should be deemed non-compliant, the management needed to know and would put it on the table. There would be a reaction, which could affect the final vote in November. His suggestion was, because it was not being practised, at least to his knowledge, that this should not preclude their being compliant. It was not an issue for the management to determine; it was a message from the Executive Committee as the Executive Committee had been guiding the management on how to run the compliance report to date. If the Executive Committee was prepared to say that this should not preclude compliance, the management would like to know. If the Executive Committee said that they were not compliant, the management would reflect such decision in the report in November.

PROFESSOR LJUNGQVIST said that this was a difficult matter and it had been discussed previously. It was important that all athletes be treated in the same way, but it was difficult when comparing individual sports with team sports, where the team training, which also occurred in some individual sports, required some sort of team belonging, whereas in other sports it did not. In many individual sports, athletes continued training alone or under the supervision of their coach, and such training was allowed, whereas athletes in team sports were not allowed to train with their teams, and that was unsatisfactory. Since it had not been an issue and there had been no breach, this was something that needed to be part of the Code review process. Probably the current wording of the Code was not optimal. He would be very reluctant to declare the two federations non-compliant on the basis of a written rule that had not been put into

practice and did not give any advantage to those athletes compared to athletes in individual sports. All athletes should be treated in the same way and he thought that this was a fundamental principle. His conclusion was that this needed to be part of the review process but should not have any consequences on the compliance report in November.

MR REEDIE said that, on a risk ratio of one to ten, this was much closer to one than to ten, and he agreed with Professor Ljungqvist. If this was going to be reviewed in the Code review process, it should not be interfered with at that point and then again in two years' time. This was not the greatest problem faced by the anti-doping world. The IFs should be declared compliant and the issue should be taken up firmly in the Code review process.

MR MCQUAID supported the views regarding the fact that athletes should be treated fairly. He agreed with Mr Kasper that, probably in most sports, an athlete coming back from a sanction would train with his or her team-mates; the question was, was the athlete meant to be a pariah for two years or should the athlete be given a chance to integrate in his or her sport? It was a difficult thing to control so, from that point of view, he completely agreed with Mr Reddie, in that there were more important issues that WADA should be dealing with in relation to compliance.

MR LISSAVETZKY said that he supported the principle of equality and he thought that the position expressed by Mr Reddie was the most appropriate. He wondered whether an athlete serving a ban, having lost his or her federation membership, could be tested before the end of the sanction period. If an athlete was serving a two-year ban and then started training six months prior to the end of the ban and took substances, could the athlete be subject to testing? In his country, an athlete could be tested during a ban if that athlete planned to compete again.

THE CHAIRMAN responded that an athlete could be tested during the sanction period.

MR LISSAVETZKY said that it would be necessary to proceed with caution and continue to hold meetings to try to ensure harmonised rules, but that the matter should not be given undue attention.

MR ROWE said that he thought that the issue was not about what some might regard as the unreasonable nature of the rules; this had all been debated previously and a decision had been taken and rules had been made. He just asked that some caution be exercised about the impact. Whilst there might be some worry about the reaction of two sports, there were also other things to consider, including the health of the organisation and whether the Executive Committee and Foundation Board members were prepared to award status that on the surface appeared not to be consistent with WADA's rules. That was an issue. He knew that the two sports in question were not prepared to change their rules but he wondered why they had indicated that they would not remove these particular sections prior to November. It seemed that, if they did, it would solve everybody's problem.

THE DIRECTOR GENERAL said that he thought that he had said "cannot" and not "will not". The issue was creating jurisdiction to ensure a rule change prior to November. WADA had had untold exchanges of correspondence with them and an opinion had been provided to them and thus far they were not moving. It came down to the issue that the management had been seeking. A lot of these things were WADA management things and the management wanted the Executive Committee to provide direction.

MR MACADAM agreed with Mr Rowe. While he realised that there was probably a significant back-story to the debate with these two sports, the fact was, this had been brought to the attention of the Executive Committee and, while there might be little risk of it blowing up, the organisation should take a consistent approach to all sports, NADOs and governments. It would be irresponsible to simply turn a blind eye and say that they were compliant. To simply say that they were compliant when the rules clearly stated



that they were not would not be proper governance and management on the part of the Executive Committee.

THE CHAIRMAN thought that the Executive Committee had had a good discussion on the point. He saw the majority not wishing to take action. He would be happy to ask for a show of hands if necessary. The opinions seemed to reflect the fact that the Executive Committee wished to not deny that there was a difference between article 10.10.1 of the Code and the FIBA and FIFA rules, and he suspected, in the context of the example given by Mr Kasper of ski jumping, that there was clearly a case whereby a penalty imposed upon a ski jumper in fact precluded that ski jumper from coming back at the end of the sanction as he or she would not have had a chance to train, so the penalty would effectively be two years plus the next few months after the end of the sanction. Looking at the black letter law, the Code said one thing and the rules in question said another, and he thought that what was being said to the WADA management was that, in all of the circumstances, the committee suggested that, for the 2011 compliance report, the rule (article 10.10.1) not preclude compliance for FIFA and FIBA, and that had the endorsement of the Executive Committee. Was that a fair summing-up of what the majority seemed to be expressing? It was not one that he was 100% comfortable with. He thought that the objective was to find a way through without causing World War Three and derailing much of what WADA hoped to do otherwise through the compliance process. Were the members happy to endorse that recommendation? Did anybody wish to record dissent?

MR ROWE did not feel that he could support it but he would not speak against it. He accepted the explanation that they could not as opposed to would not. Had there been any indication from the organisations that they would not exercise those particular provisions, as that might well be a way round it?

THE CHAIRMAN concluded that the letters to which he had referred in his remarks would be sent out to all the non-compliant signatories early that week.

MR ANDERSEN responded to the questions asked by Professor Ljungqvist. On Monday, the management would send letters to all the non-compliant anti-doping organisations asking them for an explanation as to why they were unable to be compliant. He would try to provide an assessment of all of the responses, if received. There had been numerous responses from many of those anti-doping organisations over the past six to seven years, so he was in a good position to report on what the issues were and why, but these formal letters would be sent out the following week in accordance with the Code. Regarding Austria, the government wanted to have legislation in place that included all of the elements of the Code, and it was very difficult to pass a law in parliament including all of the elements of the Code, because those were very detailed clauses that did not fit into legislation. Two representatives of the Austrian NADO (or NADA, as it was known in Austria) had visited Montreal and a possible solution had been found, but it included the difficulty in legislation versus the Code and implementation of all of the provisions in the Code.

THE CHAIRMAN said that he thought that, in practical terms, Austria would be regarded as an effective country in the context of anti-doping. Was that correct?

MR ANDERSEN replied that Austria was doing a very good job in practical terms. What might be a problem was an upcoming case, for instance, in which WADA would not have the right to appeal regarding Austrian athletes, as this was not in the rules. This often happened: WADA did not have the rights given to it by the Code to follow up on cases.

THE CHAIRMAN said that there was a template of the proposed text in attachment 3. Professor Ljungqvist had asked for a reason to be given, and the management believed that it had the capacity to give a brief explanation that might clarify that and would look at doing so before November.

## DECISION

Interim Code implementation and compliance  
report noted.

### **5.2 Amendments to the International Standard for Testing**

THE CHAIRMAN said that, having made the decision to defer the amendments to the ISL, the paper under item 5.2 made some reference to the laboratories but the Executive Committee would deal with the testing only and not the laboratories.

MR ANDERSEN informed the members that the Director General had presented the statistics for the laboratories that morning. There were also separate statistics for the anti-doping organisations. In the long run, he did not think that that made sense and there were many questions (some of which were listed) that the current statistics could not answer. The management was asking the anti-doping organisations through the IST to report certain parameters to the laboratories, which would then insert the information in ADAMS, and WADA would have access to all of the statistics that it would like to take from ADAMS. The addition to the IST would be the type of sample and test, meaning blood and urine, and it would be in- and out-of-competition testing, who the testing authority was, so that WADA was not only reporting on the sports but also who conducted the testing, and WADA would mandate this new requirement for security post test administration to get into the system as well. In addition to these statistics, WADA would review every AAF by asking specific questions relating to such findings in order to find out more about the specifics of the AAFs and whether they led to acquittals or sanctions. This was the overview of the item, which required minor changes to the IST.

THE CHAIRMAN asked whether the Executive Committee supported the decision requested on page 1 of the document.

## DECISION

Proposed amendments to International  
Standard for Testing approved.

### **5.3 Blood collection policy**

THE CHAIRMAN said that there had already been some discussion on this item earlier that day when the Director General had produced the statistics and, again, it was very clear that cheats were now prospering simply because WADA was seeing a decrease in the amount of blood testing that was taking place.

MR ANDERSEN informed the members that what WADA was stating in the paper was a minimum of 10%. It could set a figure of 25%, which would probably be more appropriate but, at that stage, a minimum of 10% was being proposed.

MR LISSAVETZKY said that, at that morning's government meeting, he had asked whether or not this limit should be imposed. He had been listening to the proceedings that morning and, according to the information given in the documents, he had worked out the approximate percentage of blood samples collected in 2010. He fully agreed that it was necessary to increase blood testing but, on behalf of the European government representatives, he wished to put forward a proposal made during a CAHAMA meeting. A target of 10% could lead to failure to comply. In 2010, only nine laboratories out of the 35 laboratories had reached 8-10%. For some of the very important laboratories, including Los Angeles, Beijing and Moscow, the figures were quite low, and this demonstrated the fact that setting a 10% target was very drastic, despite the fact that the intention was a good one. In 2010, 258,000 samples had been analysed by accredited laboratories, of which 13,300 had been blood samples. The proposal would be doubling the figure. He did not know whether this could be done. The Madrid and Barcelona laboratories were complying with the targets. Perhaps the 10% target should be achieved over a two-year period so as to avoid any frustration, as he did not think that it would be possible to achieve the objective in 2012.

PROFESSOR LJUNGQVIST said that he agreed with what Mr Lissavetzky had said regarding the 10% compulsory target. He did not think that it was a realistic or constructive approach, although the Executive Committee could certainly express the expectation that this be achieved through various messages of encouragement. He agreed, and had mentioned at the previous meeting, that the low number of blood samples taken for Hgh testing was discouraging. The ABP was an increasing feature, and would hopefully result in an increasing number of samples being collected. As to Hgh analysis, it should be recalled that it had come into disrepute when it had first been introduced and later stopped for a number of years because of the absence of the necessary kit, and ADOs were not being encouraged to take Hgh blood samples as they knew that the window was very narrow and the costs were pretty high, and it was a matter of priority from their point of view, and the Hgh analysis technique had to be improved. Progress was being made and he was hopeful that WADA would arrive at some kind of screening method for the determination of Hgh, in order to allow for a method that allowed for screening followed by targeting in relation to suspicious cases, so promising progress was being made in that respect, but 10% as a compulsory figure was not a good idea and he did not believe that the 10% should be fulfilled by the laboratories; it was the ADOs that were concerned. Few laboratories were involved in the blood analysis, and this could easily be seen from the statistics.

THE CHAIRMAN agreed that that point was worth clarifying. Unfortunately, WADA was getting statistics only from the laboratories; the obligation was for the ADOs to provide the figures, but this was not an issue that concerned the laboratories, it was a question of the samples being taken for the tests to be done, and the ADOs took the samples. The simple fact of the matter was that, if one took out the ABP and cycling from the equation, there were virtually negligible blood samples taken. They cost more, and the ADOs were making decisions based on the economics of the issue rather than on the capacity to catch cheats in the areas described (EPO, transfusion, CERA and Hgh). What WADA was saying was that ideally it would want significantly more than 10% of all samples to be analysed through blood but, to the extent that WADA asked the ADOs to adjust their practices and their budgets, it was about target testing and it did not necessarily mean that it would cost more; one simply had to adjust urine to blood. There were some sports that had objections to blood testing, and had traditionally expressed those views although had reluctantly participated in it all. If WADA was serious about catching cheats and was not doing adequate blood testing, it was giving out a message that was all wrong. WADA had looked at the most modest commitment and settled with a recommendation of 10%. If WADA was really trying to gain ground and catch more cheats, it would have been significantly higher. He asked the members to think of it in terms of an effective anti-doping programme. To have one, it was necessary to include blood testing; otherwise, WADA would be simply playing at the edges with the responsibilities that it had. The recommendation was that WADA recommend that all ADOs ensure that no less than 10% of all samples collected were blood specimens.

#### DECISION

Proposal regarding blood collection policy approved.

### **6. Science**

#### **6.1 2012 Prohibited List**

PROFESSOR LJUNGQVIST said that the List Committee had met on several occasions, starting in January that year and ending with a meeting in late August in order to present the List to the members. The List had to be decided upon at that meeting, as it had to be published no later than 1 October 2011 to give the stakeholders the necessary three months to adapt their rules. As usual, the committee had sought to keep the amendments to a minimum, limiting them to the most necessary aspects, events or information, particularly in a year leading up to the Olympic Games, during which it knew

that stakeholders would not be happy with dramatic changes. Therefore, there were not many amendments that year, although one was important and related to the philosophy regarding beta-2 agonists. Those substances were banned when administered systemically, either via injections or orally, whereas they were allowed for inhalation, as they were an efficient anti-asthmatic medication. There was a problem regarding those beta-2 agonists that were available for systemic administration and inhalation, not those solely for inhalation. For those available in both types of form, the committee had been striving for cut-off levels to determine whether the substances had been inhaled or injected or taken orally (the latter two forms of administration being banned). This had been the case for salbutamol and other substances, and there was also information on a suitable cut-off level for another beta-2 agonist, formoterol, which was widely used, and the committee was happy to progress in that manner, as it meant that it would reduce the need for TUEs and would reduce the workload on the part of the ADOs. Those were the principles; he would leave it to Dr Rabin to explain the details.

DR RABIN presented the main changes proposed for the 2012 List. There had been more clarifications than real changes to the List. This did not mean that little was being done in terms of background activities by the List Committee; quite the contrary. There were a lot of issues being discussed and new classes of substances being debated. Almost on a monthly basis, there were new questions coming to WADA reflecting the progress of pharmacology in terms of new methods that were used in the world of sport.

Starting with S0, which was the section that had been introduced the previous year, it had been made clear that S0 referred to substances only and not to methods and if in the future methods were to be covered in a similar fashion, the section would be M0, so the List Expert Group had wanted to clarify this as well as the scope of the provision by being a bit more explicit in terms of substances or classes of substances covered in the section. As the members would notice, "e.g." had been inserted to replace "i.e.", meaning that the area was broad, and additional information had been given as to what should be considered in that section. Designer drugs and veterinary medicines had been added for the sake of clarification.

He would gloss over some of the details, which were clearly explained in the document and the summary of major modifications, but insisted on the fact that every single comment received from the stakeholders as part of the consultation process was being looked at by the List Expert Group members. This involved a considerable amount of work. Another element that reflected the constant adjustment of the List to legal issues or cases from the field was that, in 2010 and 2011, WADA had faced an issue with the nutritional industry bringing more and more substances onto the market, in particular two metabolites of DHEA, which had been questioned in terms of status, and WADA had had to take a position, and the legal system had also taken a position, which had led to the addition of the two metabolites, 7-hydroxy-DHEA and 7-keto-DHEA, to the List, and also to consider that the list of endogenous metabolites had not been a closed list; it had to be an open list in case the nutritional industry brought more products onto the market in the future.

Moving on, and as highlighted by Professor Ljungqvist, one of the major changes in 2012 was the proposed addition of a threshold for formoterol. As had been said the previous year, and this was a constant effort by the List Expert Group and the Laboratory Expert Group, supported by ongoing research projects and WADA's relationship with the industry, the objective was to establish thresholds that could distinguish between inhaled intake and systemic administration of beta-2 agonists, the latter routes of administration being performance enhancing, at least where some of the beta-2 agonists were concerned. WADA continued the effort and he was very pleased to report that there was a good consensus among the members of the List Expert Group that beta-2 agonists would remain on the List, particularly if WADA could continue with its efforts to distinguish between prohibited and allowed routes of administration. Two values had been added, the value of the maximum dose accepted in a period of 24 hours, and this had been discussed with the company manufacturing and selling the product, as well as

the urinary threshold, keeping the same principle that, when an athlete was found with a urine concentration above the value, it was not a systematic AAF, and the athlete should be asked to undergo an excretion control, to work out whether his or her metabolism could take him or her into that range, so the same principle used for salbutamol was employed.

Professor Ljungqvist had asked for clarification regarding the 36 or 48 micrograms, and he noted that there were two ways of measuring the dose: it was either a dose that was measured by the system used, for example, the patient pressed the device for a certain number of puffs, and this was known as the metered dose, delivered by the device used, or what was known as the inhaled dose, which was what went into the lungs. On the document, the dose of the inhaled concentration was given, or the inhaled dose of formoterol, as it was more common to talk about the inhaled dose or the dose actually received by the athlete.

He noted that the S4 section had been renamed simply to take into account the transfer of section 5 into the section. Section 5 had originally been in the gene doping section and the gene doping experts had been uncomfortable about having in that section substances that were in fact exogenous molecules, which were not really connected to gene doping, even though they had a very strong modulating effect on gene expression. The idea had been to transfer that section into S4 and rename it Hormone and Metabolic Modulators.

Moving into M2, the area for methods, and in particular M2.2, the members would see the specification of what was defined, at least in the world of sport and anti-doping, giving more precision as to what an intravenous infusion was, referring to the volume (50 ml) and the frequency, which was a minimum of 50 ml every six hours. This information had previously been buried in supporting information, and it had been brought to the attention of the TUE committees and the List Expert Group had decided to have this in the front line in the document. Previously, the term "reinfusion" had been used but, to avoid confusion between reinfusion and infusion, because in section M2.3 of the List there was no reference to any volume, meaning that the rule could be breached, the term "reintroduction" was proposed instead of "reinfusion".

Section 3 in the gene doping section had been moved to M4.5 so there was no change at that level. There was no particular change to the stimulants section in terms of prohibited substances. He noted that nicotine was proposed to be added to the monitoring programme, and a rephrasing concerning adrenaline as a drug administered for anaesthetics, for dental work in particular, was proposed.

The next changes were more related to substances prohibited in particular sports. As had been said the previous year, the review with the IFs about the status of drugs prohibited in their sports continued that year, in particular under the responsibility of Dr Schamasch and Mr Vernec. Alcohol was proposed to be removed from bowling, having discussed the matter with the FIQ, and the same applied to beta blockers. There was a lot of interaction with the IFs and, based on such interaction, some IFs had proposed, and this had been reviewed and confirmed by the List Expert Group, that those sports could safely be removed from the beta blockers section.

THE CHAIRMAN said that the members had before them the List, which required their approval, and the amendments had been pointed out. Were there any questions or comments?

MR LISSAVETZKY wished to ask a quick question. The CAHAMA group had asked why formoterol had been listed and not terbutaline. The CAHAMA group had also asked about the proposed injection volumes allowed for the manipulation of values in the ABP. The third question, answered in part by Dr Rabin, was about the banning of alcohol. Apparently, the IFs were consulted about all decisions, and this had been done in this case. Thresholds had been set for beta-2 agonists in terms of anabolic agents, but no thresholds were to be set here. Was there a reason for this? What effect could nicotine

have? Nicotine did not feature fully on the List but was to be studied. Was this correct? He had not fully understood.

MR ROWE thought that his first question about terbutaline had been covered by Mr Lissavetzky. As to the formoterol threshold of 36 versus 48 for standard dosage, was there a need for some education about that? Was there a potential for confusion? Dr Rabin had explained this very clearly in terms of the inhaled as opposed to the absorbed dose, but some of the experts had been wondering whether there was any need for clarity among doctors and/or athletes.

DR RABIN responded that the objective for terbutaline was the same as for the other beta-2 agonists, to establish a threshold for terbutaline and other beta-2 agonists in the future. This was a clear goal for the List Expert Group and Health, Medical and Research Committee members. For terbutaline, work had been started, but it seemed to be harder to establish a threshold for terbutaline because of the similarity in urinary concentrations seen to date. The work continued and the objective remained the same, and the hope was that the objective would be achieved in the fairly near future, possibly the following year or the year after.

As to the threshold and dose for formoterol, the explanatory note provided additional information. It was a clear change in the List and would be highlighted as such to all stakeholders. It was important for the stakeholders to distinguish between the metered dose and the inhaled or absorbed dose, and the explanatory note took care of this to some extent. As to providing additional education, what had been noticed in the past, in particular with pseudoephedrine, was that, after drawing the attention of the stakeholders to such aspects, they were usually very efficient when it came to relaying the information to the different experts, in particular to the medical experts in the different ADOs. The beauty of the system for beta-2 agonists was that it did not lead to immediate AAFs; additional work had to be done if the maximum tolerable admissible dose was exceeded, in which case one could go for an excretion study, so it allowed for a certain level of flexibility.

Regarding nicotine, this was an element under discussion with scientific and medical experts. Nicotine could be classified as a stimulant and this had to be taken into account. It had been reported that in some sports the abuse of nicotine appeared to be real in order to enhance performance. The benefit of putting nicotine on the monitoring list was to gather additional information; that was the purpose of the monitoring programme, to find out whether there was actual abuse of such a substance in sport. In the past, substances on the monitoring list had not automatically been included on the List; the idea was to gather information and allow the List Expert Group to make better recommendations. In the past, stimulants had been put on the monitoring list and the information gathered had shown that there was no particular risk of abuse of stimulants out of competition at the time and a decision had been taken not to include them on the List. This was very important information that assisted the List Expert Group members during the process of making recommendations.

Nicotine was not currently prohibited; being included in the monitoring programme did not mean that it was prohibited.

PROFESSOR LJUNGQVIST added that this was not the first time that nicotine was being monitored. It had already been monitored some 20 years previously by the IOC, which had not found much. There had been rare cases of very high levels of nicotine. The situation might have changed, however, and behaviour might have changed, so he thought it was a good idea to carry out further research into the matter and then come back to the members with the results to say whether or not it should be included on the List. The obvious problem, if it were included, would be differentiating between acceptable social use and doping, so it would cause new problems similar to those experienced in the past with caffeine, but that was something that could be discussed later if necessary.

THE CHAIRMAN was sure that normal tobacco smoking would not lead to a boost of the nature referred to, but there was a distinct possibility that, upon releasing the List, journalists would write that story. That was the risk that would be run if the members approved the inclusion of nicotine in the monitoring programme. He asked the WADA Executive Committee to approve the 2012 WADA Prohibited List.

MR REEDIE said that he had had a meeting with the head of the List Committee, who happened to be an Olympic gold-medallist, had been the senior team doctor for the BOA and was currently the senior medical director for the Olympic Games in London. He had pointed out that this was the most difficult piece of paper that any normal person was ever faced with to understand. When it said that, "All prohibited substances shall be considered as specified substances except substances in classes S1, S2, S4.4, S4.5, etc.", this was actually about 80% of all of the substances that WADA wanted to detect, so he would like to think that, at some future date, WADA could actually change this into a language and a category system that normal people would be able to understand. Not for a minute did he intend to take away any of the drugs or offences but, in crude terms, he envisioned a list of the serious drugs that would get athletes into serious trouble, the less serious drugs, drugs with a threshold, and so on. It was currently almost impossible for a normal person to work his or her way through it, and he wondered just how many athletes looked at it and found it incomprehensible. Therefore, WADA should either do it itself or throw it into the Code revision process to come out at the end of the day with something that people would understand.

THE CHAIRMAN added that this had not been drafted by lawyers. Perhaps WADA should invite expressions of interest to write the List in layman's language. He took the point. He thought that all those around the table tended to glaze over somewhat and were not too sure what this was all about, but that was not to say that the explanation given was not one that had been presented fully and properly. It was a language and world all of its own and a hard one, and yet it was the very focal point of WADA's existence. It was certainly worth thinking about how WADA might manage that process. It was also a challenge.

DR RABIN said that the monitoring programme was separate from the List, and was a document that needed to be looked at and approved separately. The issue of nicotine had already been discussed thoroughly, so he wished to highlight two other changes, the first in the narcotics section, in which two substances, hydrocodone and tramadol, had been added on the recommendation of the stakeholders. There were some concerns with these two narcotic substances in particular. He also highlighted the fact that there was a recommendation to have glucocorticosteroids also monitored out of competition. This was a point that was being discussed because it was known that, in some sports, glucocorticosteroids could be an issue, and also, maybe making the link with what Mr Reddie had been saying earlier, there had been comments from stakeholders to think about a single list, meaning trying to bridge between in- and out-of-competition testing and gathering information on glucocorticosteroids in that perspective would probably be extremely helpful, so that was a recommendation from the List Expert Group to add glucocorticosteroids for monitoring out of competition as well.

PROFESSOR LJUNGQVIST thanked the members for supporting the proposed List, despite the fact that the structure could certainly be improved, and the monitoring programme.

#### DECISION

2012 Prohibited List and monitoring programme approved.

### **6.2 Research projects 2011**

PROFESSOR LJUNGQVIST informed the members that the meeting had been held at the end of August and a legal consultant had explained the conflict of interest policy to the members of the Health, Medical and Research Committee. It had been well

understood and received and all had signed the document and behaved according to the policy during the course of the meetings. The respective notes had been made in the minutes when people had left the room in the event of any kind of conflict of interest.

With respect to the actual applications, there had been 82 grant applications, and it seemed that the total number of applications per year was levelling off at around that number (with 82 and 88 respectively for the previous two years). A total amount of 19.1 million US dollars had been requested, and there were approximately 6 million dollars available. Researchers representing 23 different countries from four continents had made applications, similar to the two previous years. A total of 35 projects had been recommended for approval, amounting to 4.46 million dollars, about 23% of the total amount requested, and the members would see the continental distribution in terms of proposed approvals. 42% of the projects had been more or less supported, some fully supported with reasonable and well-justified budgets, others partially funded by WADA and other sources. The range had been 5-70% support with respect to the actual amount requested. The total amount of 6.39 million dollars requested for the 35 projects had been reduced to about 4.5 million dollars, which was a fairly normal outcome for a procedure such as this one.

He asked Dr Rabin to provide the details about the actual projects supported.

DR RABIN said that 35 projects had been favourably reviewed by the Health, Medical and Research Committee and were proposed for approval. He faced the challenge of being brief but explicit in terms of the process and the science, so had tried to summarise the projects and also highlight in each section a couple of projects and explain why they were of particular interest to the Health, Medical and Research Committee members.

The section relating to extension of projects already approved reflected the fact that, when some fairly ambitious projects were presented to WADA in a given year, the Health, Medical and Research Committee members recommended that some of them be shortened in terms of time and budget and focused on some scientific aspects and, if the first phase was successful, a second phase could be considered. The projects in this section were sometimes called pilot or shortened projects, and the section contained projects that related to trying to bring together some of the current anti-doping methods and the possibility of using new substances or devices called aptamers to improve upon the detection of some methods. Luteinising hormone was also the subject of guidelines published very recently by WADA and there was still some work to be conducted in that area. EPO was still an issue, not because it was a drug of particular interest to the athletes (it was extremely efficient in terms of increasing the transfer of oxygen to the muscles), but also because there were constantly new forms of EPO coming onto the market. From a science perspective, this was a constant challenge reflected by the number of applications received. As mentioned earlier, there were also some projects in support of the List bringing new knowledge to the anti-doping science requirements, and the pharmacokinetics of beta-2 agonists was an element that was of interest. WADA increasingly relied upon information from the pharmaceutical and biotech industry; however, there were still some elements required as part of the research projects, and the same applied to glucocorticosteroids, how to better understand and define the contours of the pharmacodynamic and pharmacokinetic properties of the products in order to better define how they could be looked at on the List.

As he had said, he wished to highlight a couple of projects, particularly the follow-up project on aptamers, which were a new form of antibody that had nothing to do with antibodies in terms of structure but had the same approach in helping to concentrate very small amounts of a product in a complex matrix or allowing for the detection of such substances or analytes, and this was a follow-up grant for the group of Professor Bruno. The initial results had been very promising; there were now applications of aptamers in the industry, so this was certainly a tool to follow very closely. The target requested by the Health, Medical and Research Committee was the better detection of Hgh, so this project was recommended by the committee for approval.



There were a couple of other projects also highlighting some of the previous points discussed. One was on beta-2 agonists, at two different levels, to show the interest expressed by the research community and the Health, Medical and Research Committee. WADA had worked a lot with the group of Dr Backer in Denmark which had helped WADA with the rule for formoterol and continued to work on other beta-2 agonists and, since terbutaline had been mentioned, the members would see that these two projects (Dr Backer and Dr Whyte) looked more specifically at terbutaline, and specifically inhaled terbutaline versus terbutaline taken orally.

There was also a section containing projects that strengthened or completed existing analytical methods. New technologies were constantly entering the analytical field and WADA needed to support the activity at different levels by providing certified reference materials that allowed the laboratories to produce high-quality reports and research and in particular quantification of substances. IRMS was an area constantly being improved, not only in terms of sensitivity and applicability of the method, but also in terms of expanding the use of IRMS. He was talking about carbon isotope ratios, hydrogen and nitrogen, and maybe oxygen in the future as well, to expand on the sensitivity and applicability of the method. There were regular projects trying to bring together some procedures in the laboratories, and this was the objective of a project on the unification of extraction methods to make life simpler, faster and less costly in anti-doping laboratories.

He wished to expand upon two projects relating to clenbuterol, as everybody was aware of some recent issues relating to that substance, and these projects reflected a number of concerns. Also, the EPO molecule was constantly under scrutiny by the science community, in particular the anti-doping community. The first project on clenbuterol was a new idea that, if meat was contaminated, some of the metabolites coming from the meat would be different to the metabolites generated by the human body. He was talking about extremely small concentrations, so ultra-sensitive methods were needed, but it was quite possible that, at that extremely minute level of concentration, a difference could be found and the group in the Netherlands under Dr Sterk was an expert group on meat contamination by all sorts of products, including clenbuterol. This project had been recommended for support. There was then another group bringing the forensic approach to clenbuterol, in other words, testing for it in the hair matrix. This was not something that was specifically recommended by the experts in the laboratories but it was information that could be useful in some circumstances, so it was not something that WADA wanted to neglect. It wanted a better connection between exposure to clenbuterol and incorporation in hair. It was slightly more complex than some people might think, but it was something that he believed this group could address nicely because of its expertise in forensic medicine.

When talking about the detection of designer drugs and novel doping substances, it was a constant fight by the anti-doping community to look at drugs were not the usual pharmaceutical agents, but some could be designer products. Some had been seen in the past and some had been brought into the dietary supplement industry, so these were elements that needed to be borne in mind. Current analytical methods allowed for greater sensitivity and therefore WADA was in a better position to detect those designer drugs, in particular designer steroids. The gain in sensitivity allowed WADA to look at this more carefully.

WADA was also looking at new substances, and he highlighted endothelium receptor antagonists, which were drugs in development by the industry or a mechanism of particular interest in the industry, and WADA wanted to be able to assess the potential of those drugs and potentially develop anti-doping methods if it transpired that the drugs were potential doping agents in the future.

Spice was simply a name for the cannabinoids seen increasingly on the market. A couple of cases had been reported recently for these drugs, and it was not only a matter of finding the drugs; it was also a matter of finding the methods or the substances that

could mask the proper analysis of those drugs, and there was one project related to this that was recommended.

He highlighted the constant work ongoing with some of the new substances in development. Sirtuins were a new class of drugs that could have an effect on insulin but also switch the muscle fibres to ensure greater endurance and motor skills, and of course anything that could affect the quality of muscle fibres was of concern. There were already some of these molecules in the pipeline, and this was a new class of molecules, and there was a project by a research group that proposed to develop methods to analyse for this substance. The benefit of WADA's collaboration with the industry was that this drug was developed by a company with which WADA had an agreement, so WADA could build a bridge for new classes of substances between the industry and the anti-doping laboratories.

In the gene doping section, there were always some projects of interest. What he thought was quite important to note was that WADA still received a lot of applications but, over the years, based on the recommendation of the Gene Doping Panel, as well as information and projects reviewed by the Health, Medical and Research Committee, the area of research was becoming narrower. A lot of the initial hypotheses were no longer on the table. The committee was well focused in terms of technology that could be used and applied in the anti-doping field, although it was not closed to any new hypotheses, but there were three projects relating to the validation of direct detection, and he would come back to that point shortly, as he believed it was of particular interest in terms of application of WADA research. Certified reference material for direct detection was important, not to say paramount, when talking about quantification, as well as continuing the efforts in relation to molecular signatures, which he believed could be of interest, in particular again with the sensitivity gained over the past few years in the field of analytical science.

Coming back to the project, he referred to three groups, under Dr Snyder at the University of Florida, Dr Mouillier in Nantes and Dr Simon at the University of Gutenberg. In fact, these groups had worked more or less in parallel in the past, with Dr Snyder and Dr Mouillier on the one hand and Dr Simon on the other, and they had both come forward with very interesting and promising technologies that would enable WADA to detect gene doping. The two approaches had been reviewed by the Gene Doping Panel and a recommendation had been made to try to merge the two methods in one project instead of having two methods running in parallel. Intense discussions had been held with the three groups and, in the end, they had agreed to propose a single project, which had been reviewed by the Health, Medical and Research Committee, and he thanked Professor Friedman for helping in the negotiation process with the groups, and the groups had eventually agreed to try to develop an analytical assay and validate it for the detection of gene doping, focusing in particular on the EPO transgene and, if the method was successful, it could be brought to pre-clinical validation and then expanded to other transgenes such as Hgh. It was believed that such an approach was probably the best answer.

There were also four innovative projects. He had mentioned designer drugs; it was not only designer steroids, it could also be designer stimulants. Some had been seen recently with methylhexamine. Autologous blood transfusion was always high on the agenda. It was very complicated, and a lot of different approaches had been seen in the past. Some still looked promising and had to be explored. WADA was aiming not only at the ABP, but also the direct detection of blood transfusion. He also mentioned peptide hormones, looking more specifically at the sugar parts of these proteins with glycan profiling, something that was fairly new but seemed promising.

He had talked in the past a great deal about projects submitted to WADA as well as targeted projects. It was very important for WADA to keep the possibility, as part of its research activity and budget in support of research, not only to expect or wait for research teams to submit projects of interest to WADA, but also to contact research teams and put to them some very specific issues that it would like them to solve. These

were known as targeted projects, where WADA went to teams, opened a tender and requested feedback. For 2011, a few areas had been highlighted, first of all multiplexing, systematically bearing in mind the possibility to combine analyses to save cost and time. This was proposed for Hgh, ACG, CERA, hematide, and a few other substances. Heat stabilisers were a new generation of a kind of EPO coming onto the market, and WADA had a duty to look at those very carefully. WADA was working closely with the industry but thought that it needed to be proactive rather than waiting for the industry to come to it, so this was certainly something that WADA would like to target in 2012. Exploration of the saliva matrix was also of interest, in particular for anabolic steroids or hormonal profiles of athletes. He did not go into detail regarding SOMamers, but noted that these were of particular interest for protein quantification and the measurement of haemoglobin mass, which was almost the holy grail of the ABP, because the day WADA could measure haemoglobin mass would be the best variable that could be followed up on as part of the haematological module of the ABP. Of course, WADA needed to continue to work with the industry, and the tighter the connection with the industry, the more drugs WADA would receive for assessment for doping potential. This was something that was now fairly well established, and it would strengthen over the years, and WADA needed to dedicate part of its energy and budget to the analysis or assessment of the potential of these new drugs developed by the industry.

DR SCHAMASCH thanked Professor Ljungqvist and Dr Rabin for the marvellous explanations. He thought that it would be very important for WADA to continue to do what it had already started to do and have, on a regular basis, the outcome of such research. Details regarding what had been started would be very important for the laymen to understand where the money would be invested. He knew that the money was well invested, but it would be nice to have, on a regular basis, a table summarising the major advances in the world of research.

THE CHAIRMAN stated that it had been terrific to have an explanation of each of the projects, as that had not been given in the past. He always looked on the table to see what the potential outcome was to assist WADA in the fight against doping in sport, and perhaps there could be another column that focused on that, but he had been talking to the Director General and the management was prepared to have a look to try and focus a little more, and he was sorry that many of the members in the room did not have the knowledge that a few of them had; they were not doubting what the experts were seeking to achieve but were unable to put a finger on it when reading the reports or listening to the presentations, so maybe that time next year a column might be added to provide further explanation for the laymen among them. Short of that, he thanked those involved for the additional efforts made, and also appreciated the fact that this had been dealt with in a very proper way. The issue of conflicts had caused some concern the previous year, and he knew that the process had been done very properly that year and he was grateful to Professor Ljungqvist for doing it along those lines.

Did the Executive Committee back the judgement of the committee, which had put forward a series of projects, which would obviously be scrutinised a bit further before the contact was signed? Were the members happy to support the recommendations?

#### DECISION

Research projects 2011 approved.

### **6.3 Amendments to International Standard for Laboratories**

THE CHAIRMAN withdrew the item on the basis that a couple of other issues had come up in respect of laboratories. He thought that it was appropriate for all alterations to the ISL to be dealt with at the same time rather than in a piecemeal approach. All matters would be brought forward for discussion in November.

## DECISION

Decision on amendments to International Standard for Laboratories postponed until November 2011.

### **6.4 Implementation of mandatory methods by the laboratories**

DR RABIN said that this was a follow-up to the May Executive Committee meeting, when a paper had been presented to the Executive Committee providing an update on the status of the implementation of three mandatory methods approved for implementation in the anti-doping laboratories by the Executive Committee in 2008. The deadline for implementation of those methods had been 1 January 2010; unfortunately, some laboratories had been unable to do so for various reasons as explained in May, but WADA had seen a lot of good progress by many of the laboratories in relation to those three methods, and it had been deemed useful at the time to review the status of progress by the anti-doping laboratories in September. He had tried to compile the latest information as of 2 September in the table annexed to the report, just to explain and show the progress made by the different laboratories. Of concern were two laboratories, the one in Stockholm, Sweden and the one in Bloemfontein, South Africa, and he believed, based on the information received, that they might not be ready for the implementation of these methods (at least one, IRMS, for Bloemfontein, and probably two methods, IRMS and EPO, for Stockholm) by the end of that year. This was an element of concern based on the decision taken by the Executive Committee in 2008, and it was important to review the situation then and possibly make some further recommendations and decisions regarding the status and in particular WADA accreditation of these two laboratories.

THE CHAIRMAN drew the members' attention to the decision requested. This particular issue had been discussed on numerous occasions and the original deadline had been two years previously. That had been extended and it now appeared that there were only two laboratories of concern, in Sweden and South Africa, relating to IRMS in particular. There had been a discussion that morning by the public authorities focusing on the cost of IRMS. There seemed to be a will for it to happen in South Africa, although the budgetary process was fairly slow. It was very difficult when laboratories were funded by governments to tell governments to give a particular project priority, and everybody was conscious of that. The discussion that morning had focused on the sum of a quarter of a million euros (the cost of the machine), and it was within the power of WADA to say that, under certain conditions, WADA could lend that money to the governments, as it did not want them to fail. That was specifically applicable to South Africa, as WADA did not have another laboratory in the south of Africa, but it did need this equipment and capacity for comprehensive analysis. In respect of Sweden, there were a number of other laboratories close by, so the urgency was not there, but grants had been given to Professor Ljungqvist's institute for research and that same institute housed the laboratory. WADA was giving money and also asking for money to be spent. He found it difficult to say that the suggestion of a short-term loan to Sweden might be a way of encouraging it over the line, but it might be applicable. He was trying to say that WADA wanted both of the laboratories to meet the deadline at the end of the year. There was no suggested action, but there was no point giving deadlines if WADA kept extending them and nothing really happened, so it had to find a way to ensure the cooperation within the timeframe requested in the past, and the suggestion of loans had had a bit of traction at the public authorities' meeting that morning.

MR REEDIE asked how long it would take, if WADA made funds available, presumably to purchase equipment, for those two laboratories to be regarded as compliant.

THE CHAIRMAN responded that he had been told that training would take up to six months.

DR RABIN added that it depended on the skills already in the laboratories but he estimated that the purchase and establishment of equipment in the laboratory, plus training and implementation, would take six months.

MR REEDIE asked what the price of the equipment was.

THE CHAIRMAN replied that the equipment would cost about a quarter of a million euros for each laboratory. Frequently, when talking to governments, it seemed to flush them out. South Africa was saying that it intended to do this, but could not seem to get the traction and the budgetary process for it to happen. There was no suggestion as to what the alternative was if the laboratories did not meet the deadline, but it was a bit silly for WADA to continue to talk about deadlines and do nothing about it so, in that context, and he appreciated that whilst Professor Ljungqvist had great knowledge in this area, he was in a difficult position at the moment, he would be happy to hear further thoughts.

DR SCHAMASCH fully understood the problem and thought that it was very generous of WADA to offer half a million dollars to provide the two laboratories with some equipment, but the problem was having the equipment and skills in all of the laboratories for all of the analyses. When looking at the analyses done by the laboratories, he wondered whether it might not be better to have more specialised laboratories in some parts of the world as opposed to all of the laboratories with all of the equipment but potentially not enough material to implement the skills. He did not know if it was something that had to be taken into consideration, and the ad hoc working group might consider some criteria decided upon in 2008 that could be changed. Once again, if WADA spent half a million dollars on two laboratories at which the number of tests would not compensate for the amount of money spent, he was not against this, but he wondered if this was the right path to take.

THE CHAIRMAN said that his worry was about South Africa, because suggesting the transport of samples out of Africa because the skill set was not there was of concern. One could not comprehensively detect without IRMS, as he had been told, and to indicate that it might be possible to contract out certain aspects of analysis to another continent was just impractical in terms of cost and time. He would dearly like Sweden to be there too, but there were laboratories doing this in Oslo and Helsinki, which were not terribly far away from Sweden.

MR REEDIE said that he was sorry to go back to the ugly subject of money but, if WADA was talking about providing funds, presumably somebody in South Africa had decided that he or she was not prepared to spend that money. Was that the case?

THE CHAIRMAN clarified that the indications were that the funding was coming.

THE DIRECTOR GENERAL said that there was a certain amount of money set aside for anti-doping in South Africa. Much of it, if not all of it, was going to the SAIDS and the minister had said to the SAIDS that it should spend some of the money on the equipment for the laboratory. It was not under the mandate of the SAIDS; it was a separate issue, so there was a bit of an argument on a political scale, and that was where the problem lay. WADA would be quite happy to go back to the minister and discuss it, but that was where the difficulty lay.

MR REEDIE responded that the answer was that presumably the machinery would be owned by the laboratory and, if he were to make a 250,000-dollar loan to purchase machinery for that laboratory, he would want good legal and taxation advice and an absolute guarantee from the South African Government that, after a certain period of time, it would repay the funds to WADA. Effectively, WADA would take 250,000 dollars out of a bank account that paid virtually no interest and invest it in anti-doping, provided WADA was certain to have that money back, and he did not want to be told that there was a political issue at the end of the contract; he would want a cheque. In a sense, the same thing applied to Sweden, although he accepted that it was not as pressing from a

geographical point of view. It was up to WADA to take advice from its auditors to find out how this could be done legally.

THE CHAIRMAN agreed that everything that Mr Reddie said made good sense and it should be done. The loan idea had come up simply because WADA did not want the laboratories to be ineffective. This was just one suggestion, and he would take any other suggestions if there were any but it had been felt that, rather than simply do nothing and have this thing drift, there should be some ideas on the table.

MR LISSAVETZKY said that this matter had been discussed during the meeting of the public authorities that morning prior to the Executive Committee meeting. Under item 6.4, provisional suspension had been mentioned in relation to three laboratories, South Africa, Sweden and Thailand. He understood that the issue relating to the laboratory in Thailand had been resolved, so South Africa and Sweden remained. A proposal related to what the Chairman had said had been made not to do anything until November and see whether, during the time, it might be possible to support South Africa, given that Sweden needed a decision and not support. Sweden was an important country with a great anti-doping tradition, but did not appear to wish to purchase the IRMS equipment, and in South Africa, it was key, as there was a laboratory in North Africa, but a laboratory was essential in the south. A final decision could be taken in November in Montreal, so the proposal was to issue a final ultimatum to resolve the matter by November. He did not think that it would be a good idea to temporarily suspend the two laboratories that day.

THE CHAIRMAN said that he thought that this was the direction he had been hinting at. An alternative could be sought.

PROFESSOR LJUNGOVIST said that he should not speak on behalf of Sweden and would not do so, but wished to make a correction. The issue of the purchase of IRMS equipment had been settled in Sweden; the matter related to EPO testing and the need for temporary support in relation to that. That was a clarification. For obvious reasons, he did not want to enter into a discussion about the Swedish laboratory. At the earlier meeting in May, he had mentioned his concern with respect to the decision taken in 2008, based on information and science in 2006 and 2007. Things had happened since then and this had changed the picture from a scientific and probably requirement point of view, and he had a feeling, and it was an objective one, that the decision taken in 2008 was not necessarily in the best interests of WADA in 2011. He was afraid, and the members could look at the minutes from the previous meeting so that he did not have to repeat himself, that WADA might end up in a situation whereby it was distributing too many techniques to too many laboratories, which would have too little volume and critical mass to be able to keep up the necessary competence. This was all too frequently the situation in science, and one should rather concentrate on certain expert laboratories that would maintain the necessary critical mass in order to keep up competence. He had previously asked for statistics relating to what the accredited laboratories were actually doing regarding Hgh, EPO and IRMS, and he did not have the statistics, so he did not know what the actual volume was out there in the different laboratories, and he repeated his request for such information by the time of the meeting in November in order to know what the laboratories were doing. If there were not enough samples for a particular analysis, the ISO accreditation would be removed, and then WADA would not be able to accredit the laboratories. He gave an example. There was an agreement between Oslo and Stockholm that EPO was not analysed by the Stockholm laboratory but by the Oslo laboratory, but the number of samples going there per year was too low in order to maintain ISO accreditation, although the total volume that the Oslo laboratory received from its own laboratory and other laboratories meant that it had the necessary critical mass. Regarding Hgh, the previous year, the Stockholm laboratory had analysed some 20 samples. He would like to see what the other laboratories were doing out there in order to maintain the necessary competence. It might be necessary to revisit the decision taken in 2008 to see whether it served WADA's purpose, and WADA should probably avoid doing away with well functioning laboratories.

In summary, he would like to see the statistics at the November meeting. Just to show how things had changed since the 2008 decision had been taken, the ABP and the blood model had been introduced, which had resulted in quite a significant change with respect to blood sampling. Should WADA concentrate that competence or should it dilute it? He needed the facts in order to decide.

THE DIRECTOR GENERAL replied that this was why he had asked all of the laboratories for copies of their contracts. Too few samples were analysed for EPO, and that was the fault of the entire anti-doping movement. It was not a laboratory issue; it was a NADO issue of not sending the samples to laboratories and requesting analysis, and that was disgraceful and, unless WADA remedied that, it would have spent between 15 and 20 million dollars on EPO research that was not being put into effect. He did not think that WADA should go back on the 2008 decision; it should look forward and, based on the decision relating to 10% of samples being collected for blood analysis, every laboratory would therefore get more samples to analyse. WADA needed to look at the selective menus to make sure that EPO was tested for in more samples, if not all, and the practice would then meet the needs of laboratories for more samples for analytical purposes. WADA currently had only two laboratories in the whole world with which it had difficulties, and he thought that it was necessary to progress on the basis of what was best for the majority rather than the minority in order to continue to advance. He noted that the laboratories were very self-protective and, as soon as one laboratory was under threat, others came to its support, rather than advancing the necessary quality of analysis. This had been seen in relation to the Malaysian laboratory case, in which two laboratory directors had given evidence in favour of the Malaysian laboratory retaining accreditation, as they had not believed that the mistakes were big enough. WADA had to break down that sort of resistance, and he could not say it strongly enough, as he had had to experience some of the resistance over the past few weeks. He would be against going back on a decision made in 2008 until WADA saw the practice developing over the next 12 months.

THE CHAIRMAN said that the Executive Committee would defer a decision on this matter until November and, in the meantime, would ask the management to examine the issues raised, including the matters raised by Professor Ljungqvist in respect of the 2008 decision and the currency of that rationale, and then the management would bring to the November meeting some update on the discussions held with both countries on the issue of loans and the legal advice that might back up what would be necessary should loans be agreed to by the Executive Committee, and the purpose of all of this was to try and get the two laboratories into the system rather than having to make a decision to temporarily suspend them or otherwise. There was not so much concern with Stockholm, as there were some 22 laboratories in Europe doing 65,000 samples; they had to do 3,000 each to ensure proficiency. There was a surplus in the context of the number of samples. A very valid point had been made by the Director General that there was going to be a lot more blood sampling, as there was now a mandatory minimum of 10% and, in that regard, it would be nice to have all laboratories working in accordance with WADA's requirements. The management would come back to the Executive Committee, which would have another go at tackling the issue in November.

MR SULEIMAN thought that it was a good idea to wait until November; he had no problem with that. He wished to report that South Africa as a nation had been at the forefront of promoting the ideals of WADA in Africa, and he thought that whatever WADA could do to support South Africa, it should do. South Africa supported other countries in Africa in terms of expertise, so he thought that WADA should support South Africa to sustain a laboratory there.

THE CHAIRMAN said that the Executive Committee would have another go at the issue in November.

## DECISION

Update on the implementation of mandatory methods by the laboratories noted. Final decision regarding the laboratories to be taken in November.

### **6.5 Technical document 19-NA**

DR RABIN stated that the review of the technical document for 19-NA had been completed by the Laboratory Expert Group. The new version was being put forward for approval, and he thought that it reflected not only the progress in science but also some of the issues that had been raised by some laboratories in relation to the interpretation of data, which was why there was a flow chart or decision tree to make it clearer for some laboratories as to how the analysis should be implemented and proceed in anti-doping laboratories. There had been a lot of discussion about the document, but the Laboratory Expert Group had reached the consensus that this was probably the best document for the time being. It was being put forward for approval to the Executive Committee that day.

MR REEDIE commented that he had never thought that, as long as he lived, he would be voting in favour of something that gave a test for pregnancy!

## DECISION

Technical document 19-NA approved.

### **6.6 Update on recommendations from Laboratory Ad-hoc Group**

DR RABIN updated the members following the presentation of the recommendations of the Laboratory Ad-hoc Group to the Executive Committee in May. The members would see that a lot of progress had been made, including reviewing some of the provisions in the ISL. One point he would like to mention was that there had been no progress in one particular area, the smart storage of samples, because WADA had wanted to approach two federations that had experience in that field, the UCI and the IAAF and, bearing in mind that, during the summer period, the two IFs had been particularly busy, the activity had been postponed until that autumn.

THE CHAIRMAN said that the particular paper was for noting, and the update was there in each instance; nevertheless, he would be happy to invite comments.

MR ROWE reiterated an earlier offer he had made, that ASADA was willing to assist in the development of any protocol as it had experience in long-term storage.

DR SCHAMASCH stressed that the criteria in order to decide on suspicious athletes had to be established in such a way that the laboratory would never be able to identify the athletes.

THE CHAIRMAN said that the security of the sample had to be preserved.

DR SCHAMASCH clarified that WADA had to be careful not to be too intelligent that the athlete might be notified, not because of the storage, but because of the criteria on deciding who the suspicious athletes were.

THE CHAIRMAN concluded that this point would be noted.

## DECISION

Update on recommendations from Laboratory Ad-hoc Group noted.

## **7. Other business**

THE CHAIRMAN asked if anybody wished to raise any matter.



MR REEDIE said that it had been nice to be in Lausanne and the organisation of the meeting had been excellent. His guess was that the IOC president would welcome a nice letter from the WADA Chairman saying how well looked after WADA had been and how efficient everything had been.

THE CHAIRMAN reassured Mr Reddie that he certainly intended to endorse those comments and thank Mr Thill for the reception and dinner, and asked Mr Thill and the IOC members to pass on to the IOC president and the IOC WADA's appreciation for the use of the facilities, the courtesy extended to the members and the support given, and it had been most interesting for a number of members who had not been to Lausanne before but had been attending WADA meetings for a long time. The management of WADA had been able to get together with the sporting bodies of IFs and come up with some very constructive work to ensure that cooperation would be far better in the future than it had been in the past. He was very grateful to the IOC for the opportunity given to WADA.

DR SCHAMASCH said that the IOC would be more than happy to welcome the members to the Olympic Museum the following day. The members simply had to mention that they were Executive Committee members and they would be allowed access.

## **8. Future meetings**

THE CHAIRMAN acknowledged the support provided to the Executive Committee during the meeting. He thanked the interpreters for their assistance. He acknowledged the staff members, who had gone to an enormous amount of trouble to get the material to the members in Lausanne and provide the necessary support away from their work station in Montreal. He thanked Ms Villard for her assistance. He told the members that there had been some difficult issues to deal with and the manner in which each of them contributed to those issues, no matter how difficult, with goodwill and in a constructive manner, led to continuing progress. He thanked the members for their efforts to prepare and attend the meetings and wished them a safe journey home.

He drew the members' attention to the future meetings. In May the following year, WADA would be linking in with the SportAccord meeting to be held in Quebec City and, in September, there would be the meeting in London, and WADA would link in with the Paralympic closing ceremony weekend. He believed that it was a courtesy on the part of WADA to assist, recognise and value Paralympic sport, and this was one chance to do it and meet in the city of the Olympic Games on that occasion. He had not been to the Guild Hall, but the Director General had described it earlier as a significant building and it was a privilege to be able to occupy it.

MR REEDIE said that the May Executive Committee meeting clashed with the lighting of the Olympic flame in Olympia, so the finance report might have to be manufactured in a different way.

THE CHAIRMAN responded that he would understand if there were other matters that Mr Reddie had to attend to. He thanked the members again and wished them a safe trip home.

### DECISION

Executive Committee – 19 November 2011,  
Montreal;  
Foundation Board – 20 November 2011,  
Montreal;  
Executive Committee – 17 May 2012,  
Montreal;  
Foundation Board – 18 May 2012, Montreal;  
Executive Committee – September 2012,  
London, UK;

Executive Committee - 17 November 2012,  
Montreal;  
Foundation Board - 18 November 2012,  
Montreal.

The meeting adjourned at 3:30 p.m.

**FOR APPROVAL**

**JOHN FAHEY, AC**  
PRESIDENT AND CHAIRMAN OF WADA