
Independent Ethics Board Biannual Report

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1. Background

In November 2021, the Foundation Board approved the WADA Code of Ethics¹ (Code of Ethics). In May 2022, it appointed the inaugural members of the [Independent Ethics Board](#) (Ethics Board), the body in charge of implementing the Code of Ethics.

Pursuant to Article 2.6 of the Regulations of the Ethics Board (Annex A to the Code of Ethics), the Ethics Board will report periodically on its activities to the President of WADA, who will share the reports with the Executive Committee and Foundation Board. The Chair provides the following written report to the WADA President, which will be made available to the Executive Committee and the Foundation Board.

The last report was presented in person to the Foundation Board by the Chair of the Ethics Board, Prof. Mette Hartlev, on 17 November 2023². This first biannual report of 2024 will be provided to the WADA President and shared with the Executive Committee and the Foundation Board during the second quarter of 2024. The next report will be presented in December 2024.

2. Composition and Activities

2.1 Composition of the Independent Ethics Board

The members of the inaugural Ethics Board were approved by the WADA Foundation Board in May 2022, following the recommendation of the WADA Nominations Committee. The composition is as follows:

Name	Position	Country	Term End
HARTLEV, Mette	Chair, Independent member	Denmark	May 2025
ANG'AWA, Mary	Vice-Chair, Independent member	Kenya	May 2025
BORRY, Pascal	Independent member	Belgium	May 2025
HUTCHINSON, Phil	Independent member	UK	May 2026
LABELLE, Regina	Member nominated by the Public Authorities	USA	May 2025
PERNA, Sal*	Independent member	Australia	May 2024
PREZELJ, Rožle**	Independent member	Slovenia	May 2024
THEISEN, Marc	Member nominated by the Olympic Movement	Luxembourg	May 2025
TUIKETEI, Ana	Independent member	Fiji	May 2026

*The Foundation Board will soon appoint a new member to the Ethics Board further to Mr Sal Perna advising WADA he would not seek an additional term. The Nominations Committee supported WADA to conduct an open call process to find another member to fill the upcoming vacancy, which attracted 60 candidatures.

**On 17 November 2023, the Foundation Board approved the reappointment of Dr Rožle Prezelj for a further term of three years. This decision will automatically take effect on 19 May 2024.

¹ The Code of Ethics was recently amended by the Foundation Board, in November 2023.

² Written report dated October 2023.

2.2 Meetings

The Ethics Board has held six meetings since its last report to the President in October 2023:

- Meeting #17 – 15 and 16 November 2023 – Montreal, Canada – two full days
- Meeting #18 – 14 December 2023 – 1.5 hours (virtual)
- Meeting #19 – 25 January 2024 – 1.5 hours (virtual)
- Meeting #20 – 6 March 2024 – 1.6 hours (virtual)
- Meeting #21 – 15 and 16 April 2024 – Leuven, Belgium – two full days

In addition, the following two discussions were held between the Ethics Board members and:

- WADA Director of Education and WADA Director of Communications – 15 November 2023 – 1 hour (in person, Montreal, Canada)
- WADA General Counsel – 15 November 2023 – 30 minutes (in person, Montreal, Canada)

In-person meetings

While recognizing the need to minimize travels and expenses, the Ethics Board notes the importance of in-person meetings to allow for direct discussions and productive exchanges, especially given that it remains a rather new body.

As noted above, the Ethics Board held a second in-person meeting in 2023 over two days on 15 and 16 November in Montreal, Canada. The Ethics Board then attended and observed the Foundation Board meeting on 17 November 2023 in person. At that occasion, the Chair of the Ethics Board provided a verbal update to the Foundation Board members.

The Ethics Board recently held its annual in-person meeting in Leuven, Belgium over two days on 15 and 16 April 2024. It was organized with the help of Ethics Board member Mr Pascal Borry, who teaches at the Catholic University of Leuven. A Panel held a hearing on a potential breach of the Code of Ethics at the end of the second day (see below for more details).

The Chair is considering the work the Ethics Board wishes to achieve for the rest of the year and will soon write to the WADA President and Director General to seek consideration of and support for a second in-person meeting in 2024.

2.3 Activities

Since the last biannual report, the Ethics Board looked at the following matters:

- The first Ethics Board Panel was constituted at the Montreal meeting in November 2023 to adjudicate a case reported by the Ethics Officer. Five members were appointed to this Panel by the Ethics Board Chair. Discussions on what additional support was required by the Panel took place with WADA. A general email address (IEB.secretariat@wada-ama.org) was created for official exchanges between the Ethics Board and parties to proceedings opened under the Code of Ethics. Secure sharing of confidential documents in an autonomous manner was also offered to the Ethics Board via the Sharefile system. The Ethics Board considered (but did not activate) the application of an independent legal secretary resource provided for in the Code of Ethics on this occasion. The Ethics Board will reconsider the need for an independent legal secretary after the first Panel and will also discuss document management.

- The Ethics Board nominated Mr Pascal Borry as Election Scrutineer for the special regional election that took place for the WADA National Anti-Doping Organization Expert Advisory Group (NADO EAG), which was needed to find the successor to one of its members from Africa who unfortunately passed away in October 2023. Mr Borry successfully completed the work as Election Scrutineer and confirmed the election of Ms Sarah Idieva Shibusse from the Anti-Doping Agency of Kenya on 11 March 2024.
- The Ethics Board developed an annual plan for its key activities in 2024, to ensure that it focused its time and resources to the current priorities. Among these objectives, the Ethics Board will continue to plan for and raise awareness about the Code of Ethics and the [WADA Ethics Reporting Platform](#) with WADA Officials as a first priority, implement an efficient framework for panel adjudication, and suggest further amendments to the Code of Ethics based on their first panel adjudication experience.

As reported previously, three subcommittees have been established within the Ethics Board to conduct technical and operational work in smaller settings: 1. Legal / Interpretation of the Code of Ethics; 2. Communications & Education; and 3. Stakeholder Relations. These bodies have provided significant input to the internal and external set up of the Ethics Board for the past year, and continued to be engaged to various degrees to progress their works during the Ethics Board's in-person meetings but also outside of meetings.

3. Code of Ethics Complaints Update

The Ethics Officer, Mr Gautier Aubert, provides a regular high-level report on their activities to the Ethics Board. According to these reports, the Ethics Officer received eight complaints during the current reporting period (i.e. November 2023 to April 2024), of which four were considered spam, two are currently under analysis by Mr Aubert, and two were referred to the Ethics Board. One of these two cases led to the constitution of a Panel (as mentioned above), while the other was closed as the Ethics Board determined that it did not have jurisdiction.

The Ethics Officer continuously monitors the WADA Ethics Reporting Platform which they manage independently from the Ethics Board. Anyone who has witnessed, knows of or has reasonable grounds for suspecting ethical misconduct by a WADA Official can submit a report [here](#) on the WADA Ethics Reporting Platform. One can also submit a report by email or ask questions to the Ethics Officer at Ethics.Officer@wada-ama.org.

4. WADA Code of Ethics Review

The [Code of Ethics](#) provides that the Ethics Board shall annually review it and can propose amendments to the Foundation Board for consideration (see Article 7 of the Code of Ethics). The Ethics Board Chair presented a first set of proposed amendments to the Foundation Board on 17 November 2023, to improve and clarify certain aspects of the inaugural Code of Ethics. These changes were identified by the Ethics Board and WADA Management, with the support of WADA's legal counsel. The revised Code of Ethics was approved by the Foundation Board and immediately came into effect.

In 2024, the Ethics Board will look to gather additional comments to the Code of Ethics, in particular, after it has been put into practice through the Panel adjudication process. Discrepancies and procedural issues have already been identified in the past few months by the Ethics Board. It will present suggestions for amendments to WADA Management and its legal counsel in coming months, so that a

new set of amendments could be presented to the Foundation Board for consideration at its meeting in December 2024.

5. Education and Communications Update

During the in-person meeting in Montreal in November 2023, the Ethics Board met with the WADA Education Director to discuss strategies in furthering the implementation of the Education Plan that was initiated in 2022. The Ethics Board discussed and approved a draft for a summary guide for WADA Officials, with information about the Code of Ethics and their rights and duties thereunder. This summary guide was provided to all WADA Members within their annual 2024 Information Package.

In addition, the Ethics Board discussed the possibility of developing a learning course on ADEL, WADA's e-learning platform, which would be a short interactive module that WADA Officials would be invited to complete. Such e-learning course would present the Code of Ethics in an accessible and engaging manner. During the in-person meeting in Leuven in April 2024, the Ethics Board discussed the development process of such course with a member of the WADA Education Department and agreed on a timeline where the objective would be to publish such course by the end of this year.

In November 2023, the Ethics Board also met with the WADA Communications Director and determined it would collaborate with the Communications Department to publish a Spotlight article that would raise awareness about the Code of Ethics to WADA's external stakeholders. The objective of such article would be to ensure that anyone that witnesses an ethical misconduct by a WADA Official knows how to report it and what happens after a complaint is filed. This article is forecast to be published sometime in mid-2024.

During the 2024 WADA Annual Symposium, the QR Code to the Ethics Reporting Platform was shown on screen during one of the plenary session breaks.

Lastly, the Ethics Officer provided a written interview with the German sports law review [SpoPrax](#) regarding his role at WADA and, more broadly, the need for a robust ethics structure within sports administration. It was issued in March 2024 but is not publicly available.