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Minutes of the WADA Executive Committee Meeting 4 December 2024, Riyadh, Kingdom of Saudi Arabia

The meeting began at 9.00 a.m. GMT +3.

1. Welcome, roll call and observers

THE CHAIRMAN greeted and welcomed the members of the Executive Committee and the observers. He was pleased to be holding the meetings in Riyadh, in that beautiful city and beautiful venue. There were 13 Executive Committee members and three deputies present in the room, including one member online. Due to a late change of plans, Commissioner Samate Cessouma, from Africa, was participating virtually. A number of committee chairs would also join the meeting at certain points to provide some relevant updates. Also, some WADA management team members would also be present at times. He would be supported again by the events manager, Mr Rino Pisani, who would be ensuring that the technical aspects of the meeting ran smoothly. He circulated the physical roll call around the table and asked those present to sign it and pass it on. Note would be taken for the records of those who were observing virtually. Having looked at the agenda, the meeting was expected to last around seven hours, with one morning break and a lunch break, which should allow the meeting to conclude by mid-afternoon.

He noted that he would largely follow the order of items on the agenda. However, he might move some items to ensure fluid timing around the break. It might also be necessary to adjust for any virtual presentations and, as communicated via e-mail the previous week, time would be reserved for an in-camera session to discuss the matter in question. That was planned after the first morning break.

The following members attended the meeting, either in person or virtually: Mr Witold Bańka, President and Chairman of WADA; Ms Yang Yang, Vice-President of WADA; Professor Uğur Erdener, IOC Member, President of World Archery; Mr Jiří Kejval, President, National Olympic Committee, Czech Republic, IOC Member; Ms Grossenbacher, representing Mr Nenad Lalovic, Executive Board Member, ASOIF, UWW President, IOC Member; Mr Ingmar De Vos, Council Member, ASOIF, IOC Member, FEI President; Mr Humphrey Kayange Emonyi, IOC Member, IOC Athletes' Commission Member; Ms Minata Samaté Cessouma, Commissioner for Health, Humanitarian Affairs and Social Development, African Union, Burkina Faso; Ms Seguin, representing Dr Rahul Gupta, Director, Office of National Drug Control Policy, USA; Dr Koji Murofushi, Commissioner, Japan Sports Agency, Japan; Ms Roxana Maracineanu, France; Mr Miskimmin, representing Mr Chris Bishop, Minister of Sport and Recreation, New Zealand; Mrs Gabriella Battaini-Dragoni, Independent Member, Italy; Ms Venetia Bennett, Independent Member, Australia; Dr Patricia Sangenis, Independent Member, Argentina; and Mr Ryan Pini, Papua New Guinea.

The following permanent special committee and standing committee chairs attended the meeting, either in person or virtually: Mr Ryan Pini, Chairman of the WADA Athlete Council (also a member of the Executive Committee); Mr Henry Gourdji, Chairman of the WADA Compliance Review Committee; Ms Kady Kanouté Tounkara, Chairwoman of the WADA Education Committee; Mr Ser Miang Ng, Chairman of the WADA Finance and Administration Committee; Professor Lars Engebretsen, Chairman of the WADA Health, Medical and Research Committee; Professor Mette Hartlev, Chairwoman of the WADA Independent Ethics Board; and Ms Diane Smith-Gander, Chairwoman of the WADA Nominations Committee.

The following WADA management representatives attended the meeting, either in person or virtually: Mr Olivier Niggli, Director General; Ms Aisha Ayinde, Human Resources Director; Mr René Bouchard, Senior Director, Stakeholder Engagement and Partnerships; Ms Dao Chung, Chief Financial Officer; Mr Kevin Haynes, Compliance, Rules and Standards Director; Ms Karine Henrie, Head of Athlete Engagement; Ms Amanda Hudson, Education Director; Ms Angela Iannantuono, Corporate Services and Sustainability Director; Mr Stuart Kemp, Chief Operating Officer; Ms Florence Lefebvre-Rangeon, Deputy Chief Operating Officer; Mr Francisco León, Director of the WADA Latin America and Caribbean Office; Ms Catherine MacLean, Communications Director; Mr Marc-André Matton, Chief Technology Officer; Mr Tom May, Engagement & Development Director; Ms Chaya Ndiaye, Head of Digital Insights; Mr Rafal Piechota, Director, Office of the President; Professor Olivier

Rabin, Science and Medicine Director; Mr Tim Ricketts, Testing Director; Mr Julien Sieveking, Legal Affairs Director; Ms Audrey Taillefer, Head of the Strategic Management Office; Mr Rodney Swigelaar, Director of the WADA Africa Office; Dr Alan Vernec, Chief Medical Officer; Mr Ross Wenzel, General Counsel; Ms Shannan Withers, Chief of Staff; Ms Mayumi Yaya Yamamoto, Director of the WADA Asia/Oceania Office; and Mr Gunter Younger, Intelligence and Investigations Director.

The following observers joined the meeting, either in person or virtually: Robert Auguste, Heike Grösswang, Irene Kitsou-Milonas, Michael Gottlieb, Michael Cepic, Bjorn Berge, Jamie Brown, Richard Young, Richard Baum, Travis Tygart, Anthony Jones, Luke McCann, Darren Mullaly, Jean-Christophe Rolland, Andrew Ryan, James Carr, Michael Vesper, Richard Budgett, Dagmawit Girmay Berhane, Shin Asakawa, Akiteru Noguchi, Chika Hirai, Gaby Ahrens, Yuji Kakizawa, Yumiko Nakajima, Jocelyn East, Jane Mountfort, Sophie Kwasny and Amandine Carton.

1.1 Disclosures of conflicts of interest

THE CHAIRMAN asked if any members wished to disclose any conflicts of interest. He saw no requests for the floor, so moved on to the next agenda item.

2. Minutes of the previous meeting on 12 September 2024

THE CHAIRMAN noted that the item was for decision. Draft minutes from the September meeting had been circulated to members on 12 November 2024 as part of the meeting package, and no member comments had been received on those Executive Committee minutes. If there were none that day, he would proceed to approve them. He opened the floor for comments or questions regarding the minutes.

MS SEGUIN thanked President Bańka and greeted the Executive Committee, as it was her first intervention on behalf of the United States of America. In speaking with the public authorities, she wanted to express her appreciation to WADA for providing extremely helpful minutes, which she supported that day. She would ask that, for meetings the following year, the group consider talking about the decision points there or somehow display the decision points for more immediate member feedback during the meetings. That was merely a recommendation for consideration.

THE CHAIRMAN requested clarification of that recommendation.

MS SEGUIN explained that, for each topic item, there was a decision point written immediately beneath it. It was a short sentence or two usually. She thought it would be helpful if either the WADA management were able to read out what those decision points would be during the meetings at the conclusion of each item for the members to provide feedback and reflection, or that they be highlighted so as to ensure that all interventions and feedback were accurately captured in the decision point.

THE CHAIRMAN thanked Ms Seguin but noted that that was exactly what the procedure was. After every single item for decision, he informed for the record what exact decision was to be taken and asked that the members of the Executive Committee express their point of view to confirm the decision, and he thought that that was reflected in the minutes. He nevertheless thanked her for her intervention. He formally asked if the Executive Committee wished to approve the minutes of the previous meeting. The minutes were approved.

DECISION

Minutes of the meeting on 12 September 2024 approved and duly signed.

3. Director General's report

THE DIRECTOR GENERAL greeted the Executive Committee members and welcomed them to Riyadh. He started by thanking the Saudi hosts for the wonderful hospitality and wonderful food that everybody had enjoyed the previous night.

Turning to the substance of the meeting, the members had been given a very comprehensive report, on which he would like to make a few remarks. First of all, as the Chairman had said, and to be very clear, the confidential matter in relation to the Intelligence and Investigations Department report and the letters received from the relevant Anti-Doping Organization (ADO) would be discussed in camera right after the coffee break, which would be after item 4.1. Only the members would reconvene in the room for that discussion. All other participants would be granted extra coffee break time.

Secondly, he wished to return to the point on UNESCO, which he thought was summarized in the report. WADA was regularly told that it should collaborate more with UNESCO, and he agreed with that. There were

many areas for collaboration which were specified in the UNESCO convention. However, for years, there had been discussions within UNESCO and among some member states about the fact that legislation implementing the World Anti-Doping Code (Code) should be monitored by UNESCO only and not by WADA, because WADA was a private entity. He would be very clear on that. WADA had been collaborating with UNESCO on that matter. UNESCO had cordially invited WADA to be an observer party to the working group looking at a number of topics, including the role of WADA on national legislation. However, collaboration did not mean that WADA had to agree with what the working group recommended. Collaboration did not mean that WADA should agree with or endorse potential recommendations that it knew would weaken the global anti-doping system instead of strengthening it. The problem, to put it simply, was that there was a disconnect between what he would call a theoretical or an academic approach to that issue and what truly happened in the field. The academic discussion basically advocated that only UNESCO should look at national legislation, because UNESCO was an intergovernmental organization, whereas WADA should not look at legislation because WADA was a private organization, even though WADA had been created by public authorities and had a governance body comprising representatives from governments, and that it was given the task by public authorities to enforce the Code. So, whatever the legalistic approach taken in that discussion, it completely ignored the reality in the field. WADA was responsible for monitoring the implementation of the World Anti-Doping Code. That was its mission. When the Code or part of the Code was implemented through legislation, which was not a requirement under the Code, WADA still had to fulfil its duty, which was, as he had just said, to monitor the implementation of the Code and therefore to look at how it was implemented. That included legislation. That was the only way that the Code could be implemented in a consistent fashion across the world, so that the system was harmonized and the same for all athletes. All WADA was actually doing was its job, which was what it had been entrusted to do as a regulator. To do otherwise would be to abnegate its primary responsibility as the regulator. WADA was equipped to do that job. It had been doing it for years through the compliance standards. It had standardized processes and means to enforce its findings. That was not the case for UNESCO or under the UNESCO convention. UNESCO had no responsibility to implement the Code, was not equipped to do that job, and did not have the expertise to do so, but wanted to play a role in the implementation of the Code. With all due respect, the Code was not the UNESCO convention. They were two different instruments, and UNESCO had neither the legitimacy nor the technical knowledge to monitor the implementation of the Code. It was also very important that the monitoring exercise be free from political interference. He asked the members to imagine for a moment that WADA accepted the proposition currently being discussed by the working group and the bureau that WADA look only at the portion of the Code implemented through the National Anti-Doping Organization (NADO) rules, but not through legislation, and that UNESCO then look separately and independently at the portion of the Code that was implemented through legislation. The outcome would be that some countries would be monitored by UNESCO, some by WADA, and some would be monitored by both. Inevitably, that would lead to a lack of harmonization of the rules and different implementation of the Code in different countries. That would create loopholes and, frankly, chaos in the global anti-doping system. That seemed to him to be relatively obvious and problematic. However, it was still being discussed and apparently entertained as a serious idea and he was not sure why. Nor was he sure if that was seriously meeting the requirements and expectations of the athlete community. He reiterated that there were many opportunities for WADA to collaborate with UNESCO and many fields where collaboration had taken place. The convention itself identified a lot of areas, such as the supplement industry, education, research and strengthening collaboration in some parts of the world. All of that should be the focus of implementation of the convention and WADA would happily collaborate with UNESCO on those matters. However, on issues such as national legislation and others, he had the impression that discussions were not going in the right direction. Therefore, his plea that day to the public authorities around the table and at the UNESCO conference of parties was to speak up and point out the hurdles placed before WADA in the implementation of the Code. That was not strengthening the anti-doping system. He respectfully believed that energy should be focused on more productive topics and considered it an important matter to be addressed by that body.

One other matter he wanted to draw attention to was the Office of the Privacy Commissioner (OPC) investigation that was taking place in Canada. He had written to the members on 18 November 2024 and wanted to give an update on that. As he had said in the e-mail, that OPC investigation had arisen from a third-party complaint. The complaint related to one comment in the World Anti-Doping Code, comment 115, which made it clear that ADOs would not breach the Code if they used data from doping control samples for other purposes such as health, medical or eligibility matters. That explicitly included the mention of gender eligibility. The complaint alleged on the basis of that Code comment that WADA was disclosing personal data for purposes unrelated to anti-doping, which contravened Canadian data privacy law. However, the Code comment did not seek to give legal authority to signatories to use the doping control data for other purposes. Rather, it indicated that, if signatories had separate authority for those other uses, that would not be considered to be a breach of the Code, which was quite different. WADA was cooperating with that investigation and the deadline was in the

following weeks, when WADA would answer a number of specific questions raised by the OPC. That would give WADA the opportunity to actually explain the anti-doping landscape and how it operated and to answer technical questions, because it seemed that the OPC did not understand exactly how the full anti-doping system worked.

Finally, he wished to highlight that it would be the last Executive Committee meeting for their colleague René Bouchard, with whom all members had interacted. Mr Bouchard had been with WADA for a long time, having joined in 2016. Before that, he had been the chairman of the first Compliance Review Committee meeting. He had also sat at that table in the past representing the Government of Canada on a number of occasions. Since Mr Bouchard had joined WADA, everybody had enjoyed working with him. He had been a great ambassador for that organization. In the office, he was known as the 'foreign affairs minister', which was a well-deserved title. He had literally worked night and day, calling all parts of the world with a time difference that was sometimes complicated to manage from Montreal. Mr Bouchard would be greatly missed and THE DIRECTOR GENERAL expressed his heartfelt appreciation. He would be replaced by Darren Mullaly, who was present in the room. Members had probably also had the chance to interact with Mr Mullaly in the past because he had been working in that field for more than 20 years and was very familiar with anti-doping. He welcomed Mr Mullaly to the team. He looked forward to working with him. That concluded his report and he would be happy to answer questions.

THE CHAIRMAN thanked Mr Bouchard for the excellent collaboration and noted that he would be missed. He had been a great support for WADA and, as the Director General had said, an amazing ambassador for clean sport and the organization. He welcomed Mr Mullaly to the team and opened the floor for comments or questions.

PROFESSOR ERDENER wished firstly on behalf of his colleagues from the sport movement to thank the Director General for his very comprehensive report, as always. He regretted reading that, despite the encouraging updates provided at the previous Executive Committee meeting in Belek, a pathway for establishing a meaningful dialogue with UNESCO had yet to be found. He called on the public authorities to support WADA in the interest of harmonized rules and clean athletes.

Furthermore, with regard to the Independent Ethics Board report to the Foundation Board and the request to engage more with the membership rather than having individual initiatives by committees, he recommended that WADA consider the development of an induction programme for new members and observers.

MR PINI remarked, with regard to UNESCO, that athletes knew that a fair playing field was crucial for sport. Any disparity in the global anti-doping system undermined that fairness and eroded trust. The UNESCO proposal challenged that. He wanted WADA to continue reviewing the anti-doping legislation from a compliance perspective. Countries must align their laws if they chose to adopt those with global standards and harmonize the World Anti-Doping Code to avoid inconsistencies and potential disadvantages for clean athletes. Athletes needed assurance that rules were fair, consistent and universally applied, and harmonization ensured robust, equitable and effective anti-doping efforts across all countries. He encouraged that dialogue to continue.

MS SEGUIN thanked the Director General for a very thoughtful report and especially the verbal update he had just given. She was curious as to the Director General's thoughts on how he foresaw better cooperation and collaboration with UNESCO, in particular with respect to the legislation monitoring issue. She had heard the call to public authorities to help support the matter but would appreciate any more thoughts on how help could be given to bring the two entities together on that topic.

MR DE VOS referred to page three of the report, with regard to the consequences of non-payment of contributions. The Director General stated in his report that the reduction of those contributions would certainly impact WADA's activities but, more globally, it would also impact the entire fight against doping and, if WADA had to reduce its investments in programme activities such as ADAMS, scientific research or education, that would affect the work conducted. The first activities affected by a reduction of the budget as a consequence of reduced contributions seemed to be ADAMS and scientific research. He believed that they were a part of the core business of WADA. Therefore, he presumed that there were probably other activities of the organization that could be affected first, before reaching the core business of the organization. He was a little concerned about that and requested clarification.

THE DIRECTOR GENERAL thanked the members for the comments and questions and would answer them in order, starting with Professor Erdener's. He welcomed the proposal on the induction programme and noted that collaboration had recently begun with an entity to develop an induction programme for members and their entourage which would proceed in the following year. The goal was to work hard on that the following year to achieve a programme that was informative, not too cumbersome to implement for the members, and that would provide new members with a better understanding of the landscape and the work they would do there. He totally agreed with that.

He thanked Mr Pini for his comments on behalf of the athletes, stressing the importance of harmonization. That was why WADA had been created and he thought that had to be preserved by all possible means, and he called on the public authorities to take the matter on board in the discussion with UNESCO.

In response to the US representative, he appreciated the comments but did not have any magic solutions because he did not think that the legislation issue should be an issue. He believed everybody had their own sphere of responsibilities. He reiterated that there were many other areas for collaboration with UNESCO and believed it necessary to start focusing on more constructive topics instead of a system that was actually working quite well when it came to overseeing implementation of the Code. That did not mean that UNESCO could not play a role in legislation on matters other than the implementation of the Code. There were many things that public authorities could do that sport could not do which he would welcome. However, he did not believe that continuing the discussion on who was monitoring the Code was constructive.

Finally, he thanked Mr De Vos for his comments and agreed that he should not have put ADAMS at the top of the list. The list was not ranked in order of importance but rather provided a number of examples. The Finance and Administration Committee had discussed it and agreed to operate under a number of principles, including not cutting anything that effectively helped athletes, and preserving the core activities of WADA. As Mr De Vos had pointed out, IT, legal and science were among them. The Finance and Administration Committee had drawn up a list of possible cutbacks. He could not say that ADAMS would be untouched because, if necessary, significant cutbacks would be made, but it did come very far down the list.

MS CESSOUMA regretted not being able to attend in person due to prior commitments. She welcomed the report and thanked the WADA management, Mr Bańka and his entire team for their commitment, which encouraged the Executive Committee to forge ahead and strive to achieve clean sport. She also took the opportunity to thank the Foundation Board. She recalled Africa's commitment to its responsibilities in ensuring that sport be kept clean. She urged WADA to implement the recommendations of the African Union to which it was very committed. She was speaking from Johannesburg where there was a team doing excellent work. As she had said on previous occasions, it was important to strengthen that team. In line with the previous request, she encouraged the Executive Committee to support the implementation of the arrangements as quickly as possible, as she was sure it would yield greater results and enable the continuation of the work in Africa.

THE DIRECTOR GENERAL welcomed the renewal of the agreement with South Africa which would be implemented. A new position had already been opened and the vacancy had been posted on the website. It was very important to have a regional office on the ground.

DECISION

Director General's report noted.

- **3.1 Strategic plan 2025-2029**

THE CHAIRMAN gave the floor to Ms Taillefer to give an update on the work done since September 2024 and next steps towards approving the final version of the forthcoming strategic plan.

MS TAILLEFER greeted the Executive Committee members and was delighted to summarize the work that had been achieved since the previous meeting in September. The members had received the latest version of the strategic plan document as part of the preparation papers and she would focus on the adjustments made following the feedback the members had shared. She thanked the members again for their input, which had enabled significant improvements to the document. Firstly, she recalled the rationale behind the thorough consultation and drafting exercise. The strategic plan was crucial for supporting multilateral efforts to protect athletes and clean sport, as it defined clear objectives and aligned resources to address complex challenges effectively. She believed that the strategic plan presented that day would enable that.

Looking at the overall changes following the Executive Committee's feedback in September, adjustments had been made to address the need for the Code update and international standards update to be featured more prominently. That was currently referenced in every section of the document. The wording and format had also been refined following specific feedback received.

In the introduction, the ecosystem trends had been refined following a number of comments on that specific section, including the addition of climate change, trends around climate change and its consequences on resource allocation, as well as trends in contamination scenarios, given the importance of the topic in the following few years. The trend on anti-doping fatigue had been removed due to the lack of examples to support that trend.

Under the 'Strategic priorities' section, one flagship project example had been added, which was the Code and international standard update, and two indicators had been removed following feedback to harmonize the

level of detail of the various indicators. Apart from those two changes, the rest of that section remained untouched.

In the section entitled 'Achieving our mission', two adjustments had been made. The first was that the areas of focus had been added under 'Delivering together' to ensure consistency with the other topics in the section, and the second was the addition of the United Nations Sustainable Development Goal (SDG) number 16 on peace, justice and strong institutions to the list of prioritized SDGs under 'Incorporating sustainability'. All of that feedback had come directly from Executive Committee members.

The sum of all of those adjustments concluded 16 months of consultation to present the priorities for the following five years. In conclusion, she encouraged the Executive Committee members to fill in the 2025 governance member survey. As mentioned in the e-mail sent to members the previous day, that was an important tool to gather feedback on elements of WADA leadership and the management of the governance structure. The members' perspectives were key in helping to identify strengths and uncover areas for improvement. The survey could be accessed via the link in the e-mail or by scanning the QR code in the presentation.

MR DE VOS spoke on behalf of the sport movement to thank and congratulate WADA for the reviewed strategic plan, which was ambitious, and it was important to be ambitious in life and for WADA to be ambitious. He welcomed the greater prominence given to sustainability in the plan. On behalf of the sport movement, he underlined the importance of leveraging data and securing new partnerships, as well as supporting innovation. In terms of WADA's mission, it was necessary to remain athlete-centred, and engagement with all the relevant stakeholders was, of course, one of the main priorities, as well as, in the current situation of the organization, striving for greater efficiencies in the global anti-doping system and in internal processes within WADA. That was a very important topic and it was important not to forget how ambitious that plan could be. He also thought it necessary to look at the implementation and the resources needed to deliver the plan, not only financial resources but also staffing. As such, once the plan had been approved by the Foundation Board, he advocated drawing up an implementation action plan to measure and incorporate and set priorities according to the availability of resources and financial support. He hoped the Foundation Board would approve the plan the following day.

MS MARACINEANU greeted the members and expressed her support for the strategic plan, which the members had been very much involved in drafting. She welcomed the introduction of the SDGs in the plan but, considering the period of financial uncertainty, she urged WADA to ensure that the plan was implemented within the existing budget. WADA should not increase its budget or budget forecasts. With regard to the previous plan, WADA had partnerships, which of course played an important role in that strategic plan. Partnerships might be considered with UNESCO or indeed other organizations that wished to play a role in anti-doping, but perhaps the scope within which such partners could step in should be defined and current needs stated explicitly. Ms Taillefer had mentioned support in updating the Code. Perhaps a review of the way in which new provisions could be introduced should be considered and carried out with UNESCO. WADA should also be helped in speaking to governments to propose new regulations in the various member states' respective legislations. In other words, instead of having partnerships where other units were encroaching on WADA's territory, WADA could take the lead in such partnerships and express its needs to partners, which could then respond. That was a way to have constructive partnerships and ultimately to recognize that partners were not there to do harm but rather to contribute to combatting doping.

MS BENNETT thanked the WADA management and particularly Ms Taillefer and her team for their efforts in producing the strategic plan for the upcoming five-year period, and particularly for engaging in a true process of consultation across all stakeholder groups. She thought that the strategic plan had brought together a huge number of concepts that had been discussed in detail with both the Executive Committee and other stakeholders over a significant period of 12 to 18 months, and had achieved that very well. She had two comments. The first concerned the point about the ecosystem, which was something that WADA's Executive Committee could not ignore. She welcomed the inclusion of the ecosystem in the text of the strategic plan, because the fact was that some of the realities in the ecosystem posed a significant threat to WADA and the anti-doping system. She thought it was very appropriate that they were specifically noted in the strategic plan and thanked WADA for acknowledging those realities and the realities of its environment in its ambitious strategic plan.

The second comment concerned the presentation of the document. In some ways she could not believe she was saying that, but it struck her that all of the images were of women or people whose gender identity could not be determined from the photograph. In the same way as she would be alert to an under-representation of women in imagery, she was also conscious that athletes also ought to be able to see themselves in the WADA strategic plan and therefore suggested replacing some of the images with images of men.

MR PINI thanked Ms Taillefer and the team involved in that process. It had been very good to be a part of it and the Athlete Council was pleased to have been consulted throughout the entire development of the strategic plan. He was encouraged to see that the feedback had been incorporated in that process and that the athlete initiatives remained a key focus, particularly through the athlete-centred strategic priority. He looked forward to supporting those actions once approved by the Foundation Board. He also thanked Ms Henrie, Ms Spletzer and the athletes involved in the consultation process, as well as the Athlete Council for the significant work involved.

THE CHAIRMAN gave the floor to Ms Taillefer to answer the questions.

MS TAILLEFER said that she would reply in the order of the questions. She took note of Mr De Vos's expectation that the Executive Committee see how the ambitious plan would be implemented through an action plan. The intention with that strategic plan was to be able to provide a progress report, but also to showcase which initiatives would be implemented in what sequence over the next five years. It was important to ensure that ambition was well balanced with visibility.

She thanked Ms Maracineanu for highlighting the importance of implementation and the opportunity to double down on partnerships. It was indeed on the radar.

She thanked Ms Bennett for her comments and in particular took on board the review of images to ensure a better representation of the variety of athletes in the community.

She thanked Mr Pini for his support.

THE CHAIRMAN thanked the members for the discussion regarding that important item. For the record, he asked the members if they were in agreement to recommend that the Foundation Board approve the 2025-2029 strategic plan. He thanked the members.

DECISION

2025-2029 strategic plan to be recommended to the Foundation Board for approval.

- 3.2 ADAMS update

THE CHAIRMAN gave the floor to Mr Marc-André Matton, the Chief Technology Officer, to present that agenda item.

MR MATTON greeted the Executive Committee members and was pleased to provide the latest IT updates. That year, they restructured the IT Department to align with the WADA strategic priorities. Key changes included the creation of the Digital Insights Impact Area. That team drove user-centric digital innovation and the use of data to deliver insight while collaborating closely with the IT Department. September 2024 had marked the one-year anniversary of the partnership with Sword. Over the past year, the transition phase had successfully been completed and a steady development pace had been reached for ADAMS. Clear governance mechanisms including KPIs and regular progress reviews had been put in place to address challenges and respond to alignment. On the cybersecurity side, protecting digital assets and athlete data was a top priority for the cybersecurity teams. Following a recent document leak, document access control had been increased and ADAMS had been strengthened to address emerging threats.

Regarding ADAMS development, the identity and access management (IAM) and the therapeutic use exemption (TUE) modules were making progress. The IAM would oversee all access and security roles within ADAMS and represent a crucial step in severing the link between ADAMS classic and ADAMS next generation.

Sword was working closely with WADA on the Athlete Central project. That initiative included a revamp of the whereabouts and the mobile app and was progressing well. Multiple feedback sessions with athletes had been held to gather requirements. The focus at that time was on the technical design and the architecture.

Continuous improvements were being made to the Athlete Biological Passport module to make the solution more robust and responsive, and also addressed and resolved minor imperfections from the past. He understood the concern expressed regarding the proposed cost structure for the Application Programming Interface (API). As previously mentioned, the general idea behind the cost structure was to cover the WADA expenses related to the development, support and ongoing enhancement. The previously proposed API structure was under review and the goal was to find an equitable approach for WADA and the ADOs.

The Results Management Center (RMC) platform continued to evolve with major improvements in reporting capabilities and data quality. A key milestone had been reached with the automation of the anti-doping rule violation report, streamlining processes and enabling more effective case management. The next step would

further integrate the RMC with ADAMS and the data warehouse, ensuring a seamless data flow and strategic insights.

The Cottier report had provided a roadmap for enhancing result management processes. While the immediate focus was on the reporting test result, the broader implications extended to improving WADA monitoring capabilities. Key steps included defining the result management process, implementing an alarm system for delays and assessing technical specifications for a new tool. Those advancements were significant, but working with a limited budget and capacity on a daily basis inevitably led to delays in delivery. He also recognized better promotion of the works on ADAMS and improving the perception within the communities, and the Digital Insights team would play a key role by highlighting the impact and value of that development. That concluded his intervention and he welcomed any questions.

DR MUROFUSHI appreciated the presentation. He expected the Sword partnership would further strengthen the system. Asia's opinion was that the usability of ADAMS, including DCO Central and the passport module, was low from the NADOs' perspective. He knew that the athlete perspective was improving all the time, of course, but it was also necessary to think about the NADOs' perspective, and he hoped that improvements would be quickly made.

MS GROSSENBACHER thanked Mr Matton for the report, which she had considered with great attention. It was clear from the report, and the comment from Japan, that ADAMS was an essential tool, not only for athletes but also the entire anti-doping community, as well as WADA itself in seeking efficiencies. She was grateful for the partnership with Sword which was important to help progress in that area.

That noted, she had a couple of questions relating to the improvements made to ADAMS and the different milestones. As regarded the athlete module, she wanted to understand whether the athletes and the WADA Athlete Council would be consulted throughout the process, and whether Sword and WADA were working on opportunities to continuously collect feedback on the tool and how those could be implemented efficiently and swiftly.

Another point she had noted was the discussion and the progress made on the roadmap for the single access point, which had an impact on international federations, as that was an important topic for the ITA and for seeking efficiencies. Was there any clarity as to when that would be in place? It was very important to the sport movement.

Coming back to overall efficiencies and the concerns raised by ADOs there, she wanted to understand whether ADOs would have the capacity to provide continuous feedback to WADA in the new models and how that would be implemented. She also wanted to understand what the challenges were that WADA might face relating to implementing such feedback, which seemed to be a constant concern from ADOs. She underlined the importance of that tool and of making sure that appropriate resources were allocated to ensure its efficiency and its service to the anti-doping community and athletes, as that was an athlete-facing tool as well for WADA and its community.

MS SEGUIN noted that the public authorities recognized ADAMS as a vital platform, and were encouraged that WADA was continuing to improve it. She had a couple of questions. The first was on the costs for ADOs to access all of the ADAMS capabilities, including APIs. She recalled that, although it was important to recoup the significant development costs, those costs should not prevent ADOs from gaining access to the system. The second question was whether there was an update with respect to the data migration issue about which the WADA leadership had sent an e-mail a couple of months previously.

MR PINI appreciated the update. Likewise, he agreed that it was a very important development and was very pleased to see that it was a priority. Any discussions that had been held with athletes were certainly a touchpoint and the athletes were very encouraged and indeed excited that it was a priority to further develop and enhance directly for the athletes. He thanked Ms Grossenbacher for her comments and agreed that it was very important to collect athlete feedback. He knew that there had been specific active athlete feedback given to drive that process in its first instance. The Athlete Council looked forward to engaging athletes currently out there to get hands-on experience as that development continued through the roadmap. He thanked the team.

MS YANG firstly wished to thank Mr Bouchard, as she had not had the chance to do so previously, for his professional support and friendship over the previous few years. She also welcomed Mr Mullaly.

On that agenda item, she thought that ADAMS was very important for athletes, the sport movement and other communities. More resources were probably needed to make it better. She proposed setting up some kind of group to focus on those matters that the athlete community needed.

MS BENNETT thanked Mr Matton for his update to the Executive Committee. She echoed the comments from the sport movement and public authorities about the importance of ADAMS as a tool for both WADA and the anti-doping movement, and encouraged efforts that might lead to its improvement. One of those improvements that was recognized in the roadmap that had been prepared by WADA was an issue that had been discussed previously by the Executive Committee: the importance of data to drive decision-making at the Executive Committee and WADA level. She recognized that that was identified as a new initiative in the roadmap, and it might not be possible to provide further details around that issue at that time, but one thing she would be interested in knowing more about at the appropriate time would be understanding what sort of data it would be possible to extract from ADAMS, and the analysis that WADA would be able to undertake using that data.

THE CHAIRMAN noted that there were no more comments or questions and, before giving the floor back to Mr Matton, he wished to give the floor to Mr Wenzel regarding the data migration case.

MR WENZEL stated that his understanding was that that temporary migration issue had been resolved. It was important to highlight that it had not affected ADAMS. It was not an issue that pertained to missing data. It was related to the migration of data between two result management databases that were used by the Legal Department, the result management unit of that department. His understanding, and perhaps Mr Matton would be able to add something on the technical aspect, was that the technical issue, which had been temporary, had been resolved. As had been stated publicly by WADA, it had not prevented all relevant cases for athletes participating in the Paris Olympic Games to be reviewed. It had merely entailed a more laborious process, which required reviewing the data across ADAMS and then the previous result management database and the new one to which the data had been migrated. His understanding was that the issue had been resolved and the result management unit was happy with the efficiencies that had been created by the new result management database, the “RMC”, as opposed to the previous one, the “LRM”.

MR MATTON replied that, regarding DCO Central, the comment had been noted and improvement would be considered.

Regarding the question on athlete consultation and providing feedback, they were part of the development at that time. They were part of a working group dealing with IT and the Digital Insights Impact Area.

The SSO and IAM module would be implemented in 2025 and the goal was to complete that in the following couple of months. Continuous feedback regarding digital insight was also part of the roadmap.

In response to the question from the USA on the ADAMS platform, the cost of the API was currently being reviewed by WADA. As he had mentioned, the goal was to continue the development of the API, security and support, and to continue the enhancement of the platform. The pricing would also be reviewed to make it equitable, to achieve the goal of making it happen, but also to cover WADA's expenses.

He thanked Mr Pini for his comment.

In response to Ms Bennett's question regarding the use of data, there were multiple ideas on that matter. The Digital Insights Impact Area had just been created and was currently reviewing the data and what could be done with it.

DECISION

ADAMS update noted.

- 3.3 Voluntary withholding of contributions to WADA's budget by governments

MR WENZEL stated that a decision was not requested that day, which was why the documents provided were short and, he thought, fully explanatory. The upshot of that paper was that, having sent the Code provisions as well as a paper summarizing the proposal to stakeholders, a number of comments had been received. The appropriate next step was thought to be a discussion of those comments by the discussion group that existed for that topic. A letter had recently been sent to One Voice to seek two new nominations for the public authorities representatives in that group. He hoped that the group could convene in the new year to discuss the comments and next steps.

MS SEGUIN appreciated the update on that matter. On behalf of the public authorities, she noted that the paper contained a request to provide a representative or representatives to participate in the discussion group. The public authorities intended to fulfil that request, with the understanding that the public authority representatives would have the mandate to bring together WADA, the sport movement, governments and UNESCO to develop a common approach to that problem. She also wanted to see what the feedback from the

consultation process had been and to enquire if there was a legal opinion that had been formulated by WADA that could be seen.

Separately, on behalf of the United States and CADE, she would object to any discussions with respect to the sanction regime within that group. Paying WADA dues was a non-binding commitment that states made to each other and not to WADA. Accordingly, and as WADA Code article 24.2 reflected, states signatories would address that issue at the UNESCO conference of parties (COP), which was why she believed it was important for them to be brought into discussions. Granting WADA the authority to unilaterally enforce the convention and provide some form of sanction regime undercut the COP and precluded international consensus, which was why she would oppose such proposed sanction regime.

MR KEJVAL thanked Mr Wenzel for his presentation. On behalf of the sport movement, he thanked WADA for that update and supported extending the consultation on that important topic. Securing the funding of the organization through the unique model of equal partnership was a priority if WADA was to meet its ambitions. He also wished to state to everybody in that room that the strategy of the IOC to match the amount that was delivered from the public authorities remained, and that all the missing amounts could be doubled because of that.

DR MUROFUSHI thought that the double impact had been understood and appreciated the frank explanation.

Adding to the statement by the United States of America, there were many opinions on the matter. He supported the working group, but many governments believed that the issue should be discussed within UNESCO, because governments had ratified the UNESCO convention, not the Code itself. However, he believed that a better solution could be found to discussing the matter only within UNESCO. Perhaps UNESCO could be included in that discussion group and WADA and UNESCO could strengthen cooperation and the anti-doping system and address the issue. As a member of the UNESCO open-ended working group, Japan had been encouraging UNESCO to collaborate with WADA and was willing to inform UNESCO about that discussion.

MS CESSOUMA congratulated WADA on the presentation but wished to talk about the prevailing situation in Africa. Of course, the members in Africa were in favour of developing that policy and had always supported it. Nevertheless, she felt compelled to say something about the situation of African countries that were not paying their dues. That was not due to a voluntary decision on their part. Those countries had to deal with real difficulties and that was why they had not been able to pay their contribution. Structures were currently being set up to better inform partners in Africa of their responsibilities and encourage them to pay their contributions to WADA. As far as UNESCO was concerned, the policy undertaken thus far had to be continued. Africa wanted to shoulder its responsibility for the workload in Africa, but in particular that year, the African continent had been hit hard by climate change and the general population was struggling to feed itself. In addition, there were political difficulties to contend with. She hoped that solutions could be found that took into account the very special situation in many of the African countries.

MR DE VOS sought clarification, because he had been involved in that organization for only five years. He had not been present when it had been founded. However, he was rather surprised and concerned about the intervention of the USA. He asked the honourable member to provide some clarification on what was meant with regard to saying that the contribution was, as he had understood it, more on a voluntary basis, which he thought was not in line with what had been agreed at the time in the Copenhagen convention. Such an approach would endanger the organization and the global fight against doping. How could a sustainable organization with an administration and all those projects and plans be built if there was no sustainable funding of it? He therefore asked the honourable member to provide more clarification on the position of the USA with regard to that point, because he thought it was very important to understand the intentions and ascertain the impact on the future and the finances of the organization.

MS SEGUIN appreciated the question and request for clarification. Certainly the USA had viewed its contributions to date as voluntary. She believed that was what the convention indicated: that all payments from governmental authorities were currently on a voluntary basis. She certainly recognized the need for WADA and UNESCO to have stability in funding and the resources to support all of the important initiatives that had been talked about that day, including the future strategic priorities. However, there might be other funding mechanisms and commitments that could be reached via collaboration, discussion and innovative ideas that did not require mandatory funding in the form of legal sanctions against the sovereignty of nations without the proper authorities in place, and certainly not in a form that did not hold and house the implementation of the convention. She hoped that clarified the position.

MR WENZEL agreed with the comments made implicitly or explicitly by Messrs Kejval and De Vos with respect to the importance of that issue for WADA. With regard to Ms Seguin's comments, the discussion group as it stood at that time reflected the composition of WADA's governing bodies. It was a split between the sport movement representatives and the public authority representatives, with representation and assistance from the WADA management. That was an issue that related specifically to WADA's funding, not the general principles that were set out in the UNESCO convention. Of course, the representatives of the public authorities in that group were free, and had been from the beginning of that process, to canvass views from the relevant public authorities and bodies that they wanted to go to, and to discuss those viewpoints within the context of the discussion group, and would of course remain free to do that. Even the proposal made and the process that had been set out which had emanated from the discussion group and which had been presented in March of that year envisaged that the first step was dialogue with the non-paying or the withholding government. Part of that process was indeed to liaise with public authorities and relevant bodies to try to procure payment by the non-paying government. There might be a role for those international bodies to play and that was already envisaged in the proposal.

With regard to the legal opinion, on which he had spoken at length in Belek, Türkiye, in September 2024, he thought it was important to recall that the group had been set up following the Executive Committee meeting in Cairo in 2022. The process had at that time been ongoing for over two-and-a-half years. After many meetings, it had resulted in a paper that had been put forward by the discussion group, with its composition at the time, as a basis for further consultation. During that process, the legality of the proposal had not been raised other than with respect to the question of a sanction, or a financial penalty, against the withholding or non-paying government. When that paper had been presented to the Executive Committee meeting in March 2024, there had been a discussion about the legality of the fine. The President of WADA had suggested that the consequence be removed if it would expedite matters, and another member had suggested seeking a legal opinion on the legality of the financial penalty or fine. Following consultation with counsel, it had been felt that, to avoid potential difficulties, replacing the fine with an interest payment would be more robust.

Indeed, that had been the position of at least one of the representatives of the public authorities during the meetings of that discussion group over the course of that two-year period, to replace the financial penalty with some sort of interest payment or administrative fee. In the latest documents that had been sent to stakeholders, even the issue of interest had been taken off the table, meaning that the financial element had been completely removed. Some members had stated, at that meeting in Belek and in mandates for those meetings, that there was a need for a legal opinion. The word 'sovereignty' had been used that day. If a legal opinion was to be sought, there needed to be specific questions related to specific texts and laws. It was not possible to go to a lawyer or a series of lawyers and ask them to give an all-singing, all-dancing endorsement that the proposal would necessarily comply with all laws everywhere in the world at all times. No lawyer would do that. Such an enquiry could only have one of two outcomes. Either the lawyer would come back and say, well, it was impossible as the question had to be more specific. Or, they would come back after many, many months with an enormous bill and a very generic opinion, which would be heavily caveated because the original questions had not been specific enough. Thus far, he had seen no specific arguments that specific parts of the proposal would breach specific laws anywhere, either at the discussion group meetings that had been held to date or in any of the papers for the meetings held in September 2024 or that day. He would suggest that the question of the need for a legal opinion and the scope of that legal opinion be one of the issues discussed by the discussion group when it was reconvened once the nominations had been received from the public authorities and One Voice. He noted, and thought it reflected what Dr Gupta had said at the meeting in Belek and had been expressed on behalf of the USA and CADE, if he had understood correctly, what appeared to be a fundamental objection to the imposition of any consequences for the withholding of funding. He had noted in Belek and again that day that that was certainly a change of position with respect to what the Americas representative had expressed in previous meetings on that subject. Given the importance of that issue that had been expressed by other members of that committee, he thought it was incumbent on the Executive Committee to work on a solution that was meaningful. The reality was that there was already a consequence in the statutes of withholding annual contributions by public authorities. That consequence was that representatives of that government could not then sit on the governing bodies: the Foundation Board, Executive Committee and other bodies and committees of WADA. But, clearly, that single consequence was not in and of itself sufficient, not least for governments that did not have representation on any of those bodies. That would be useless. Therefore, given the importance of the issue, it was important to continue to try to make progress by reconvening the discussion group, hopefully early the following year when the nominations had been received.

He had tried to address Dr Murofushi's comments, in particular with respect to UNESCO. He noted Ms Cessouma's comments, which repeated and added to what she had said in Belek. He understood the economic

context, but it was very important for WADA to be able to secure its funding to ensure that it could continue to fulfil its mission to protect clean sport.

MS SEGUIN thanked the Chairman for the opportunity to react to some of the comments. She appreciated the history behind the work that had been done on that very important point. That was certainly something that the public authorities recognized, as she had previously mentioned. It did beg the question, at least in her mind, that, after two-and-a-half years of discussion, the situation was still what it was, and yet another discussion group was to commence, wherever that might lead. In any case, she was committed to having that discussion along with UNESCO, the sport movement and all the relevant stakeholders, and she was encouraged to hear that collaboration and bringing people together for that important cause would be a priority. Insofar as requesting a legal opinion, the Americas had certainly not asked WADA to provide an opinion addressing all laws of the world. That would not be a very reasonable opinion to review, nor would it be an easy one to author. She thought that it would be helpful to have a legal opinion from WADA examining the proposal as it was currently written, as provided during consultations on whether each of the proposed provisions was legal in light of the current convention. She recognized the fact that there were already consequences, but certainly a waiver or agreement to any consequence that had been made previously did not equate or amount to further agreements or such waivers moving forward. It was necessary to examine each policy proposal, especially those that might have a consequence on nations with separate intent and to ensure that they were acceptable, or else the Americas would continue to raise those objections. She looked forward to participating in the discussion group with the parameters that she had already articulated.

MR DE VOS wished to have a better understanding of that discussion, because it seemed to be going further than merely looking at potential sanctions in the event of voluntary withdrawal of funding. First of all, he agreed with WADA's position as voiced by Mr Wenzel that, before asking for legal advice and starting to spend the organization's money (which was apparently not secure in full), perhaps people should start to agree on the proposals. As he understood from the documents, at that time there was no proposal for sanctions because the fines and interests had been withdrawn. The only sanction, as mentioned by Mr Wenzel, was laid down in the statutes of WADA and affected only those nations that had effective representation on the Executive Committee or Foundation Board or other committees. The sport movement would perhaps suggest that the public authorities sit down together and think about what they wanted, because there were no longer any representatives of the public authorities in that working group as they all had resigned. He recalled the history of that organization, which public authorities, governments and the IOC had decided to create to fight against doping. That was its core business. That was why it had been created, and all had agreed to work together and fund that organization. He believed that many improvements had been made over the years. He had heard a lot of criticism but recalled that, only very recently, a second or third revision of the governance structure had been concluded. Other layers of good governance had also been created in that organization. He therefore felt it was a solid organization that did the work it had to do despite criticism. That was normal in the field of anti-doping, where there was a very broad risk of fraud, corruption, doping and match-fixing. WADA was working to tackle that and was not always free from criticism. Of course, there would be criticism from the outside world about how things were done, and people would be upset because one day they or their friends would be affected by the measures taken and the fight undertaken. So it was not a friendly organization in the end. But it was important not to forget the essence. On behalf of the sport movement, he invited the public authorities to see if they all agreed with what had been said there that day and, if they really felt it was all that voluntary and not sustainable, it was probably necessary to look at how work could go further in the organization. He realized that that went beyond the topic under discussion, but wanted to invite the public authorities to consider that and give a clear message to the sport movement.

MS MARACINEANU wished to follow up on Mr De Vos's remarks. She had been a member of the Executive Committee for three years and also spoke on behalf of the Council of Europe, which was the cradle of anti-doping. That was where the initial agreement had been signed between the sport movement and the member states. Mr De Vos was quite right to reflect on the origins. As she had said the previous day at the One Voice meeting, she did not want to see a situation in which the country that would host great Olympic Games in four years' time was cornered and put in a position of opposition with the other member states. All members must respect ethics and show integrity. All had the opportunity to be part of an organization that had chosen to exist 25 years previously and, for that organization to be able to work, contributions had to be paid so that the work could be done in the best possible conditions. She had seen and appreciated the professionalism of the work done throughout the time that she had been attending meetings at WADA. It bothered her that, unilaterally, the terminology was to be changed. Of course, one could discuss what was a mandatory or voluntary contribution. There could be basic contributions without which the organization would have to close down. On top of those basic contributions, one could consider voluntary contributions. If a country was in difficulty, one could look for other sources temporarily. As Ms Cessouma from Africa had just pointed out again, many African countries

were in economic and financial difficulties. She was sure that solutions could be found jointly, but she really did not see how one could possibly just withdraw and choose not to follow the rules of play unilaterally. In a family, one could not simply say that one was withdrawing from all family responsibilities and that the others could go on alone. That was simply not possible or acceptable. She congratulated the WADA management for having put the interests of the athletes in the spotlight and for having worked unstintingly for better structures and better governance. Of course, WADA was not perfect. There were certain weaknesses. It was necessary to listen to one another and to strive for perfection as far as possible. It was necessary for all to cooperate hand in hand. The working group, under the chairmanship of an independent person, with the support of the One Voice group, would carry out good work. That working group had to start its work as soon as possible. She was sorry to see that the One Voice or public authority representatives had not always been able to take part. CAHAMA felt that the work already done, which had not yet been made public, should be reviewed and then continued. The One Voice representative had already said that it was necessary to recommence work on that matter. It was important to ensure that UNESCO be part of those discussions. UNESCO seemed to be the one organization that was suffering most financially, but WADA had to continue working hand in hand with UNESCO. UNESCO had a real role to play in the fight against doping. She urged the members to accept the basic contribution concept as a rule of play.

THE DIRECTOR GENERAL wished to summarize that point and move forward. He thanked Ms Maracineanu for her comment. WADA would wait to receive the nomination from the public authorities for two members of that group. Then he would suggest that the group meet and discuss the next steps and the various interactions it wanted to have with the different bodies, and take it from there. The result mentioned regarding having access had not been part of that working group. That had been a consultation on Code amendments. The idea was to give it to that group to review and decide upon. Going step by step, the first step was to have two nominees from the public authorities for that group so that it could resume its work.

THE CHAIRMAN recalled that the discussion had started more than two-and-a-half years previously. A few months previously, the discussion had almost been finalized with solutions on the table and proposals approved by the previous working group. The only controversy had been regarding the fines. Therefore, he did not understand why the discussion should be launched again from the very beginning, since the matter was very close to completion with a document to be approved. The new working group with the representatives from the public authorities and sport movement side would be able to close that chapter and finalize the discussion very soon.

DECISION

Voluntary withholding of contributions to WADA's budget
by governments update noted.

4. Chinese swimmer contamination case

- 4.1 Recommendations on a roadmap from the Executive Committee Working Group on the Cottier Report Implementation

THE CHAIRMAN gave the floor to Mrs Battaini-Dragoni, the Chairwoman of the Working Group on the Cottier Report Implementation, to present the report.

MRS BATTAINI-DRAGONI greeted the members of the Executive Committee. In her capacity as Chairwoman of the Working Group on the Cottier Report Implementation, it was her pleasure to present the report, which contained a roadmap to address the findings in the Cottier report as well as the World Aquatics report. The working group had convened three times since its establishment in September 2024. Throughout its work, the group had endeavoured to ensure that the proposed roadmap and timelines would allow sufficient time for consultation with the stakeholders and internal teams of WADA, bearing in mind the importance of moving forward while allowing proper consultation to take place. She thanked the members of the working group, Mr Lalovic, Dr Gupta and Mr Pini, for their work, and also wanted to thank those supporting the working group. She thought the work had been conducted in the right spirit of collaboration, in the interest of making the system better and learning from the findings of both reports. Going forward, regular updates would be provided by WADA's management to the entire Executive Committee. She therefore thought that, if the report was approved, the work of the group would be completed.

The group had also examined the recommendation to implement an alarm system in ADAMS. Before coming to that, she wished to take a closer look at the specifics of the recommendations. The report firstly examined Mr Cottier's recommendation regarding WADA's filing system. In that respect, the working group acknowledged that the Legal Department had made major progress since 2021 and had already been able to address most of the improvements proposed by Mr Cottier, in particular by turning to a more advanced digital

solution to record and access result management data. That said, it thought that such important work should be pursued and suggested further improvements to the result management database. Those related in particular to developing additional protocols as well as automation capabilities of the database. That progress should be reported to the Executive Committee in March 2025.

On the recommendation to establish criteria on which the Intelligence and Investigations Department based its decision on whether or not to involve itself in a particular case, the working group was of the view that triage and prioritization should be developed to ensure that the department focused on cases that presented the most significant risks. In the interim, the implementation of a provisional process to ensure the transmission of high-risk cases to the Intelligence and Investigations Department would be a key action pending completion of the project. It was also proposed that someone be responsible from the Intelligence and Investigations Department to ensure interdepartmental collaboration for complex cases.

The group had also examined the recommendation to implement an alarm system in ADAMS to support WADA in monitoring result management in terms of deadlines. In that respect, it suggested defining a triage and prioritization system, ensuring that resources were focused on the highest-risk cases. That approach should also include setting up, in the short term, an alarm in ADAMS as an interim solution until a more comprehensive system was in place.

Furthermore, the working group had reviewed the many recommendations in the Cottier and World Aquatics reports relating to anti-doping rules and policies. In that respect, it had identified several changes that could be incorporated into the World Anti-Doping Code and international standards, notably the recourse to an independent expert review in situations where an anti-doping organization with result management authority decided to take no action on an adverse analytical finding which would otherwise be required by the World Anti-Doping Code. All proposed changes and considerations were outlined in the report and had been submitted to the 2027 World Anti-Doping Code and International Standards Update Drafting Team. There would be a comprehensive presentation from the Code drafting team later that day, but the working group was very pleased and comfortable that all elements from both the Cottier report and the World Aquatics report had been taken on board by the Code review team and would be part of the Code and standards revision process. That meant that all stakeholders would have an opportunity to comment and make suggestions on those proposals as part of the normal Code and standards revision process.

Furthermore, the working group had discussed the US suggestion that a pilot project for an independent expert review could be implemented before the entry into force of the 2027 World Anti-Doping Code on a voluntary basis, and recommended that it be done when legally feasible.

Finally, the group had also examined the recommendation from the World Aquatics report regarding the conflict of interest perceived by athletes when national anti-doping organizations were in charge of supervising their own athletes due to take part in international sports events. While it acknowledged that the 2027 World Anti-Doping Code would incorporate more robust provisions for operational independence, it believed that that important issue should be further analysed by a specific working group. The report provided more details to that effect.

Publication of no-fault decisions and protection of athletes' personality rights had also been discussed, and the Code team had also been entrusted to look at those confidentiality issues.

On that note, she hoped that the recommendations in the report would meet with the approval of the Executive Committee. She thanked the Executive Committee and would be pleased to answer questions addressed to her or the other members of the group. Her presentation had been a little long because it was such important work, and she hoped that the main outcome would be an understanding that what had happened during those three meetings would give WADA the possibility to develop the necessary steps quickly over the following two years at least, in order to show that, when there were difficulties, solutions could be found.

THE CHAIRMAN thanked Mrs Battaini-Dragoni and all members of the working group for that report. The group had not had much time to draft that comprehensive report and had worked very hard on it. He appreciated the recommendations, conclusions and proposals and was sure that the report would strengthen the anti-doping system and WADA.

MS GROSSENBACHER thanked the Chairwoman of the working group for her leadership in that very important exercise. She also thanked the WADA management, which had provided expertise and indispensable support to the work of the working group and, of course, Mr Richard Young with his great knowledge of the Code for all those years. She echoed the Chairwoman's observation regarding the collaborative approach of the working group. That was extremely important and had contributed to the success of the working group to reach a recommendation on a consensus basis. From the sport movement's perspective, she also wanted to

underline that it showcased how WADA could be made stronger when all actors were working collaboratively and given the opportunity to listen to different opinions and building on those opinions. She supported the recommendations tabled but had a few observations to make.

She wanted first to underline the importance of continued work with the Code review team on public disclosure and contamination, but also the independence of anti-doping programmes and the perceived independence of NADOs. Those were important points. The other point that the working group did not have an opportunity to touch upon was the cost, both financial and in terms of human resources. She would welcome an analysis from WADA the following March on the implication for the organization of the cost and any other priorities that had to be reviewed based on those new recommendations. Furthermore, that topic had been under consideration since April 2024. A lot of work had been conducted and many experts had provided support to WADA throughout that process. The sport movement wished to understand the overall cost of that for the organization. She concluded by underlining the potential of all working constructively together and hoped that the example set by that working group would be followed in coming years.

MS SEGUIN wished to echo the sentiments expressed by the colleague from the IOC and congratulate the chair, Mrs Battaini-Dragoni, on her excellent chairmanship during the duration of the working group. She highly appreciated everyone's participation. It had indeed been a collaborative environment, and she was speaking on behalf of the public authorities. She appreciated the input through the USA and with Japan as an observer, and on behalf of all public authorities was pleased to support the working group's report and all of its recommendations. She further noted that members were looking forward to hearing updates at each subsequent Executive Committee meeting on the progress that WADA was making with respect to the recommendations as per the timeline provided. During the One Voice meeting the previous day, there had been questions as to the request made at the previous Executive Committee meeting that the annexes to the Cottier report, whether they had been made public with the required redactions and if those annexes could be sent to members who had not had the chance to examine the documents that had been made available there. She would appreciate a response to that.

MS MARACINEANU wanted to thank Mrs Battaini-Dragoni, Dr Gupta, Mr Pini and the others who had provided their support. She had received the report just prior to that meeting, so CAHAMA was not able to speak with a single voice in terms of an agreement and approval on a final basis. In any event, as suggested, she agreed that at each Executive Committee meeting there should be a report on the roadmap, and that the roadmap should be fleshed out as the work continued. She also supported the request made at the previous Executive Committee meeting on greater transparency on the annexes to that report. The annexes were available to members of the Executive Committee; but, as WADA had noted, with the downloads and availability and also the specific skills of the Executive Committee members on that topic, she supported the idea that the annex be made public after being anonymized.

MS CESSOUMA wished in turn to congratulate Mrs Battaini-Dragoni and her group on the excellent work carried out. She was very pleased to see that WADA was on the right path when it came to solving that matter. She thought that the recommendations had been clear. The working group had done excellent work and complied with the recommendations and the roadmap. It was a bit unfortunate and frustrating to see things coming up time and time again, but matters seemed to be on the right path. She supported the recommendations set out in the report and proposed taking account of the comments made and then winding that matter up, to be in a position to say that everything had really and truly been dealt with.

MR PINI wanted to express the gratitude of the athletes for their voice in that working group, and commended the work with the Executive Committee members and the experts in the field of anti-doping, which had been a very big eye-opener for him, but he appreciated the athletes' voice in that space. He wanted to briefly mention NADOs' operational independence, which was specified in recommendation 6.2, and the structure of various NADOs and the impact of good governance. That had been a topic of discussion within the Athlete Council on the development and capacity-building of athlete representation in anti-doping, and in particular with NADOs as that related to the action plan and was a step towards good governance. Operational independence should be supported by a good governance structure. Certain areas of the World Anti-Doping Code could be strengthened. Also, by incorporating governance-specific requirements such as best practices and strengthened compliance, the Code could promote more consistent, transparent and accountable governance across all anti-doping organizations. He supported the creation of a working group on that matter, and looked forward to the outcomes thereof.

MS BENNETT also wanted to thank the working group, particularly Mrs Battaini-Dragoni for chairing the working group so ably, and the group generally for its dedication to ensuring that WADA had been able to develop tangible learnings from the experience of the previous eight months. It was obvious to anyone who read the report and appreciated that it had been prepared in such a short time frame that an incredible amount of

work and effort had been put into that process. She was grateful to Mrs Battaini-Dragoni and everybody who had been a member of or involved with the working group. She particularly appreciated the fact that the working group had specified a timeline and a programme for further action, and had mapped out the progress so that the Executive Committee could be kept well-informed of progress on planned initiatives. It went without saying that she similarly supported the recommendations in the report. She had some queries about what the triage and prioritization framework would embody, and also how the independent review expert process might operate. She was particularly concerned to ensure that NADOs and ADOs did not defer to an independent process in dereliction of making their own decisions, but she understood that that was something that was being developed as the work progressed and further information would be made available in relation to each of those processes in due course. She looked forward to understanding and reading more about that.

Again, she appreciated that the report was reflective of an early stage of progress, but she had a couple of other questions that picked up on Mr Pini's comments about the NADO operational independence issue. There were also some recommendations that were directed at operations of ADOs, including timeframes within which ADOs were required to do certain things, for example, notifying athletes and imposing provisional suspensions. Her question was whether ADOs had had any input into the working group to be able to confirm whether those timeframes were achievable, particularly for less-resourced ADOs. Similarly, in terms of the proposed ongoing working group for NADO structural independence, was it intended that a NADO would be a member or involved and provide input into that working group? If not, perhaps that would be worth considering, rather than the working group being composed only of Executive Committee members.

Her final question was in relation to the references made in the report, of which she thought there were at least two, to WADA conducting a holistic analysis of the issue of contamination with respect to public disclosure of no fault and negligence cases. Did the working group have something in particular in mind there, or was that an issue that was being referred to the Code review team?

She would conclude her intervention by once again thanking Mrs Battaini-Dragoni and all of the members of the working group for their extraordinary work in pulling that together so quickly.

THE CHAIRMAN gave the floor to Professor Rabin to address the issue of contamination.

PROFESSOR RABIN stated that, as Ms Bennett had remarked, one of the outcomes of the Cottier report was that WADA was in the process of establishing a working group on contamination. Members were perhaps aware that WADA already had a group on contaminants known as the Contaminants Working Group, which was essentially a very technical working group composed exclusively of lawyers and scientists. That group focused on the technical aspects of contamination. Members had seen the outcomes in the past few years when WADA had made very concrete proposals to establish minimum reporting levels for some diuretics, for example, or for some anabolic steroids that were used as growth promoters in some regions in the world. The new group on contamination would take a more holistic approach to the matter. Its composition would reflect the multidisciplinary aspects of the contamination issue and would include athlete representation. He expected the proposed composition of that group to be presented to the Executive Committee in a few weeks.

THE DIRECTOR GENERAL said that he would address the question of cost and then one or two points raised by Ms Bennett. With regard to the overall cost of the Chinese saga, if he could put it like that, his first remark was that it was not yet over. The ongoing cost at that time amounted to way above half a million US dollars, generated mainly within the USA. There had been numerous letters from the US Senate and US Congress and there was currently an ongoing investigation from the US Department of Justice, which had required WADA to take a lot of action. There was also work done by Mr Cottier and the experts he had hired, and that was without factoring any human resource costs in. Many people within WADA had been working almost solely on that matter since April of that year, which had taken a lot of resources away from other important projects and entailed a significant cost for the organization. That was the cost of that exercise.

In answer to Ms Bennett's questions on the deadline and whether the ADOs had been consulted, that would be part of the Code revision process. The new proposal and new deadline would be part of the consultation process. All of the members would have the opportunity to comment on that in the next round of consultation. A discussion would have to be held on the composition of the working group on independence but certainly there was the NADO Expert Advisory Group and one of the members could be involved in that work.

MR WENZEL responded specifically to the point raised by Ms Bennett that, as the Director General had said, any proposals that fed into the next draft of the Code would, of course, be submitted for consultation. There were representatives of the community, for instance, the general counsel of the International Paralympic Committee, who sat on the revision team. Specifically, at the last meeting of the Code team, a discussion had been held on whether the ten-day deadline for the imposition of a provisional suspension was a realistic one. That was still being discussed by the Code team. Those matters were not set in stone and would be subject to

consultation. The question of publication of no-fault cases, whether contamination or otherwise, was something that had been on the table before the Chinese case had emerged. The draft envisaged that, in cases other than perhaps those that entailed necessary disqualification because there was an in-competition sample, the rule would be against publication. Again, that would feature in the next draft of the Code, which would go out at the beginning of the following year, by late February, he thought. Further comments would be received through the consultation. Specifically on the publication or not of the annexes to the Cottier report, those had been made available physically to members, albeit, of course, for a limited period of time in Belek. Because of that, they had then been made available online and he thought still were, or at least had been until recently for a period of some two months. WADA had nothing to hide from the members of that committee. It had made those available. The view that WADA took was that the annexes, which were quoted at length in the final report, were to the extent necessary for the comprehension and understanding of the report set out in the report itself. Members would have been able to satisfy themselves that that was the case. There was nothing material missing, as he had said in Belek, because it had been the wish of the WADA management, endorsed by that Executive Committee, that the final report be published. It was of course recognized that the report contained personal information and there had to be a legal basis in order to disseminate that information. That question had been raised with the data protection counsel, whose view was that, whereas the publication of the final report was appropriate, necessary and proportionate, that would not necessarily be the case for the annexes. If there were to be a proposal to publish the annexes, specialized counsel would have to review them with a fine-toothed comb. That exercise would take time and would cost significant resources. He reiterated that members had had the opportunity to satisfy themselves that the annexes were included in the report as they were integrated and referred to in the report to the extent necessary. He therefore queried whether it was necessary at that stage, given what had been said about the emphasis being on implementation, lessons learned and looking forward.

DR SANGENIS congratulated Mrs Battaini-Dragoni and the entire team, group and WADA staff who had collaborated in producing the detailed material in that roadmap in such a short time. Listening to all the statements made that day, it was necessary to work together constructively, looking to the future. She welcomed the decision to set up a working group on contamination. As had been discussed with Professor Rabin, that was a major issue for the present and future of WADA. There had been a cost impact of the issue regarding the Chinese athletes and, as the Director General had said, the matter was not yet closed. The cost was not only financial but also of human resources. Contamination had been a topic for many years for WADA. The difference at that time, in her opinion, was that contamination was a public matter. Many people in various countries read about that topic in the media and it was at that time a widespread discussion. She therefore welcomed WADA's decision to create a new group on contamination, not only a technical group, but a holistic group to address that matter from that time on. As she had said at a previous meeting, contamination had to be a topic in education forums everywhere, at every instance regarding WADA. She looked forward to updates from that working group.

MS MARACINEANU noted Mr Wenzel's comments about the annexes and the consultation of the annexes, which were indeed online and would remain online for some time. She would look into that so that the members of Executive Committee could spend their Christmas holidays reading through the annexes. She stressed that it was rather complicated. Much time had been spent looking through the documents and participating in meetings on a voluntary basis. The people who supported WADA and who were paid for that through the various institutions also had access to those documents. She took note of the fact that it was important to be able to publish those facts, a legal position on that point was needed and, perhaps at forthcoming meetings, the Executive Committee members could take a decision if they had had time to look through the annexes in the meantime.

THE CHAIRMAN noted that there were no further comments or questions. The costs to WADA of that case, which was ongoing, as the Director General had remarked, were at least half a million US dollars but were slowly approaching 700,000 US dollars, he thought. Regarding the annexes, they were still available online; therefore, it was possible to read those documents. Publication of course required a legal analysis to avoid any legal issues. A summary would be drawn up in the coming weeks of the additional costs to WADA of making them public. It would then be possible for the Executive Committee to decide whether or not to make the annexes public, with the knowledge of the costs and legal implications. He appreciated the very comprehensive discussion on that matter. To conclude that agenda item, he asked for the record if the Executive Committee agreed to the recommendations of the Working Group on the Cottier Report Implementation and therefore supported publishing the working group report.

MR MISKIMMIN also wished to compliment the working group on behalf of Oceania, both on what it had achieved and the model for the future, in agreement with the comments made by Ms Grossenbacher. Having said that, he believed there were lessons from the Chinese case beyond the Cottier report that should be examined for further improvement. As had been his position right from the start, he was interested in the role

that the Executive Committee played in exercising its governance duties and responsibilities in matters of reputational risk and a sensitive nature, as the Chinese case was. Decisions had been made on behalf of the Executive Committee, for which it was accountable, without the Executive Committee's input or consideration. It was hard to be accountable for something without having had the opportunity for oversight or consideration. He noted from the papers that the new Risk and Audit Committee had also highlighted that it might look at lessons from the Chinese swimmers' case. He would perhaps make the recommendation that it examine the governance improvement issue in its deliberations.

THE CHAIRMAN thanked the members for their comments.

DECISION

Chinese swimmer contamination case and recommendations from the Working Group on the Cottier Report Implementation approved.

5. Governance

- 5.1 WADA president and vice-president election 2025 – Process update

THE DIRECTOR GENERAL informed the members that the item recapped the election process for the WADA president and vice-president. The process had been adopted unanimously by the Foundation Board the previous May through circulatory vote. The members had the recap of the key dates in their binders. The Independent Ethics Board had nominated one of its members, Ms Ana Tuiketeti of Fiji, as scrutineer. The call for interest was open and had been published on the WADA website on 2 December 2024. The process was under way. The members had the 31 January 2025 application deadline, various documents and procedures and he did not think he needed to say anything more on that.

THE CHAIRMAN confirmed that he and the Vice-President had decided to run for a final term of office. They faced a lot of challenges and difficulties but he thought that, overall, thanks to the good collaboration among the members, WADA was heading in the right direction. That was why he had decided to continue the mission together with the Vice-President. He informed the members that, the following day during the Foundation Board meeting, he and Ms Yang would confirm again publicly that they were going to submit their applications to continue their mission.

PROFESSOR ERDENER noted that the sport movement fully supported the continuation of the Chairman and Ms Yang as President and Vice-President of WADA.

THE CHAIRMAN thanked Professor Erdener for his comments.

DECISION

WADA president and vice-president election 2025 process update noted.

- 5.2 Executive Committee and Foundation Board memberships

5.2.1 Executive Committee 2025 composition

5.2.2 Foundation Board 2025 composition

THE DIRECTOR GENERAL noted that the Foundation Board would actually vote for the members of the Executive Committee the following day. The updated list had been received and circulated, and would be projected on the screen the following day for the Foundation Board to vote. He did not think that there was anything further to add to that.

For the Foundation Board, an updated list had been circulated. The following day, whatever list there was would be validated by the Foundation Board, and then any subsequent additions or changes would have to be approved by circulatory vote. That was mainly a housekeeping matter, and the decision would be for the Foundation Board in early 2025.

DECISION

Executive Committee and Foundation Board membership update noted.

- 5.3 Permanent special and standing committee compositions 2025

5.3.1 New or renewed standing committee members 2025

THE DIRECTOR GENERAL informed the members that, as always, the Executive Committee had to approve the composition of the three standing committees of WADA: the Education Committee, the Health, Medical and Research Committee and the Finance and Administration Committee. The members had the list of members among their documents and the background of the candidates had been made available for those who wanted to check that. The list reflected the recommendations of the chairman of each committee after discussion and consultation. Overall, looking at the balance of the committees, all of the regions were represented. There was a majority of women overall. There was a pretty equal number of members who were sport movement, public authority or independent members. There were 26 athletes and 10 NADO representatives, so the composition of the groups was pretty balanced. The members were being asked to formally approve the composition of the committees for the following year.

MS GROSSENBACHER spoke on behalf of the sport movement to confirm its support for the composition of the standing committees. The sport movement would, however, like WADA to consider having ITA representation either on the Health, Medical and Research Committee or the Education Committee. The expertise that the ITA had developed and the fact that it was supporting more than 60 sport organizations could provide valuable information and expertise to the standing committees and to WADA as a whole. She would appreciate it if consideration could be given to that in the future.

THE CHAIRMAN asked the members for the record whether they agreed to approve the new or renewed members of the 2025 standing committees, namely the Education Committee, the Finance and Administration Committee and the Health, Medical and Research Committee. He thanked them very much.

DECISION

Proposed new or renewed standing committee members 2025 approved.

5.3.2 Compliance Review Committee composition 2025

MS SMITH-GANDER noted that the members had the paper on the composition of the Compliance Review Committee appointments for 2025 to 2027. She recalled that the Compliance Review Committee was a permanent special committee that provided guidance and recommendations to the Executive Committee. It had three independent experts, a sport movement nominee, a public authority nominee and an athlete nominee. Two members' terms were ending at the end of that calendar year. They had served a number of terms and were therefore ineligible for reappointment. They were Ms Barbara Leishman, who was also the vice-chairwoman and independent member, and Mr Tom Dielen, who had been the nominee of the sport movement.

The role of the Nominations Committee was to identify and vet candidates, and make a recommendation to the Executive Committee for the independent member position. For the sport movement position, its role was to vet the candidate nominated by the sport movement and then also make a recommendation to the Executive Committee. A position profile was developed by speaking with the committee chairman, people within the WADA Management and members of the Nominations Committee. That profile was then used to develop a targeted selection interview guide and to conduct a number of interviews. She had talked about those on previous occasions. All interviews were recorded with the permission of the interviewee. The candidate and two members of the Nominations Committee were involved in each interview, but everybody was allowed to review the video interviews afterwards. Reference checks were then conducted with at least two referees provided by candidates. Again, they were video recorded. In parallel with that, for shortlisted candidates, the Control Risks group conducted a vetting process and submitted a report which would cover background checks, checks of financial probity, media checks and educational qualifications.

In that particular process, the candidate should have demonstrated experience at a very senior advisory or decision-making level in very complex compliance and regulatory matters, or have legal qualifications comprising good exposure to litigation or dispute resolution. Obviously, the person had to have advanced English language skills, be able to effectively communicate and present decisions with their colleagues and be able to work collaboratively. They should also be interested in sport integrity and have strong cultural awareness and the ability to be athlete-centred. In the process conducted, 47 applications had been received from an open call, which was determined to be a very adequate candidate pool. Five candidates had been retained for interviews, which was felt to be a very appropriate number for one open seat. Two very highly qualified candidates had been found whose references had been checked and Control Risks vetted. There was one final candidate, whose name was in the papers recommended for appointment.

With regard to the sport movement member, an initial nomination had been received very early from the sport movement, which she appreciated. Unfortunately, during the vetting process, the candidate had been prompted to withdraw due to pressure of work in another area. In early November 2024, a new nomination had

been received and work had proceeded very quickly to look at that person's curriculum vitae, understand their independence and receive a Control Risks vetting report, which had raised no concerns. That process had been completed in a truncated time.

The proposal for appointment as an independent member of the Compliance Review Committee was Mr Nicholas Griffin KC. He was a leading British barrister and King's Counsel and had extensive experience in sport regulation, investigation and review. He had served on the board of UK Anti-Doping from 2017 to 2023 and had been chairman of its audit and risk committee and vice-chairman of its board. As such, he had extensive experience in anti-doping and compliance at both international and NADO levels. He was a member of the United Kingdom Security Vetting Appeals Panel, which had very similar processes to WADA's Compliance Review Committee, and was certainly somebody who had all the necessary competencies and an interest and ability to potentially take a leadership role in the Compliance Review Committee in the future.

As noted, Ms Barbara Leishman was the Vice-Chairwoman, but Mr Henry Gourdji, the Chairman of the Committee, would be coming to tenure in the shorter term also.

For the sport movement member, the proposed appointment was Mr Andrew Ryan, who was the Executive Director of the Association of Summer Olympic International Federations and had been such for 18 years and obviously had a wealth of experience from his work with various international federations and a truly extensive knowledge of the Olympic Movement. He was also well advanced in his knowledge of anti-doping and compliance, and would be known to many of the members as a regular attendee at Executive Committee and Foundation Board meetings. He had participated in many WADA working groups, and his mandate with the Association of Summer Olympic International Federations would end on 31 December 2024, so he would have the availability to dedicate to Compliance Review Committee work. She thanked everyone for their collaboration and cooperation in those processes and was pleased to propose the appointments of Messrs Griffin and Ryan. She would be happy to take any questions.

THE CHAIRMAN saw no requests for the floor. He asked if the Executive Committee approved the appointment of Mr Nicholas Griffin of the United Kingdom, replacing Ms Barbara Leishman of Switzerland, as an independent member of the Compliance Review Committee for a three-year term commencing on 1 January 2025, and of Mr Andrew Ryan of the United Kingdom, replacing Mr Tom Dielen of Belgium as a sport movement member of the Compliance Review Committee for a three-year term commencing 1 January 2025.

MR DE VOS stated that, in his future position and current position, he wished to abstain with regard to Mr Andrew Ryan's appointment.

THE CHAIRMAN noted the abstention. The decision was approved.

DECISION

Proposed Compliance Review Committee composition 2025 approved.

5.3.3 Nominations Committee membership terms ending May 2025

MS SMITH-GANDER noted that two of the members were up for reappointment: Mr Kelly Fairweather, who was the nominee of the sport movement (and the sport movement had re-nominated Mr Fairweather), and Ms Regine Buettner, who was an independent member. She regarded both of them as well-performing members of the Nominations Committee and was recommending their reappointment. They were both prepared to serve for a further three-year term each. She would note that the Nominations Committee had been working together since late 2019 without any real change to its composition, and believed that that would be the last term for Ms Buettner, who was an expert in the area of human resources and had been a great contributor to the committee. The committee would be seeking to replace her at the end of her term. She would be happy to take any questions or comments on that matter.

THE CHAIRMAN saw no requests for the floor. He asked if there were any objections to placing the renewal of the independent member, Ms Regine Buettner, and the sport movement nominee, Mr Kelly Fairweather, on the March 2025 agenda.

DECISION

Nominations Committee membership terms ending May 2025 noted.

- 5.4 Independent Ethics Board biannual report

PROFESSOR HARTLEV stated that, on behalf of the Independent Ethics Board, she was grateful to have the opportunity to give the distinguished members of the Executive Committee a brief update of its activities over the past six months, and also to provide some insight into future priorities.

On the first slide, the members would see the members of the Independent Ethics Board. As some of them might recall, the board had been established in 2021 following governance reforms with a view to implementing the WADA Code of Ethics, which was also part of these important governance reforms. The task of the Independent Ethics Board was first and foremost to investigate and adjudicate cases arising regarding non-compliance with the Code of Ethics and, of course, also to instil a culture of ethics in WADA and support that culture of ethics through education and communication. The Independent Ethics Board met regularly every four to six weeks to keep up with ongoing commitments, and had also been able that autumn to have a nine-hour virtual meeting (luckily spread over three days in a week) to be able to focus on the development of various important documents. The Independent Ethics Board was in the third year of its mandate, and the focus that year had primarily been on important aspects of case management. By the end of the previous year, the first panel to adjudicate the case had been appointed, and that panel had just recently completed its work with the final decision and report. The Executive Committee had been involved in the reconsideration process. The Independent Ethics Board had learned a lot about the interpretation and application of the Code of Ethics and its procedures, and had also experienced areas in which more clarity was needed. That was something that would be discussed with the Foundation Board the following day, when potential amendments to the Code of Ethics would be considered.

That year, the first complaints regarding staff members had been received, and that had also been a very interesting experience, because they would follow a different pathway to non-staff members. It would not be the Ethics Officer who would investigate the case; it would be handed over to the staff ombudsperson. What had been learned through that process was, among other things, that it was necessary to provide more information about the different complaints pathways, on the reporting platform and also on the website and in the Code of Ethics. There was a completely different framework regulating the staff pathways which related also to labour law regulations and disciplinary rules and internal staff policies, which had to be respected.

So, based on that overall experience, a process had been developed. A process map and procedural guidelines had been developed. That was what the Independent Ethics Board had spent its nine-hour virtual meeting doing. It had also identified a number of areas in which amendments and revisions of the Code of Ethics were necessary. That was also a part of the second annual review of the Code of Ethics. In that respect, the Independent Ethics Board had also profited from very smooth and valuable collaboration with the WADA Ethics Officer, Mr Gautier Aubert.

Apart from being involved in case management, the Independent Ethics Board had also appointed election scrutineers, both for the election of the Athlete Council that autumn and for the future elections of the WADA president and vice-president.

However, the task of the Independent Ethics Board was not only to adjudicate cases when they occurred, but first and foremost to prevent cases from occurring through communication and education. Within the Independent Ethics Board, there had been a continuous focus on how to best nurture a culture of ethics within WADA, and what could be experienced the following year was a brand new module in ADEL, an e-learning module that had been developed in close collaboration with the Independent Ethics Board Subcommittee on Education and Communication and WADA's Education Department. It would be for all WADA officials to complete, and it would also be part of the annual governance package, which was received every year in January. She wished to take the opportunity to warmly thank the Education Department staff for their very dedicated and extremely professional work on the module, and also Ms Samantha Dubois for coordinating and keeping all the threads together in that work. As the members could see on the slide, virtual training sessions would also be proposed. They would be offered to the Executive Committee and the Foundation Board, as well as to the chairmen of other committees and expert advisory groups. She hoped that that would help to nurture the culture of ethics within the organization.

She would give the members a preview of the ADEL learning module. She had had the opportunity to look through it some weeks previously, and she had also taken a look at it that morning. She was personally so impressed by the work that the Education Department had done. The members would see from the slide that it was actually about instilling a culture of ethics. The overall purpose was to recognize and spread awareness about the principle of ethics and the values of ethics that underpinned the entire organization. It was organized in six different modules, going through six different steps, with an initial focus on the organization as such. It was then possible to go more into the details. Users would be confronted with examples where they had to

make a choice about what was going on, what kind of ethical principle was involved, and whether they thought that there was a violation of the Code of Ethics. It was very interactive and she thought that it could be used as an example in terms of how to make such e-learning modules in an area in which it was actually quite difficult to communicate.

She thanked the members for their attention. She would of course be happy to receive questions and comments.

THE CHAIRMAN thanked Professor Hartlev for her presentation.

DECISION

Independent Ethics Board biannual report noted.

- **5.5 Risk and Audit Committee chairman's report**

THE CHAIRMAN stated that the Risk and Audit Committee Chairwoman Nathalie Bourque had been unable to join in person and had also apologized as she could not present virtually. Therefore, Mr Kejval, who was a member of the Risk and Audit Committee, would present the report on her behalf.

MR KEJVAL said that he would try to be clear and quick. First of all, that was the first report to the Executive Committee from the Risk and Audit Committee (RAC), which had been created as a part of the broader governance reforms. Its mission was to provide expert, independent advice to the Foundation Board and management on financial reporting and risk mitigation. Ms Nathalie Bourque was the Chairwoman of the RAC, Mr Kashif Farooq was the Vice-Chairman, and he was the third member of the committee.

In 2024, there had been a number of activities carried out within the terms of reference. On a quarterly basis, the committee monitored profit and loss, balance sheets and all the statements, not only quarterly, but also for the year to date. It was also necessary to ensure that the year-end financial statements were in line with the IFRS and Swiss GAAP, which were the requirements from the auditors and from the stakeholders. The other point was that the committee had recommended the reappointment of the external auditor, which was PricewaterhouseCoopers. That recommendation had been approved in June 2024 by the Foundation Board. It had also looked at WADA's current risk management practices and since the two other members were independent experts specializing in financial audits, they had had to familiarize themselves with the agency's rules and responsibilities, as well as the various actors and dependencies in the broader anti-doping system.

The committee had been looking ahead. The first point was that the RAC had been satisfied with the WADA processes, with minor recommendations made for improved practice. The focus would henceforth be on the expansion of risk management activities. The RAC hoped to enrich existing finance procedures and support the maturation of WADA's organizational risk management process, which regularly mapped general risks and business continuity and considered various mitigations and controls.

The last part was that the RAC had been briefed on many risk areas. However, there had been interest in several areas in particular. The first one was and continued to be WADA's efforts in cybersecurity and the inherent threats WADA faced in that space. It had focused in particular on the Olympic Games in Paris. There had been serious warnings and information that WADA might be subject to a cybersecurity attack. A lot of steps had been taken, including stress tests and risk evaluation conducted by Deloitte. The committee had made the arrangements. He was very proud and appreciated what had been done by the WADA management and in particular the IT Department. There had been threats and problems, but WADA had survived. That was thanks to all the effort and all the investment. The money had been well spent. He offered his congratulations. However, as the members were aware, cyber-security problems did not end with the Olympic Games. That was what he had to say on the daily business.

The second area was financial stability and the role of private funding. It was a very interesting theme and especially so given that the members would be hearing about the situation with financing. The RAC had asked the Director General and management to provide a contingency plan, since WADA had not received for two consecutive years the contribution from Russia. He welcomed the alternative plan, which was important. He thought that there would be a discussion in the afternoon about that. He did wish to stress the discussion that had taken place in the morning regarding the possible contingency risk. If WADA did not receive funding over the coming years from Russia and from the USA, the organization would not be able to function as it currently did and it would be necessary to make serious structural changes. He echoed the request made at the beginning by Mr De Vos for the management to define the core activities, so as to be able to determine where changes could be made. Honestly, he hoped that that would not happen and that a solution could be found.

The last area to focus on was the lessons learned from the Chinese contamination case as they related to the agency's reputation. He wished to place a lot of focus on that in the future, not only for that case, but in general for other similar cases. Given the real and perceived risks associated with the Chinese contamination case, the Risk and Audit Committee would like to review WADA's current practices regarding the review of cases and the decision-making matrix for escalating and/or appealing cases. The committee understood that recommendations were forthcoming from the Working Group on the Cottier Report Implementation, however it saw a potential role for objective expert review under its supervision and believed it could support further insights into various complex environments and how further protective and mitigating measures might be applied to all areas of risk. The committee appreciated the confidence of WADA's Foundation Board and Executive Committee and looked forward to further contributing to WADA's efforts to protect clean athletes.

THE CHAIRMAN thanked Mr Kejval. Before opening the floor for questions, he wished to give the floor to the Director General.

THE DIRECTOR GENERAL added that he would like to thank the RAC for its work. From a management perspective, the management welcomed the scrutiny from the Risk and Audit Committee on its processes and risk. He wanted to emphasize that there had been a decision taken at the management level to create a position as of the following year for an internal certified auditor who was also certified in fraud to support the work of the Risk and Audit Committee and help by going into detail in any process the members were interested in and would be autonomous. He believed that it was an important addition to support the work, so there would be somebody dedicated to that within the WADA staff.

MR KEJVAL welcomed the information.

MR MISKIMMIN said that, from an Oceanian perspective, he really welcomed the Risk and Audit Committee and the annual report. He liked the three areas that the committee was looking at. Regarding his previous comment about lessons learned from the Chinese case, he would like to extend that further and let the committee debate that. In the spirit of transparency, he thought that it would help for the Executive Committee to have a work programme from the Risk and Audit Committee that could be tabled with the Executive Committee, so that there could then be some dialogue on some of those issues that it thought were areas that it might want to explore further. It was contributing to what had already been included in the presentation. If there were an annual programme, he thought that that would give visibility to all of that and allow the Executive Committee to contribute to it. That should be presented to the Executive Committee at every meeting, he thought.

MR DE VOS thanked the colleague from Oceania for his comments, which made a lot of sense. On behalf of the Olympic Movement or the sport movement, he wanted to thank the chairman and members of the RAC represented by the colleague, Mr Kejval, for the report. It was a very young committee. It was basically the result of the recent governance reforms. It was good to see that they were being implemented, but he had seen that it had only really started to work that year. That was probably the reason why the report was only one-and-a-half pages long. Nevertheless, he welcomed the clarifications that had been provided in addition to the report. He saw that there had been only virtual meetings. He was rather positively surprised by the outcome of those virtual meetings, knowing that it was very difficult to discuss certain topics. He really wanted to recommend in-person meetings in the future, because there was an independent chairman and an independent member. He presumed that an in-person meeting could also or should be used for a kind of induction or introduction, for the members to fully understand what WADA's mission and activities were so that they could be more efficient in their work.

He could imagine that the monitoring of the profit and loss, the audit part of the work of the committee, was probably the easiest, but he certainly did not want to underestimate the work that needed to be done to audit that. He was happy to see that, at least in the first findings of the committee, the committee was nevertheless satisfied with WADA's processes in that regard.

With regard to risk assessment, he saw in the report that that was still in a kind of premature state, but that was understandable given the recent conception of the committee. He would be grateful if, in the future, the committee could dig a bit more into the financial risks, as mentioned, especially given the uncertainty about the future funding.

He was also happy to see that the committee wanted to look into the reputational risks of the organization in the decision-making process. Looking into the current result management process of WADA's Legal Department, he was also happy to learn (although he had not read it in the report) that there was also reference to the Chinese contamination case and that the committee would look at the recommendations in the Cottier report and, of course, that of the working group that had been presented that day.

All of that, again, he believed, needed to be materialized in some more in-person meetings. If the committee were to be successful, the sport movement would really welcome the creation of a post for an internal auditor; that was really very important to support that very small committee that had members who were not always available. He would very much welcome that.

MR KEJVAL wished to react to the requests. He thanked the representative of Oceania. That would not be a problem, as it was well prepared, and he would keep the members informed about the annual programme.

In terms of in-person meetings, he was totally in agreement. That would definitely help, and it would improve the work; but, as everybody was aware, that would increase costs. The committee was there to cut costs and to control all the costs, so it was very prudent in terms of that. He would talk to the management and would have a look at what could be done.

THE CHAIRMAN thanked Mr Kejval for the report. He thanked the members for their comments and discussion.

DECISION

Risk and Audit Committee chairman's report noted.

6. Finance

THE CHAIRMAN noted before proceeding with that agenda item that an updated document on contributions had been provided to the members the previous day.

- 6.1 Government/IOC contributions update

MR NG said that he would deal with the contributions from governments. The report had been submitted to the Executive Committee on 11 November 2024. He would give the update as of 3 December 2024. As of 3 December, 74.4% had been received from public authorities, versus 93.4% in the same period the previous year. There was about 6.4 million US dollars yet to be received, mainly from Europe and the Americas. In the Americas, at the same time the previous year, 99.3% of contributions had already been received from the public authorities. That year, the figure was only 47.3%, which was mainly due to the 3.8 million US dollars pending from the USA. For Europe, the figure was 82.8%, compared to 89.5% the previous year. About 2 million US dollars had yet to be received, mainly from Russia, Belarus, Spain and Greece. As mentioned at the previous Executive Committee meeting, in late June 2024, WADA had received 50,000 euros from Russia in its bank account in Cape Town, which was a partial payment of Russia's 2023 contribution of 1.267 million US dollars. He acknowledged the complicated situation regarding receiving Russian funds, and believed that that situation would continue for some time. Asia stood at 91%, compared to 94% the previous year, which was about the same level, primarily due to the 460,000 US dollars pending from Kuwait and Lebanon. Africa was at 49.1% compared to 52.8% the previous year, with 70,000 US dollars yet to be received. He was happy to report that, for Oceania, 100% had been received. The total additional contribution received was 195,243 US dollars, of which 83,450 US dollars had come from Japan for capacity development in Asia; 66,000 US dollars from Australia for the Oceania Regional Anti-Doping Organization, and the City of Lausanne and Canton of Vaud had contributed 45,000 US dollars to the WADA Annual Symposium. WADA had also received the sum of 129,000 euros from the EU, bringing the total received from the EU to 1.4 million euros for a two-year project on capacity-building, which had been completed and successfully delivered in June 2024.

THE CHAIRMAN thanked Mr Ng and opened the floor for comments or questions.

MS SEGUIN noted that there had been references throughout the day to the US contributions, as well as in the report just presented, and therefore had a statement to deliver on behalf of Dr Gupta.

The USA remained committed to supporting WADA's mission while ensuring full transparency and accountability of its mandate. In that regard, the USA, on behalf of One Voice, had worked with the working group to formulate recommendations from the Cottier report in September 2024, and had since worked vigorously to help develop those recommendations. Similarly, the USA was currently working in good faith with the WADA leadership and the sport movement to ensure that appropriate accountability mechanisms were in place, including an independent compliance audit, as well as a commitment of the WADA leadership to not engage in unauthorized expenditure and activities. In that regard, the USA was very concerned that the WADA leadership had spent more than half a million US dollars already, and she thought the figure that had been given that day was 700,000 US dollars, including funding for an unauthorized, non-mandated litigation against a US NADO. That litigation had opened up WADA to liabilities in potential countersuits and extensive civil discovery and compulsory information disclosures and depositions. That did not meet the expectations of taxpayers in the

USA, and she asked that WADA immediately cease all spending of funds on that case. That also created a precedent whereby not only was WADA spending resources without authorization or approval from that committee, but it was also jeopardizing each member as well as WADA's existence. The USA would continue to work in good faith with the WADA leadership until such time as an amicable resolution was reached, or when it became clear that there was an impasse.

THE CHAIRMAN saw no other requests for the floor so thanked Mr Ng for his report and gave the floor to Mr Wenzel.

MR WENZEL said that he would remain very high-level with respect to the case brought against USADA and Mr Tygart; given that one of the defendants and the CEO of the other defendant was in the room, he thought that it would be improper to comment in any detail on the case. However, from WADA's perspective, the fact that there would be legal recourse against those that had made, in WADA's view, defamatory statements against the agency had, he thought, been made clear by the President in July 2024 and in the press release that had followed the meeting on 9 July. It had been discussed with the counsel in Switzerland who had considered that there was a proper basis to move forward and it was within the scope of the delegation of authority to the Director General.

Speaking more generally and not specifically about that legal action, but in very general terms about those who had made, in WADA's view, very serious defamatory allegations, both with respect to the Chinese matter and other matters in the past, against the agency and against those at the agency involved in those matters, it was important in order to protect the reputation of the agency that robust action be taken, and WADA be willing to take robust action in order to do that. Otherwise, it was believed that those allegations that WADA deemed false and defamatory would continue. They had come from various quarters. That was all he would say about the claim. Much more could be said, but he thought it would be improper to do so, given that one of the defendants and in some respects both defendants were in the room.

With respect to the monies, the requirement to spend in excess of half a million US dollars, as he thought the President had referred to earlier, had been generated in large part by responding to queries from the USA. Of course, that had been in response to allegations that had featured in, amongst others, The New York Times, which had broken the story in late April 2024. The amount of expenditure that had been incurred to date in connection with the claim against USADA and Mr Tygart was almost negligible by comparison. It amounted to less than 20,000 US dollars, compared to a figure that was 30 or 40 times higher than that in responding to the entirely false allegations about a cover-up that had been made in various media outlets and had been propagated by other elements, including USADA and the CEO of USADA since then.

THE CHAIRMAN asked if there were any other comments or questions.

MS SEGUIN wished to respond to the General Counsel's comments and agreed that it was not the appropriate forum to adjudicate details of a pending litigation. However, she was concerned about the funding aspects of that and that it was just the beginning of the potential costs of litigation, and there could be much more manoeuvring from a legal perspective that would cause further expenditure. There was no projection of what the outcome of that lawsuit might be or what kind of judgment there would be and what kind of documents would be requested. There were so many questions that came to mind in a case such as that. She hoped that the insinuation that the litigation had been approved by the Executive Committee would somehow come out through the series of discoveries. However, she did question whether or not that had been looked at from a financial standpoint and approval had specifically been gathered from the Executive Committee to support the expenditures of funding and the potential for liability in order for that case to move forward. She thought that it was quite fitting that that conversation had followed the presentation by the Risk and Audit Committee, as it had referred to being able to project the risks and potentially the costs to WADA as an entity.

MR DE VOS deemed it necessary to make a clear distinction between one litigation case, which, from the Director General's reply earlier that day, had only a minor financial impact on the organization, and the need for WADA to defend itself against allegations made by governmental bodies, in that case of the USA. He thought it was the responsibility of the organization to defend itself in the best way possible from that kind of action. As far as he understood the matter from earlier conversations, the majority of the spending was related to the latter. On behalf of the Olympic Movement, he deplored the need to allocate those financial resources, as well as the human resources mentioned, to defend the organization against one of its stakeholders essentially, from a broad perspective. That was a sad situation and should come to an end as soon as possible. He also wanted to take that opportunity to confirm the confidence of the sport movement in the leadership of the organization and took note of Mr Wenzel's replies, which he deemed satisfactory.

MS BENNETT shared the concern about WADA being involved in the litigation relating to defamation, largely because defamation litigation, in her view, never had any winners, but also because litigation inevitably was a

long tail. There was an excellent roadmap and report that had been prepared by a working group, which by all accounts had operated very collaboratively. It would be nice, at that point in time, with that roadmap, if there could be a turning point in the management of what she thought had been appropriately described as a saga, to see the end of the saga and move forward. She merely wished to express the view that she would like to see that litigation brought to an end and hoped that WADA, and more particularly those outside WADA's management, might reflect on whether there was anything that could be done to bring the matter to a close.

THE CHAIRMAN noted that there were no other comments or questions. In response to Ms Seguin, he had to say that he disagreed with most of her comments regarding WADA's attitude. Even from the legal perspective, WADA was very open to a very constructive collaboration with the US authorities and all those engaged in anti-doping within the United States of America. However, that collaboration had to be based on mutual respect. He believed that common ground could be found and that seemed to be the goal of Ms Seguin; but, as he had said, it had to be based on mutual respect. He believed Ms Seguin was aware that, as a Code signatory, the United States of America had to fulfil its own duties. When it came to contributions, both financial and overall contributions, the rules were quite clear. The annual contributions were not conditional. All members of the world anti-doping community family, as a country, stakeholder and Code signatory, had to fulfil their duties

DECISION

Government/IOC contributions update noted.

- **6.2 2024 quarterly accounts (quarter 3)**

MS CHUNG said that she would try to go through the agenda item quickly. Part of the Risk and Audit Committee (RAC) responsibilities involved monitoring the quarterly financials. The RAC had reviewed the year-to-date September 2024 financials at its virtual meeting on 7 November. At the end of the third quarter, the results showed that the total income was 43.8 million US dollars, or 81% of the budgeted income from all sources of funding, with operating expenditure of 34.3 million US dollars. Events and meetings had taken place as planned that year, notably the WADA Annual Symposium and the Executive Committee meeting in Lausanne in March, as well as the meeting held in hybrid mode in September in Türkiye. She recalled that the Global Education Conference had taken place in France in February, and other planned activities and meetings with stakeholders had also been carried out in person or in hybrid mode. Many departmental expenses stood at under 75% after nine months. That was predominantly due to timing, but also due to a prudent approach given the uncertainty of the contribution situations and, of course, the legal fees had increased in quarter three as mentioned multiple times, related directly and indirectly to the Chinese swimmer case. She also noted that 2.5 million US dollars had been set aside for the litigation reserve, which was an increase of 500,000 US dollars, covered by the CAS award money related to RUSADA. Given the current contributions uncertainties, it had been deemed necessary to re-examine expenses yet to be committed and to find ways to reduce costs, as well as to gain operational efficiencies until the end of that year and potentially the next year also. Hence, some in-person meetings previously planned in the last quarter of that year had been reassessed and reduced and/or converted to virtual meetings. Regarding depreciations and capital expenditure, capital expenditure stood at 2.9 million US dollars, or 69% of the revised budget, predominantly taken up by the ADAMS programme. As for investments, the portfolio was at 23.6 million US dollars, split between UBS and Lombard. Of course, 95% of the portfolio was in high-quality bonds. WADA continued to invest in secured investments as per its no-risk policy and based on recommendations from its banks. Thus far, interest income after nine months amounted to 667,000 USD, net of bank fees.

DECISION

2024 quarterly accounts (quarter 3) noted.

- **6.3 2025 draft budget**

THE CHAIRMAN noted that the item was for recommendation to the Foundation Board and asked Ms Chung to present the figures for 2025.

MS CHUNG said that WADA had presented the 2025 draft budget as per status quo, including all contributions, to the Executive Committee members at the September 2024 meeting. The management had been asked by the Executive Committee members to exclude the Russian contributions from the 2025 draft budget since Russia's annual contribution remittance had been in pending status since 2023. Therefore, the finance document included the 2025 draft budget under the scenario status quo, as presented in September, as well as the scenario without Russia's contributions.

As background, in May 2022, the Foundation Board had approved annual contribution increases of 8% for 2023 and 6% for 2024 and 2025. Following a very robust and thorough budgeting process, as ever, WADA had

drawn up a detailed budget for 2025 which had been presented to the Finance and Administration Committee at its annual meeting in June 2024. She would give the key highlights of the 2025 budget, per the status quo. The total income from all source funders was budgeted at 57.5 million US dollars for the year, of which the contributions from the IOC and public authorities were 26.5 million US dollars each. The remaining funds came from Montreal International with 2.4 million US dollars, partnership funding from Sword at 1.5 million US dollars, and other grants from compliance monitoring and laboratory accreditations amounting to 550,000 US dollars. The total operating expenditure was budgeted at 52.8 million US dollars, a net increase of 4% on the 2024 revised budget. Some highlights of expenses included scientific research, budgeted at 4.8 million US dollars, which was an approximate 6% annual increase. The key event for 2025 was the World Conference on Doping in Sport in Busan, where the updated World Anti-Doping Code and international standards would be presented and were planned to be approved. Also, the overall running cost for the recent governance reforms was about 1 million US dollars a year, and that included all costs related to the additional resources, new members and various bodies such as the Independent Ethics Board, Athlete Council and Executive Committee and Foundation Board. She noted that the World Anti-Doping Code Update project, including the eight international standards, spanned over two years, 2024 and 2025, with an estimated cost of 1.1 and 1.2 million US dollars, which would be covered largely by the money received from the CAS award, again, related to the RUSADA case. It was also planned to use the reserve fund for investigation to cover some of the operations. Regarding the inflation adjustment for staff salaries, the operating surplus under that scenario was budgeted at 3.7 million US dollars with a net surplus of over 200,000 US dollars, which was an improvement over the revised budget. Regarding cash depletion, after reducing the capital expenditure, it was estimated at close to 700,000 US dollars, which was higher than the threshold but still considered manageable.

Moving on to the second part of the budget, which as she had mentioned earlier excluded Russia's contributions as requested, as shown on the slide, the draft budget for status quo stood at 57.5 million US dollars. Without Russia's contribution, that would go down to 54.7 million US dollars. That was a reduction of around 2.8 million US dollars, all other things being equal. Of course, the IOC and public authorities' contributions were down by the same amount. The slide showed the outcome if nothing were done in terms of expenses, which was not the proposal. It was merely to show that, at the end of the day, the net surplus was about 2.6 million US dollars in the negative; whereas, in the status quo scenario, the estimated surplus was 202,000 US dollars. On the next slide, clearly, it was not possible to sustain a 2.6 million US-dollar deficit; so, to factor in cost reductions, the surplus was being brought back to a level of 221,000 US dollars, which was more or less the same as the status quo, with the cost reductions. To manage the cash depletion, some principles and cost reduction measures for that scenario had been considered and included. She noted that WADA's cost structure was largely weighted on fixed costs and commitments, notably personnel costs, rent, insurance, research grants, litigation, ADAMS, athletes, mandatory events and meetings. Before looking into cost reductions, and as the Director General had mentioned earlier, there were some principles that had to be taken into account, which were to minimize the cuts that affected the athletes and maintain all activities required by the Code. Of course, it would also entail optimizing human resources in-house and reducing costs where possible, as well as limiting in-person meetings and travel to essential meetings. WADA had continued to seek additional contributions, through partnerships and sponsorships, to support its activities that were not required by the Code.

She wished to quickly show where the 2.8 million US dollars could be generated for cost reductions in the various areas. She had mentioned earlier that optimizing and restructuring some internal departments would make it possible to generate over 1 million US dollars. Maintaining activities and bringing them back to the level of that year would also save some money, as would reducing travel and converting working group meetings to virtual format. All of that combined, as well as reducing various expenses and supporting functions, would help to find 2.8 million US dollars.

In terms of cash flow, under the status quo, as mentioned earlier, there was about 700,000 US dollars under cash depletion and with the cutbacks it had been possible to maintain the same level of cash depletion. She recalled that it had been presented to the Finance and Administration Committee in June 2024 and the committee had endorsed the cash depletion level.

She recalled that WADA was very mindful that, if the US contributions remained outstanding, as mentioned earlier by Mr Kejval in relation to financial risk, further austerity measures would be required and would affect the foundational activities such as research and technology development, which would in turn inevitably affect the stakeholders, including the athletes and the anti-doping organizations. On that matter, she had a quick note on the operations reserve. WADA had been able to increase the operations reserve from three months, the level it had been at for quite a long time, to six months, based on the current level of activities. That had also been approved by the Finance and Administration Committee. Of course, WADA would work with the reduced budget excluding Russia's contributions for the coming year, but having a full draft budget as a secondary plan

would allow WADA to be more flexible and react with agility operationally and strategically, especially in those uncertain times.

THE CHAIRMAN opened the floor for comments or questions.

MR KEJVAL appreciated the budget presentation, particularly since a double budget had been prepared that year. He appreciated the contingency budget that had been drawn up which, from his point of view, was very sensitive. He also observed that the core business of the organization had not been cut back, which was very valuable. Of course, that meant that it would be very hard to fulfil the requirements of Mr De Vos in terms of the RAC meeting in person. However, that had to be dealt with. He saw more serious issues. The sport movement noted great concerns and uncertainties around the 2025 budget, as many contributions had yet to be paid for 2024. The sport movement called on the public authorities to ensure the funding of WADA and, in light of recent events, the sport movement recommended that WADA prepare a contingency plan for prolonged funding uncertainty. While that was not optional, WADA should not invest in its reserves for 2025 to allow programmes that directly benefitted athletes and the anti-doping community to carry on.

MS SEGUIN appreciated the uncertainty being mentioned and the proposed alternative options without Russia's contributions. Given the various potential offsets or austerity measures that had been put on the table, she would ask members to think about whether it would make more sense to contribute more to a litigation fund, or perhaps that funding should go back towards some of the proposed offsets that had been raised that day.

On behalf of the CAHAMA, MS MARACINEANU wished to endorse both budget scenarios, including and excluding Russia's contribution. She would like to hear the opinions of the Director General, President and Vice-President as to the risks related to not having a budget scenario without the US contribution (and matching funds from the sport movement). Should such a budget scenario be put forward? She also pointed out that the operational reserves would meet their objective by the end of 2024. Therefore, she called upon WADA not to accumulate funds beyond that objective.

THE CHAIRMAN thanked Ms Maracineanu for her comment and her question, which he deemed a very fair one. He could assure her that WADA would work very hard to make sure that it could find additional funding from the private sector and from additional contributions to ensure the stability of the budget. He was quite optimistic. He even considered that it would be possible to increase WADA's budget in the following years.

THE DIRECTOR GENERAL replied to Ms Maracineanu that, firstly, the absence of the US contribution would have a significant impact on the organization. There was a scenario taking that into account and it comprised a number of adjustments. To date, the assumption had always been that the US would settle its dues, and that was the working assumption. However, if that were not the case, the Finance and Administration Committee would re-examine the budget to take that into account. Also, as the President had said, alternative funds and resources could be sought.

On the litigation reserve, he did not want to make too many comments, but in a world of uncertainty with the US Department of Justice investigation that was ongoing, he thought it very prudent to have such a reserve.

THE CHAIRMAN asked for the record if the Executive Committee agreed to recommend that the Foundation Board approve the two scenarios for the 2025 draft budget, namely the 2025 draft budget status quo as endorsed and recommended by the Finance and Administration Committee and the 2025 draft budget without Russia's contribution, as requested by the Executive Committee in September 2024.

DECISION

Proposed 2025 draft budget (two scenarios) to be recommended to the Foundation Board for approval.

7. World Anti-Doping Programme

- 7.1 2027 Code and international standards update – emerging themes/changes

THE CHAIRMAN gave the floor firstly to Mr Haynes, who would then give the floor to Messrs Sieveking and Young.

MR HAYNES said that he would provide a very brief update on the 2027 Code and international standards update project before handing over to Messrs Sieveking and Young, who would go into more details on the latest themes and trends.

The project was currently on track and in line with the timeframes that had been presented there and published on the WADA website. It was currently in the second drafting phase, which would run until February 2025, before the launch of the subsequent and final round of stakeholder consultation. At the start of the project,

that had been anticipated as more of an update or fine-tuning. However, due to the quality and breadth of the comments received from stakeholders, as well as input from the Cottier report as mentioned earlier, all standards as well as the Code would be circulated in that final round of consultation.

From the recent stakeholder consultation phase that had concluded in October 2024, he was very pleased to have received almost 1,900 individual comments from over 100 unique stakeholders, representing all stakeholder groups from over 40 countries around the world. Importantly, comments had been received from all regions of the world for the first time and also, thanks to the activity of the Athlete Engagement team and the Athlete Council, a significant portion of comments had been received from athletes themselves. To continue the transparency approach that had been taken thus far, comments that had been correctly submitted had all been published and were available on the WADA website for review during that drafting phase. Work would also continue on an abridged consultation process that was more concise and focused in order to gain even more feedback from athletes, especially on those requirements within the legal framework that affected them the most. In 2025, work would commence to generate resources and support initiatives through the Code Implementation and Support programme, which would be designed specifically to assist signatories to implement the 2027 Code and standards into their anti-doping programmes. That concluded his brief update.

MR SIEVEKING noted that quite a lot had already been said about the Code that day. Indeed, its revision process had been flagged as a key proposal of WADA's strategic plan. The document in the Code was also the document by which the recommendations or part of the recommendations issued by the working group led by Mrs Battaini-Dragoni would be implemented, and it was normal to speak about the Code, as it remained the cornerstone of the fight against doping. It was therefore necessary to ensure that it always remained fit for purpose and was adapted to the evolving environment in which WADA operated. For that purpose, the Code update process had begun one year previously and was at the half-way point prior to Busan. That important exercise aimed at ensuring WADA's rules duly and efficiently protected the rights of clean athletes. The Code team was working hard. Since the beginning of the process, it had already convened for more than 100 hours to discuss, review and analyse the comments received by the stakeholders. The stakeholders must be thanked. They had submitted between the first phase and that phase almost 1,000 comments on the World Anti-Doping Code, which showed that the process worked.

Before giving the floor to Mr Young, who would give a detailed overview of the current situation, he wished to mention that the changes proposed would be reviewed by Mr Michael Beloff, who was a King's Counsel with expertise in human rights. He had replaced the late Judge Costa, who had done that work for the previous two Code reviews. Also, the Code team would meet Ms Snezana Samardžić-Marković to discuss the proposed recommendation of her current work in reviewing the World Anti-Doping Programme with regard to human rights aspects.

MR YOUNG was pleased to be back with the Executive Committee. When the Code had been approved by that committee and stakeholders more than 20 years previously, the promise had been made that it would be a living document, and that promise had been fulfilled. Every six years, he returned with the Code team. With some 3,000 cases a year, it was interesting to discuss a document and, when the whole world was asked for its comments on the document, a lot of good ideas were obtained. That version of the 2027 Code would contain a lot of detailed changes in response to stakeholder comments, which was a good thing. As the Executive Committee was the steering group for the Code team, he wished to highlight eight areas, which were either the most important to stakeholders or thought to be the most controversial. He asked for members' input on those areas.

The first area was contamination. In the previous 20 years, the CAS arbitrators had been willing to live within the bounds of the Code. They had dealt with tough cases, but the opinions received showed that the Code was the set of rules that the world had agreed on. They might have delivered a different opinion according to their own view, but had adhered to the Code. That had slipped in the area of contamination. There had been contamination cases that should have resulted in a four-year ban, where arbitrators had decided on a two-year period of ineligibility. They had not stated that the Code was unfair or anything else, but had come up with some other reason. Nevertheless, that was an area where the Code was being strained. Therefore, in the first phase of the drafting process, the team had come up with a more flexible approach. To summarize, the sanction would be four years for intentional doping for a non-specified substance, three years for reckless doping, two years for negligent doping, and then no significant fault or no fault after that. A real problem had arisen with the situation where the athlete could not prove where the positive test had come from. The panel had examined such cases and stated that it was a required element to decide that there was no significant fault. There was clearly no intention, but the athlete could not prove where it had come from, which resulted in the panel not quite knowing what to do. The latest draft therefore created a middle ground for cases when the panel was convinced by analytical evidence that a doping scenario was simply not reasonable, allowing it to go down to three years,

creating a plateau for it to land on, providing more flexibility in the system. It was complicated when there were three variables. What type of substance was it? Was it a substance of abuse? Was it a specified substance? Was it a non-specified substance? Could the athlete prove the origin? What was the degree of fault? All of that had been spelled out in the first draft. The feedback to that had been positive with regard to the summary, but the stakeholders found it difficult to follow when reading the draft. He appreciated that. Hence, the next draft would be much more streamlined and clearer to deal with all of those complicated pieces of the puzzle.

The other issue of contamination was that laboratories were getting better and better. It had not been a real problem when they could only detect a prohibited substance in the double-digit nanograms, but they could currently detect substances down to single-digit picograms, resulting in more cases that could be contamination. Professor Rabin had stated previously that the role of the Contaminants Working Group was to try to look at the low-hanging fruit like meat contamination in clenbuterol and work on coming up with minimum reporting levels that weeded out those likely contamination cases. That group of substances and ractopamine and zeranol had already been dealt with. Work was ongoing on others in the anabolic area, as well as diuretics and masking agents, which could be contaminated in pharmaceuticals. It entailed a lot of work for the scientists to try to figure out the expected residue in meat, for example, but at least efforts were being made. The last change made to the first draft, which he thought would continue to change, was the contamination rule, going from merely contaminated products such as supplements or medicines to refer to contaminated sources, which could be water or skin-to-skin contact. There were cases in which shaking hands, touching gym equipment, kissing and having sex were stated as the reason why an athlete had tested positive. Contaminated source would deal with all of those, not only the products.

If there was one thing that both the athletes and the anti-doping community had really appreciated in the 2001 Code, it was the introduction of the comments on substances of abuse. The athletes had been happy because they did not have to worry about long-term bans for something that they were using socially and had nothing to do with their sport. The anti-doping organizations had been happy because they were not wasting a significant part of their resources dealing with the length of sanction in a marijuana case, for example. Athletes were happy with the original three-month prohibition reduced to two months for rehabilitation. Based on the comments on the first draft, they seemed to be even happier with a flat two months for a first violation. If there was a second violation for the same substance, rehabilitation would be discussed. There was some debate on that, but the anti-doping organizations of the world were pretty adamant that they did not have the resources or the expertise to get into the rehabilitation business. Hence, that was the direction that had been taken. Thus far, the feedback from stakeholders had been very positive on all sides.

It seemed like everything he was talking about was something that had been talked a little bit about earlier. A problem in the history of anti-doping was the fox guarding the henhouse, whether that be a body testing its own athletes and nobody else testing them, or the people in the Russian investigation and the ministry of sport directing doping practices and working with the laboratory. That could not be permitted. There had to be at least a system set up. Therefore, feedback was being gathered on a new definition of NADO operational independence. The word 'operational' was critical there. Complete independence was not possible. NADOs received money from governments and ADOs could receive money from sport. It was therefore not complete independence, but rather operational independence to the extent that no representative of government was going to be telling the NADO how to budget the money it received, what cases to prosecute, or who it tested and did not test. A couple of matters were under discussion that he thought would be controversial and he wished to hear the opinions of the Executive Committee on those. Firstly, were NADOs allowed to delegate their anti-doping responsibilities to, for example, national sport federations? Some large NADOs did that and deemed it to work very well. However, the proposal, at least in the first draft, was not to allow that because that was the fox guarding the henhouse again, that was the national federations that cared about their athletes making operational doping control decisions. The second matter concerned personnel who could sit in NADO positions who were operational and who also worked in an operational position in sport for a government. It was fine for governments to watch over the expenditure of their funds, but not to figure out how the funds ought to be allocated, questioning whether to test athletics or cycling, for instance, and who should be tested. The same person could not wear two hats. Some national anti-doping organizations, such as the Australian one, which he knew a lot about, were a part of government. That was fine, as long as there was a separation built in. Further detail would be provided on that, too, and he invited the members to look closely at it when the next draft was published. Much had been said earlier that day about operational independence, which was the direction sought. Some stakeholders would not be able to continue as they had always worked and would not be happy the following June.

With regard to timing, he explained how the system worked. An athlete was tested. The sample was sent to the laboratory. The laboratory had 20 days to report the test. Then, what the national anti-doping organization was supposed to do was check to make sure that the athlete did not have a therapeutic use exemption. It had

to check to make sure that it was not a substance that was permitted to be used in some forms and to make sure that there was not an obvious mistake in either the sample collection or the laboratory analysis. At that point, the NADO was supposed to inform the athlete and notify the athlete that there was a potential anti-doping rule violation, that the B sample could be analysed, and invite the athlete to provide an explanation. It was then supposed to promptly impose a mandatory provisional suspension if it was a non-specified substance. That did not always happen. Some organizations did it and others did not. That was one of the World Aquatics recommendations made in connection with the Cottier report, and was an issue that had been raised independently by several stakeholders. The Code review team was at least inclined to propose that, as of the time the laboratory reported a positive test or adverse analytical finding to the national anti-doping agency or the international federation (IF), the NADO must notify the athlete within 21 days and immediately impose a provisional suspension. If there was a mandatory provisional suspension, the athlete could try to have it lifted if they had a good explanation, but that was what a number of the larger international federations with integrity units were doing at that time. It would be interesting to see what the stakeholders said to that approach and whether they thought the timing was impossible. The next step in the result management process was that the anti-doping organization had to make a decision on whether or not it would charge. A deadline to charge had not been set because the athlete with a non-specified substance had already been provisionally suspended. There was no point in the athlete trying to delay anything in the process of hurrying up with a good explanation, so there was no deadline there. However, WADA did have a recourse in the Code. If it took the anti-doping organization an unreasonable time, WADA could contact the organization and request it to make a decision on whether to charge by a certain date. If the organization did not accept, there were two options. WADA could take that case away from that anti-doping organization and give it to another anti-doping organization (such as the IF if it was a NADO) and request the first anti-doping organization to pay for it. Or, WADA could take the position that, as the delay had been so long, it would be deemed that the decision had been made not to charge, and WADA would appeal that decision as if it had been made.

Provisional suspensions imposed by major event organizers entailed a problem. For instance, if the IOC had imposed a provisional suspension during the Olympic Games, when the games were over, if the suspension ended, there would be a gap. Many international federations had stated that they could not act quickly enough to fill in that gap. The proposal currently on the table was that the major event organization's provisional suspension would continue in force. However, if the athlete wanted it to be lifted, it went to the international federation in that sport to carry on from there. It was possible to go either way. It was possible to worry about the gap and try to put the burden on the international federation to get its provisional suspension in more quickly. However, based on the stakeholder feedback, the intention in the second draft was to have the major event organization continue.

On substantial assistance, it basically worked well in the Code, but stakeholders had stated that it was such a valuable tool that it needed to be made more available. Therefore, the current proposal was that an athlete would not be entitled to substantial assistance only when an anti-doping organization had charged or had discovered an anti-doping rule violation. Rather, the language had been softened to say that substantial assistance would also apply when it was likely to result in discovering an anti-doping rule violation. That was still under discussion but it was an attempt to make it more flexible and more frequently used. A different kind of assistance had also been added. Substantial assistance could be obtained only for blowing the whistle on somebody else. However, there might also be a situation in which an athlete was also a scientist and had figured out a way to beat the EPO test and had been caught and decided to come forward. That athlete would not have anybody else to point to, but could provide very valuable information. Hence, a new sub-article had been created regarding other valuable information and assistance to allow a 15% reduction in such a situation which he thought would be used. It was tough to have a world in which the worse one behaved and the more one was involved in very bad things, the more one had to give up as opposed to somebody who admitted they were doping but had not involved others.

Another controversial topic was public disclosure. The stakeholder feedback had revealed two very different sides of the coin. From the athlete perspective, the athlete had been through their final appeal. Or, if they had won the case, they did not want their name associated with any anti-doping matter, because once that bell had been rung and their name was associated with an anti-doping case, their reputation would never recover. That was a very legitimate point. On the other side was the feedback from, for example, the Chinese swimmer case where the public authorities and anti-doping organizations were taking the position that transparency was needed to have credibility. Therefore, everything should be public and published to avoid any accusations of cover-up or the like. As such, there were very good arguments on both sides. There was a trump card that affected both, which was data protection. There was a case being heard before the European Court of Justice (ECJ) at that time, in which an athlete was challenging public disclosure even after the athlete had lost the case on the final appeal, claiming it violated data protection laws. More should be known about that before the end

of the year at the World Conference on Doping in Sport, but some of that was currently out of the hands of the Code review team. As in the first draft, the tendency was to lean in favour of athletes protecting their reputation and not require publication as with the mandatory public disclosure of provisional suspensions, but rather to leave it as optional. That would be an issue of much discussion but that was the direction being taken in the short term.

The next matter concerned protected persons and minors. There were many examples in the Code of extraordinary steps taken to protect protected persons, minors and recreational athletes. It was more typical that minors were not included in everything in terms of sanctions. For example, protected persons had special protection, whereas minors did not. However, there were other areas where there was good reason to protect the minors in the same way as protected persons. Substantial assistance was one area in which minors would be added. There was a section stating that an athlete support person could be sanctioned with a longer period of ineligibility if they were involved in doping a protected person. The same should apply to minors. Likewise, administration and trafficking sanctions were longer if a protected person was involved. The same should apply to minors. A new provision had been added in the first draft to the effect that a protected person could go back to training earlier than a non-protected person, which had been expanded to include minors. He wanted to make it very clear that, in the Valieva case, when it had had to do with provisional suspensions, the CAS panel had said that special treatment had been given to protected persons in various instances and WADA therefore must have intended that when it came to provisional suspensions and had just forgotten to write it. That was not correct. Special treatment for protected persons had been established in various parts of the Code. It did not mean that they received special treatment in all parts of the Code. Therefore, a footnote had been added to the definition of protected persons to make it even more clear than it already had been.

Another topic that stakeholders had raised frequently was the responsibilities of athlete support personnel. He recalled sitting in his living room and watching the skating in the Valieva case, and seeing her crying and sitting next to her coaches. That was very bad for sport. It was very bad for the Olympic movement. Therefore, a number of amendments had already been made to emphasize the importance of the role of athlete support personnel in dealing with their athletes, particularly minors and protected persons, in mandatory investigations, etc. Two additional points had been added to the roles and responsibility of athlete support personnel. One was an affirmative duty of care. Another was a mandatory educational requirement for athlete support personnel to have specific anti-doping organization education beyond the obligation to educate themselves. However, that posed a problem with roles and responsibilities. If that responsibility was not met, it was not an anti-doping rule violation. It could be set down in the Code but would have no teeth. The only way to give it teeth was the possibility of being punished for failure to do so. That could not be regarded as an anti-doping rule violation in the Code, but it could be done through codes of conduct, Olympic committees, national anti-doping organizations, perhaps not major event organizations, or through accreditation. He asked somebody to tell WADA how important such mandatory education was versus the burden that would put on major event organizations and international federations in terms of putting it in their codes of conduct or their accreditation policies. That was one of the many balances that had to be struck.

That concluded his list of the eight topics that would either be controversial or had generated the most feedback. He invited the members of the Executive Committee, as the steering committee, to share their thoughts, questions and comments, as it was the job of the Code drafting team to listen.

THE CHAIRMAN thanked Mr Young for his very comprehensive presentation and opened the floor for comments and questions.

On behalf of the public authorities, MS SEGUIN thanked the Code drafting team, as well as Mr Richard Young, for their work and efforts and the presentation. In particular, she was very glad to see that the team was looking to address the challenging issues, to include the new trend of contamination cases and recognizing the need for further discussions in a working group environment. As well, she welcomed the proposed notification requirement that had been a recommendation in the World Aquatics report and was something that the Executive Committee working group had discussed.

She had two questions on public disclosure considerations. Had there been consideration as to a case involving an individual versus a case involving a large group of individuals, such as a large contamination case, and whether disclosure in that instance or the privacy interests would somehow be mitigated through simple redactions? Her second question was with respect to the roles and responsibilities of athlete support personnel. She requested further detail on what constituted duty of care and how one could be held accountable for the lack thereof.

Echoing the previous comment, MS MARACINEANU noted that, on behalf of the CAHAMA, the Cottier report would require certain amendments to the Code, and perhaps the working group on the recommendations

and the Code drafting team could work together. Secondly, the issue of amendments had been raised, and she wondered whether there should be an impact study of those amendments in financial terms, legal terms, etc. It was very good to add more items and content to the Code, which showed that proposals from the field had been considered; but, with regard to the last two slides presented on duty of care and training of trainers or educators, especially in the field of the fight against doping, it would be interesting to carry out a survey of all the countries, perhaps done by UNESCO or some other body, to see how ethics and integrity already existed in their legislation. In France, for example, it had become mandatory through an education module for all coaches and trainers to pay attention to the possibility of sexual harassment, how to speak with children and doping. Perhaps in some countries those issues had already been resolved through such training modules or through coverage in legislation. Ascertaining existing provisions in the various countries regarding the professional ethics of coaches might also be a way of deciding what should be included in the Code revision.

MR EMONYI echoed the appreciation for the work done thus far by the Code drafting team and the progress made. Returning to athlete support personnel and the need for the emerging trends and the changes under way and targeting considerations that were going to be added to the Code, he would endorse strengthening the sanctions on athlete support personnel and the capacity of ADOs to sanction support personnel. Education had been mentioned. He thought that was a continuous process in terms of athlete support personnel and the responsibility for them to educate themselves. He also suggested introducing a record or register on athlete support personnel within ADAMS and a database available to all ADOs in terms of how they could hold the athlete support personnel accountable in the event of a doping violation.

DR SANGENIS thanked Mr Young for his very comprehensive report and had some comments on the first part of the presentation. When WADA had been created, the big challenge over 25 years previously had been the detection of growth hormone and erythropoietin. It had not been possible to detect those substances at that time. At the present time and in the following years, she thought that contamination would be the biggest challenge, not only the technical detection aspects on which work was ongoing, but also with regard to the credibility and trust of WADA. It was necessary to understand how meat, eggs and accepted medicines, for example, could be contaminated by prohibited drugs. That was not easy to understand for laypeople. It was important to be aware that WADA and the Director General of WADA had appeared frequently in the media in recent times and contamination had become a public conversation. It was therefore necessary to clarify when it had to be reported and when it did not, for example, when there were 50 or 100 cases. She believed that was the most important aspect to work on in prevention through education, specifically with the athletes, but also with the support personnel, entourage and ADOs, of course. Also, the public received information through the media, so WADA had to be ready to make that information about contamination available. Regarding education, a contamination e-learning module or course, for example, would be an interesting consideration.

MS GROSSENBACHER echoed the comments made by the athlete representative, her colleague Mr Emonyi, on the importance of duty of care for athlete support personnel and the importance of capacity building for ADOs, having registers of athlete support personnel and building intelligence in that regard. She also welcomed the update on protected persons, in particular the clarifications proposed to the Code in relation to the lessons learned from the Valieva case. That was extremely important for the sport movement.

Regarding public disclosure, the sport movement understood the challenges and the ongoing ECJ case for which the outcome was awaited. She would merely underline the importance of consistency across ADOs, which was currently raising a lot of concerns. One point, which had not been mentioned that day but was of great importance for the sport movement, was the International Standard on Code Compliance by Signatories (ISCCS). That was an important topic for the sport movement. It had raised many concerns in terms of its impact on athletes who had limited control over the responsibility of ADOs and governments vis-à-vis national legislation, but also compliance with the Code. It was necessary to make sure that the consequences were proportionate and graded, but also to focus firstly on dialogue and capacity-building, with consequences being a last resort. The sport movement had noted that, since its feedback on those points, there had also been a modification to the strategy of the Compliance Review Committee, which emphasized that. She was pleased and encouraged to see that, and hoped it would also be reflected in the Code revision. She encouraged WADA to communicate those changes, as that seemed to also address some of the concerns that public authorities had been raising in the UNESCO forum.

MS YANG wished to emphasize that the Code would help not only the elite athletes, including minors, but also the development of sport, because it was not only coaches but also parents who could understand the duty of care, including knowledge of anti-doping. That message would definitely be extended to the very broad sport community from the grassroots level, which was very positive. She also agreed with the sport movement that a way had to be found for the ADOs to really implement that Code. She thanked everybody for their hard work.

MR PINI thanked the entire Code drafting team for the incredible effort. He knew there was a lot to reflect on in that second consultation phase. He agreed with Mr Emonyi on the athlete support personnel and how to manage that. The key themes were certainly interesting and something that the Athlete Council wanted to keep an eye on. He noted the goal to include athlete feedback, which was of great interest to the Athlete Council, and he would discuss that in his update in particular. He thought it would be helpful to know the numbers reflected in the consultation phase regarding the athletes. He appreciated that the number might not be available at that time, but it would be helpful to be able to improve that when moving into the final consultation phase. He appreciated the report and the good work.

Being in the business of listening, which was what made the Code work, MR YOUNG stated that the more feedback received, the better the product would be. As to the question on public disclosure, large groups and individuals, he thought that athletes would say that if their names were ever associated with doping they would suffer reputational damage that could never be recovered. In response to the comments from the CAHAMA, which he had duly noted, the Code drafting team had worked very closely with Mrs Battaini-Dragoni and the working group to propose that text. An outline had been done, followed by an improved outline of what could be done in the Code and the international standard to deal with situations like the Chinese swimming case, where what happened was not consistent with the Code. It might have been good common sense, but provisions were needed in the Code and the international standards to deal with that kind of situation.

Regarding the comment on an impact study, the Code team was probably not the best suited to carry out an impact study. However, he could give assurance that, in the feedback gathered, the stakeholders reported what the impact would be of imposing another obligation or task on national anti-doping agencies. The Code team would hear about it. If the burden on national anti-doping agencies were reduced, they would be grateful, as would international federations. He did not have a number in dollars and cents, but one of the positive aspects of that consultation process was that many stakeholders had agreed with the idea but stated that their resources were not unlimited and, if additional requirements were imposed, they would have to reduce other activities. They had said that it was maybe a good idea in principle, but a very bad idea in practice. Much feedback to that effect had been received. The relationship of education to all of that was very important, both for athletes and athlete support personnel. The Code was a very long, complicated document and that was necessary when it was being used as the set of rules by which somebody could be found not eligible to compete in what they did for a living. However, from the athlete's point of view, the coach's point of view and the athlete's parents' point of view, all of that was not necessary. The athlete, coach and parents merely needed to know what they were allowed to do and, more particularly, what they were not allowed to do and what risks must be avoided. In the early days, one of those risks had been supplements, and it had never occurred to athletes that they could take a supplement and test positive. That was no longer the case. Athletes understood that they had to use certified supplements and, if they did not, it was their responsibility. Coaches understood that. If they did not understand that, it needed to be re-emphasized over and over with new generations of coaches and new generations of athletes so that they did understand. The risks had changed. Who would have thought that a person could test positive from kissing a girl in a bar? Who would have thought that a person could test positive from skin-to-skin contact? That was currently known to be a real possibility. That message needed to be conveyed in the educational process because there would be a big problem otherwise. Hence, that part of education for parents, coaches and athletes was very important to avoid such cases.

On the athlete support personnel, the idea of tracking athlete support personnel who had had positive tests as they moved from Russia to Bulgaria to Guatemala or wherever they went was a very good idea. There was currently a requirement that, when an athlete support person had two people who tested positive under their control, they should be investigated. The issue was ascertaining who an athlete's trainer, coach or physiotherapist was, because they were not registered. He had worked with Ironman Triathlon, which had set up a programme requiring athletes competing in their events to list their coaches, trainers and athlete support personnel for the purposes of tracking. It was a very good idea but it was a burden on the IF, the athlete and the ADO. He called for the members' feedback and stakeholders' feedback on whether the administrative price to pay was worth the potential outcome. If time and money were no object, that would absolutely be done.

Beyond education, there was the issue of public perception. He could probably count on one hand the number of doping cases that he had seen recently in which the athlete had not alleged contamination. It was the universal explanation, even if it turned out that they had been doping. It was necessary to deal with the public perception that contamination was the cause of all doping cases, as it was not right. Many athlete defence groups were arguing that it was incumbent on all those trying to conduct the fight against doping to deal with that public perception. That was a very good point.

Regarding Code compliance, he agreed that that was something that required attention. The whole purpose of Code compliance was harmonization in fairness across all sports and countries and how that was reflected

in the compliance standard. Were the consequences too hard or not hard enough? What happened when there was a one-off situation? He was sure there would be a lot of continued dialogue on that.

In response to educating parents, he thought that was important. He had coached many teams, not at high levels but rather his children's teams, other children's teams and other parents' teams. The parents played a role in all of that, and it was not necessarily a good one.

Regarding feedback from athletes, he welcomed that. The purpose of the work was for every athlete to be able to compete on a level playing field. One of the reasons that he was personally passionate about that was that his favourite thing in the world was to watch his children and currently his grandchildren do sport. His next favourite thing was to do sport himself. His next favourite thing was to follow sport in the media and the like. Then there was his job. If it was true that in order for one's child to succeed they had to use drugs and risk their health, he would have been going to a lot of piano lessons and recitals instead of watching sporting events. That was just not acceptable. Therefore, all of that work was being done to protect the athletes; so, of course, their voice was absolutely critical in that. As the Code had evolved, the athletes had become more sophisticated. He remembered in the first draft of the Code, the death penalty or worse had been sought for every anti-doping rule violation. It had since been realized that there was contamination and that the athletes had become far more sophisticated. The more feedback that could be obtained from athletes, the better. The upcoming Code process would involve meeting with athletes' union groups, which was important, he thought. He believed he had addressed all of the questions.

THE CHAIRMAN thanked Mr Young for his very comprehensive response. He thought that the anti-doping system was the most harmonized legal system in the world. The Code was at the heart of that harmonization and one of the most important documents, so it was extremely important to have that discussion. He thanked everyone for their engagement, efforts, remarks and participation in that process. The work and engagement on such matters should be the core focus in the future.

DECISION

2027 Code and international standards update noted.

8. Athletes

- 8.1 Athlete Council update

MR PINI wanted to comment on a few points from his report. The Athlete Council had met virtually once in October 2024 and again in person the previous day. He wanted to thank the President and the Director General for attending both of those meetings. It meant a lot to hear the updates on current affairs from WADA, but also allowed Athlete Council members to ask questions. A number of Athlete Council members had been actively involved, as detailed in the report. He highlighted that because it was critical to the action plan but importantly also to WADA's strategic priority to be athlete-centred, and all Council members took considerable time to ensure that that happened. He thanked each of them. For instance, Ms Włoszczowska had attended the Council of Europe conference of sports ministers. Other representatives had attended the continental athlete forums that year in Oceania and recently in the Americas, and more were lined up for the following year. Ms Terho had attended the IF forum panel discussion on the importance of athlete voices in anti-doping. He had virtually attended the Oceania sports ministers meeting. He wanted to take that opportunity to also thank the President and Director General for their contributions there. The conversations he had had with sports ministers in his region had been very much strengthened around the anti-doping movement. He was proud to see athletes within the Apia Declaration, which had been a result of that. Recently, in his capacity as WADA Athlete Council Chairman, as a liaison to the IOC athletes' commission, he had taken part in IOC athletes' commission meetings, including the IOC athletes' entourage committee, where he had been able to provide updates on the Council's work. The Athlete Council elections for Group 2 were currently under way and he would have some more information towards the end of the year on how they had taken place. He thanked all of the Group 2 Athlete Council members, both those returning and those not. They had been instrumental in pioneering that new evolution of the Athlete Council from the former Athlete Committee. He looked forward to further strengthening that work and thanked all Council members for their work.

With regard to the Council's action plan, given the pace of the renewal of members of the Athlete Council, it had been agreed that the initial 2024-2025 action plan would be developed in alignment with WADA's 2025-2029 strategic plan to enable initiatives to take shape and keeping in mind the Council's terms of reference. An action plan subgroup had been set up comprising himself, Ms Kit, Ms Escobar and Ms Egan, and he also wanted to thank Ms Taillefer for her tremendous support, as well as the Athlete Engagement team and Ms Henrie and Ms Spletzer. The aim of the action plan was to set out a clear roadmap for 2024-2025 with goals that were ambitious but with specific activities tied to those that were feasible to achieve over the following one-and-a-half

years. The Council had identified four main goals and for each goal had identified specific activities with timeframes for completion as well as success measures and responsible persons. The action plan had been officially endorsed by the full Athlete Council on 7 October 2024. There were a lot more deeper actions in each of those goals and activities. He was proud to confirm that the Council's feedback had been officially provided on WADA Connect as part of the latest consultation phase in the Code review. To raise awareness about that important topic, a webinar had been held that summer, as he had mentioned earlier, with over 200 participants. In addition to submitting its own comments, the Council was very pleased to note that other athlete groups had contributed to that, including Team USA, the World Aquatics athletes' committee and the athletes' commission from the New Zealand NADO, Sport Integrity New Zealand. The Athlete Council wanted to continue to work with WADA to further increase athlete participation, which was crucial. The goal was to reach 10 and, over the next consultation phase, work would continue with WADA to be able to ensure that athlete feedback could be gathered in a much deeper sense.

Goal number two was around facilitating and enabling the development of anti-doping-related athlete commissions, or any groups for that matter. The idea was to first understand the current situation regarding what already existed within the anti-doping community and where there were gaps within athlete representation in anti-doping. The first action was hence to conduct a mapping exercise. The Council wanted to closely work with many stakeholders, including the IOC, IPC, NOCs, NPCs and IFs that already had existing athlete commissions and athlete representatives. One of the objectives was then to develop guidance and best practices, to be able to share examples of what already existed and to offer different models to anti-doping organizations in terms of how they could incorporate athletes' voices regarding good governance and how to achieve better communication to athletes.

Goal number three was to improve and strengthen communication with the athlete community. The actions performed thus far, which he had reported on previously, were leveraging global calls with athletes' forums and global calls with the IOC athletes' commission, as well as cooperation with the IPC athletes' commission. There had also been exploration of the website idea that was in one of the actions. An annual communication had been led and would be repeated that year to the athlete community. The aim was to take key positions on key anti-doping issues and matters that arose, with Athlete Council members on WADA teams at major events, which would enable two-way communication. Again, Athlete Council members did a lot of work to increase the communication between athletes and be visible.

Goal number four was improving the Athlete Council and working and onboarding processes. That one was important for him in the move through that transition with the new Group 2 members currently ongoing. He wanted to clarify the processes to support the transition of future Athlete Council members and support onboarding and material development, so that the new members could essentially hit the ground running and be up to date with everything that was being done. That was taking place at that time and he hoped to have that transition phase with the new Council members early the following year.

In conclusion, he would track and report on progress and had been able to do that as of the previous day at the Athlete Council meeting. The Council was committed to achieving its goals and would work towards all of that. He would keep the Executive Committee informed as the work proceeded. The aim was to use that first iteration to build upon year after year to ensure that it had an impact on the WADA strategic plan. The success would greatly depend on the involvement of all Athlete Council members. Currently, the Athlete Council members were very active, engaged and willing to contribute to that, for which he thanked them. The Athlete Council would continue to collaborate with several WADA colleagues from Athlete Engagement, Governance, Strategic Planning and Compliance, etc., to make sure that happened. He welcomed any questions and noted that contact could also be made using the Athlete Council e-mail address: athlete@wada-ama.org.

On behalf of the sport movement, MR KEJVAL welcomed the Athlete Council update and the update of the strategic priorities. In particular, he underlined the importance of the strategic objective aiming to strengthen the communication with the athletes. In relation to the athletes' representation, the sport movement agreed that that was important to reflect in NADO governance. That noted, rather than focus primarily on the creation of the NADO athletes' commissions, the sport movement stressed the importance of engaging with existing athletes' commissions at national level. When NADOs sought to strengthen athlete representation, it was essential that they engage the NOCs' or national federations' athletes' commissions as well.

On behalf of the public authorities, MS SEGUIN wanted to share her appreciation for the update. She was very glad to see that the Athlete Council had been able to finalize the action plan and expand various activities. It appeared that direct feedback was being received from athletes. She commended that and encouraged further efforts to communicate with active athletes and expand that outreach.

THE CHAIRMAN thanked and congratulated all of the Athlete Council members.

DECISION

Athlete Council update noted.

9. Compliance

MR GOURDJI said that he would provide a summary of the main activities undertaken by the Compliance Review Committee since the September 2024 Executive Committee meeting as reflected in item 9.0 before moving on to agenda item 9.1, the non-compliance case for the Executive Committee's decision. The Compliance Review Committee continuously monitored WADA's activities and the support provided to signatories, offering independent advice and guidance on compliance matters. Since the previous September, the Compliance Review Committee had held one in-person meeting in Montreal in the month of October, at which it had carefully reviewed the status of the Ukraine NADO. He recalled that the Ukraine NADO had had its compliance procedures suspended due to force majeure. The Compliance Review Committee had continuously been receiving updates on its operations and progress in addressing the originally identified non-conformities. At past Executive Committee meetings, updates had been provided on that progress. After careful review, he was pleased to report that the Compliance Review Committee had agreed with the WADA management recommendation to close the compliance procedure for the Ukraine NADO. However, it had asked WADA to continue to closely monitor testing activities on Ukrainian athletes who were still competing, specifically the testing programme that continued to be delivered through a coordinated approach with IFs and NADOs. Updates were received on the watchlist cases, the non-compliance cases and the cases before the Court of Arbitration for Sport (CAS). The Compliance Review Committee had focused on WADA's compliance annual plan, ensuring that the objectives and targets were being met, and had approved the signatory audit plan for 2025 and revisited and approved changes to the WADA compliance strategy.

Further discussions had also begun on strategies to review and evaluate the compliance monitoring programme going forward. He noted that, since the recent October meeting, the CAS proceedings against the South African NADO had been withdrawn with the required legislation in line with the WADA Code adopted and enforced. At that time, he wanted to acknowledge the two Compliance Review Committee members that Ms Smith-Gander had mentioned previously: Ms Barbara Leishman, Vice-Chairwoman and independent member, and Mr Tom Dielen, representing the sport movement. Both had reached the end of their terms, having served since the inception of the Compliance Review Committee in 2015. Their expertise, knowledge and professionalism had greatly benefited the Compliance Review Committee and they would be missed, but he looked forward to welcoming the new members in 2025.

DECISION

Compliance update noted.

- 9.1 Non-compliance case

MR GOURDJI said that he would discuss the non-compliance case referred to in agenda item 9.1, which required the decision of the Executive Committee. That case concerned the Spanish Commission for the Fight Against Doping in Sports (CELAD), the Spain NADO. The identified non-conformities had arisen from two sources: a review of the NADO's anti-doping programme through WADA's programme area monitoring, and a review of a newly adopted government decree, which had not been submitted to WADA for review prior to its implementation. He would start by summarizing the non-compliance stemming from the programme area monitoring, the details of which were found in paragraph three on pages two and three of the document. At the time of submitting that paper to the Executive Committee, the signatory had not implemented three critical corrective actions dealing with test distribution, Athlete Biological Passport testing and the registered testing pool. While those three critical corrective actions remained open, a corrective action plan to address those non-conformities had been provided by the Spain NADO which had been deemed satisfactory to meet the watchlist criteria. Regarding the rules-related procedure that was also detailed on page three of the document, the Spain NADO had drafted a decree that was aligned with the Code and provided a calendar for adoption within four months of that meeting which also met the watchlist criteria. After reviewing that case, the Compliance Review Committee had decided to recommend that the Executive Committee place Spain's NADO on the watch list. The consequences and conditions for reinstatement were outlined in paragraph four on pages four to six of the document, and those conditions would be applied if non-conformities remained unresolved by the end of the four-month deadline. To summarize, the decision for the Executive Committee was detailed in paragraph one, page one. That concluded the Compliance Review Committee's presentation to the Executive Committee, and he would be happy to answer any questions.

Seeing no requests for the floor, THE CHAIRMAN asked for the record if the Executive Committee agreed to instruct WADA's management to provide a four-month watchlist starting from 4 December 2024 to Spain's

NADO to correct the outstanding non-conformities, failing which WADA would automatically send that NADO a formal notice alleging non-compliance and proposing the consequences and reinstatement conditions recommended by the Compliance Review Committee detailed in the Executive Committee paper.

MR MISKIMMIN noted from the perspective of Oceania that, notwithstanding the decision on the Spanish case, there were concerns that the standard four-month watchlist period was perhaps insufficient time to remedy much of the non-compliant legislation, given that governmental legislation procedures commonly took many, many months, which was outside the control of the NADO. There had been a discussion at the September meeting of the Executive Committee on extending that to nine months. He requested an update on the status of that issue and whether there would be an extension of that watchlist for non-compliant legislation cases from three months to possibly four to nine months.

THE CHAIRMAN thanked Mr Miskimmin. He was of the understanding that the Executive Committee had just approved the proposal regarding the Spanish non-compliance case. He would ask Mr Haynes to answer Mr Miskimmin's question.

MR HAYNES confirmed that that was part of the ISCCS update process. There had been consideration of extending the watchlist for the legislation-related cases and it would go out for consultation the following year. However, the timeframe was not only four months, but rather almost a year before that stage was reached. The matter would be out for consultation in February 2025.

DECISION

Proposal for WADA management to provide a four-month watchlist starting from 4 December 2024 to Spain's NADO to correct outstanding non-conformities approved.

- 9.2 Compliance monitoring fee reduction requests from fee-paying signatories

MR HAYNES stated that he would be very brief on that item. The committee members had received a joint letter from two IFs, those for dodgeball and table soccer, which were categorized as fee-paying signatories. As part of the commitment to being a fee-paying signatory, paying an annual fee of 10,000 US dollars was required. Both IFs had requested that their fee for 2024 be reduced to 5,000 US dollars. The WADA management's assessment of the situation was clear, namely that such a request would require a clear circumstance to justify a reduction, which had not been provided. In that situation, a precedent could well be set for other fee-paying signatories, and there were another 17 organizations that could follow suit. In addition, as also included in the paper, was the fact that neither sport had performed a doping control test in 2024 or, in fact, 2023. Therefore, the WADA management was recommending that the Executive Committee reject the request to reduce the fee for 2024.

THE CHAIRMAN saw no requests for the floor. For the record, he asked the Executive Committee if it was in agreement with rejecting the request of two fee-paying signatories, namely the World Dodgeball Association and the International Table Soccer Federation, to reduce their compliance monitoring fee for 2024.

DECISION

Proposal to reject request by two fee-paying signatories to reduce their compliance monitoring fee for 2024 approved.

10. Education

- 10.1 Professional standards – major event organizers, compliance coordinators and government advisors

MS KANOUTÉ was happy on behalf of the Education Committee for that opportunity to share the update on the Global Learning and Development Framework and to present the professional standards and role descriptors created specifically for the three roles of major event organizers, compliance coordinators and government advisors. The committee, within its remit, had supported and endorsed those tools before sharing them with the Executive Committee in the meeting documents. She welcomed any comments from the members prior to their publication in order for the anti-doping community to fully benefit from those new tools. She would hand over to Ms Hudson for more insight as to those two elements.

MS HUDSON recalled that the Global Learning and Development Framework (GLDF) had been initiated by WADA in 2020 to try to embed the principles of workforce development into the anti-doping system. Obviously,

a core component of the success of the system was the people doing the job. It was therefore important to support and help them in a number of ways. Largely, the GLDF was based on providing tools to stakeholders in the recruitment, training and development of their staff. For the Education Committee, it created role-specific training that could be used in that process. Some 500 people had been trained to date, including about 200 that year. The programme had been very well received by stakeholders and had already progressed considerably. She showed the professional standards and role descriptors that had already been published with the help of numerous people within the anti-doping community. She recalled that the purpose of professional standards was to conduct a functional analysis of a role, detailing the skills, competencies, knowledge and other requirements of performing a role. The role descriptors were tools that a stakeholder could use to form a job description, to help in their recruitment process. It gave a broader view of the role and what skills and qualifications should be sought in the event of a recruitment process. None of those tools was mandatory. They were simply there to help the community. They had been created with the community, particularly people doing the job, WADA subject-matter experts, as well as an external, independent body that had expertise in that area. As mentioned, once they had been drafted, they were sent to the Education Committee for review and endorsement prior to being shared with the Executive Committee for information. Hopefully, with the support of the WADA Communications team, they would then be published.

In 2022, to support the ongoing work of the GLDF collectively with the organizations listed on the screen and the European Observatory for Sport and Employment, an EU grant had been received to further development in that area. It was necessary to deliver a number of things. Importantly for that meeting, those included the development of professional standards and role descriptors for four key roles. Testing was one of those roles, which had been done the previous year and shared with the Executive Committee at its November meeting in 2023. The three roles on which information had been provided related to compliance, major event organizers and government advisers. In a recent global workforce survey, it was pleasing to at least know that the professional standards were being well used and that the community was aware of them. The members had the compliance professional standards and role descriptors that had been provided in advance. In addition, the EU fund enabled a pilot of the role-specific training developed on the back of those standards, which had been conducted in Vienna. NADOs and IFs from the region had taken part. Whilst they were not perfect, it had been very well received.

Beyond the figures, it was probably more important to look at what people had said in terms of the experience. Those pilot training courses made it possible to road test a number of things prior to rolling them out to the broader community. One of the unintended but perhaps positive consequences was the relationships formed during the training that had then continued beyond the completion of the training.

In addition to the compliance professional standard and role descriptor, another had been created for those who had the responsibility for anti-doping at a major event, which was a complex role not always undertaken by somebody very familiar with the anti-doping system. The associated training was currently being developed and there would be a pilot of that the following year. Finally, the Executive Committee had also been provided with a professional standard and role descriptor for the role of a government adviser. She knew that there were a number of public authorities present that day and the next. If anybody knew someone who would be willing to support the pilot training the following year, she encouraged them to contact her, as help in piloting the training for that particular role would be appreciated.

THE CHAIRMAN saw no requests for the floor.

DECISION

Professional standards update noted.

- **10.2 Social science research strategy 2020-2024 – concluding report card**

MS KANOUTÉ noted that the second topic Ms Hudson would emphasize, which had also been included in the meeting documents, was social science research. As the Chairwoman of the Education Committee, she had the pleasure of also overseeing the Social Science Research Advisory Group. She was delighted that the relationship had been instrumental, as one of the Education Committee members was also leading that group, Mr Thierry Zintz. Together with the Education Department in the development of the first dedicated social science research strategy, which had been approved by the Executive Committee in 2020, there had been significant progress and she was pleased, together with the department, to report annually on the progress of the social science research strategy. She would hand over to Ms Hudson to address the final report card.

MS HUDSON reiterated that the social science research strategy had been submitted in 2020 for the Executive Committee's approval. Social science research was a complex area entailing dealing with multiple disciplines; however, as a topic and as a component of the anti-doping system, it was quite essential. Doping,

after all, was a behaviour, and social science research focused on understanding human behaviour. Doping had been labelled by the community as a wicked, complex problem, which required complex solutions comprising a system-level approach and many multifaceted strategies. Hence, the decision had been made four years previously to look at how social science research and its contribution to the protection of clean sport could be enhanced. Some of the analysis performed to feed into the strategy sought to understand some of the challenges associated with social science research. It had always been associated with education, so consequently had minimal visibility at times within the broader anti-doping system. WADA had had a great but limited programme in terms of focusing on a reactive approach through a grant system to respond to applicants providing their research questions and asking for funding. Most of those applicants had been psychologists in academia in Europe, so much of the grant funding had gone to that region. The outcomes of the research had not always been known, and there had always been a gap between the research conducted, the outcomes, and their integration or adoption by the community in practice. Furthermore, WADA had not always been aware of the research going on outside of its grant programme. Therefore, the strategy sought to address some of those challenges focused on six key priorities: coordinating the agenda, contributing to global insight, showing what WADA knew, leading by example, developing capability and establishing partnerships.

Some highlights of coordinating the research agenda included efforts to make significant strides by enhancing the composition of WADA's social science research review group, which had essentially been tasked with reviewing the applications for the grant programme. Under the strategy, one of the most significant achievements had been the establishment of the Social Science Research Expert Advisory Group which had made it possible to broaden the remit of that group and include global representation and athlete representation. One member was actually an athlete and an athlete researcher. That group had been pivotal in helping to define research priorities. It had helped to make social science research more visible, participating in many regional activities and also in the restructuring of the grant programme, making it more accessible and, importantly, updated in line with current practice. Simply communicating what the research priorities were had improved the quality of the applications, which had doubled on average since the introduction of the strategy. The strategy had also been used unashamedly to reposition social science research, seeking to demonstrate its benefit to the broader anti-doping system. For example, the Taskforce on Unintentional Doping had recently been established. Unintentional doping was a real phenomenon that the Education Department was often asked to examine. That taskforce had been announced by WADA the previous week. Its focus was to understand the behavioural elements of unintentional doping and how to work backwards, or reverse engineer it from a preventative perspective. Another key highlight had been commissioning research into how policy could be used for positive change. She recalled that the International Standard for Education had been introduced in 2021 with the aim of improving access to education, especially for athletes. Early indications, as evidenced in the graph shown, suggested that it had been successful. It was policy impact research, helping to understand the positive ways in which policy could be used. In terms of knowledge-sharing, the first-ever social science research symposium in connection with the Global Education Conference had been held in France, hosted by the French NADO earlier that year. It had been well received by the community, with about 60 attendees. Approximately 100 had had to be turned away, which was something to consider in the future. In addition, in 2021, help had been requested from the sport community through a large-scale survey to understand views on athlete vulnerabilities and risks to doping. Over 570 responses to that survey had been received and a descriptive report had been published to inform respondents of the results. In collaboration with other WADA teams, the Science Department and the Communications team, a searchable database for all of the WADA-funded research had been added to the WADA website, allowing ADOs to search for research by author, country, region, theme, topic, etc. That had also contributed to making research more accessible. The 2022 descriptive report on athlete vulnerabilities contained some interesting insight, with regard to earlier conversations about the role of athlete support personnel in particular, and the differences in the perceived vulnerabilities from the athlete community and those around them. She encouraged the members to read that report.

In terms of leading by example, money had been invested in redesigning the research package, which was a package of survey tools that anti-doping organizations could use to measure certain key constructs such as legitimacy, credibility, morality and intentions to dope. The feedback received from stakeholders was that it was great, but too complicated for a non-academic community. Therefore, it had been re-standardized and validated in a shorter, more usable form, and was currently being used by ADOs to track some of those constructs over time.

Obviously, tracking and monitoring were important, so social science research had been trying to embed the principles of monitoring and evaluation into the anti-doping system, particularly related to education, where it was a core component of the international standard.

A key highlight of the previous four years had been the redistribution of social science research funding. She had mentioned earlier that most grant money had been going to psychologists in Europe. Hence, it had

been redistributed based not only on disciplines but also on regions. She was very pleased to say that, following concrete efforts by a number of people, less than 40% of grant funding was at that time going to Europe while the rest was going to other regions. The quality of those applications had also been maintained. Also, in terms of capability, a targeted effort had been made to identify early career researchers – people showing an interest in research into anti-doping – to nurture them and give them opportunities to present their research, including using the lower tier of the Social Science Research Grant programme to encourage them to apply and to carry out regional or locally-based research.

Lastly, in terms of establishing partnerships, the Education Department was very pleased and privileged to work with a number of organizations, such as the IOC, the EU, the Council of Europe, UNESCO and the Partnership for Clean Competition. A community of practice had been created known as the Social Science Research Collaboration Platform, which enabled participants to share challenges, prevent duplication and share resources in terms of peer reviewers, for example. Work had also been done to produce a communiqué to better communicate the funding opportunities available to the community for social science research. Taking that community-based approach, work had been ongoing on a proposal for a global network of universities currently entitled the Clean Sport Academies, in conversation with a number of stakeholders to try to leverage what the university sector could provide to help to protect clean sport. She hoped that project would commence the following year.

That concluded her overview of the previous four years of the social science research strategy. Much had been learnt and there remained much work to do. The department would be working with the Education Committee and the Social Science Research Expert Advisory Group on a new strategy that would be presented to the Executive Committee in March of the following year.

THE CHAIRMAN saw no requests for the floor.

DECISION

Social science research strategy 2020-2024
concluding report card noted.

11. Science and medicine

- 11.1 2024 scientific research projects (cycle 2)

PROFESSOR RABIN stated that research applications had reached cycle two. He recalled that there had previously been only one cycle per year. A radical change had been made to have up to two cycles that year. The following year, if the financial and human resources were available, he hoped to be able to run three cycles that would match the Executive Committee meetings for approval of the research projects. One positive outcome that had already been achieved was an increase in the number of projects received, with a record number of more than 130 applications. That was far above the figure in recent years and showed that there was an interest in that new process. Furthermore, 50% of the applications were coming from people outside of the anti-doping field and there had been more than 80 new applicants. Therefore, the objective of making that approach more dynamic had been a success in 2024.

Regarding the application cycle two, researchers from all five continents had applied for that cycle. There had been 52 expressions of interest, 35 of which had been selected for full applications. Of those 35 full applications, 33 had been submitted and a total of 13 projects had been reviewed by external and independent reviewers and by the Health, Medical and Research Committee. At the Health, Medical and Research Committee meeting on 13 November 2024, a recommendation had been made for 13 projects totalling an amount of 952,000 US dollars.

To summarize, applications had been received for anabolic steroids, as always. The vast majority of adverse analytical findings came from that class of substances. There were projects that focused on two substances that had recently been added: the 7-Keto-DHEA and the 19-Nor-DHEA. The aim was to better understand the metabolism of those two substances. There was also a project from the phytosteroid area on diosgenin, which was a class of phytosteroids that had been identified some time previously, but for which additional research was sought to help in the assessment and status of that class of phytosteroids. There were two projects related to hormones, peptide hormones and metabolic modulators, some of which were related to substances that were found on the black market. Many emerging drugs were being sold on the black market. There was one project to address the peptides that were being sold on that market. Also, there was a project on Beta-2 agonists, which were increasingly being seen to enhance performance and therefore continued to be explored. There were two projects related to the Athlete Biological Passport. He would not go into detail, but one of those was quite interesting because, over the years, it had become apparent that a wealth of data had been accumulated on

males but sometimes there was not enough data on females. Therefore, one project would specifically look at the specific, possibly female, metabolism for testosterone use and abuse. That had been recommended by the Health, Medical and Research Committee. There was also what he considered an innovative project, because it related specifically to one sport in which it was believed that there was a problem with benzodiazepines. It was believed that, in that sport, that class of substances was already being used and had made a difference in terms of performance enhancement.

Moving to the next area, he recalled that dried blood spot was an area in which WADA was very active and invested significant resources. There were two projects in that area that related to the uniformity of and use of collection devices, and in particular the stability needed to test and validate in those devices, as well as using dried blood spot for the analysis of glucocorticoids by differing routes. That would complement the work done on glucocorticoids in recent years. There was a specific project on gene doping detection focusing on genome editing, which was an area to which that project would contribute.

Finally, one topic that arose occasionally, if not frequently, was artificial intelligence. He had said in the past that artificial intelligence should be used to help in the fight against doping in sport. Hence, there was a new project being developed by a very innovative investigator who proposed to analyse the unknown peaks in the chromatograms and how to relate those peaks to potentially unknown substances or new substances that might be used for doping in sport.

Looking overall at achievements in 2024, for cycle one a total of 1.4 million US dollars had been allocated, and for that cycle a little less than 1 million US dollars, and there was ongoing involvement with targeted projects. At that time, those projects were for a total amount of 1.26 million US dollars. Therefore, a total of 3.6 million US dollars had already been committed in 2024. There were still some projects upcoming in various areas, including dried blood spot, reference materials and excretion of carbonic anhydrase inhibitors, which was a class of diuretics that regularly emerged in anti-doping tests. That concluded his presentation of the projects and the Health, Medical and Research Committee proposal to approve those cycle-two projects.

THE CHAIRMAN saw no requests for the floor. He asked the Executive Committee if it agreed to approve the funding recommendations for research proposals for the 2024 cycle 2 call for grants.

DECISION

Proposed 2024 scientific research projects (cycle 2) approved.

- **11.2 New Delhi Athlete Passport Management Unit**

PROFESSOR RABIN said that he would be extremely brief. The New Delhi laboratory had applied for the creation of an athlete passport management unit (APMU) in their laboratory. There had been an exchange between the laboratory and WADA to ensure that the laboratory met all of the requirements established in the technical document. All of the responses and the information provided had been reviewed and the conclusion was that the laboratory in New Delhi in India was ready to host an APMU and make it functional in support of the Athlete Biological Passport.

THE CHAIRMAN asked if the Executive Committee agreed to approve the Athlete Passport Management Unit at the National Dope Testing Laboratory in New Delhi, India.

DECISION

New Delhi APMU approved.

12. Other business/future meetings

THE CHAIRMAN recalled that, prior to closing the meeting, as had been communicated via e-mail the previous week, the US representatives wished to make a presentation to the Executive Committee about the Rodchenkov Anti-Doping Act. He gave the floor to Mr Anthony Jones, the Deputy General Counsel from the ONDCP.

MR JONES appreciated the opportunity to address the WADA Executive Committee. His name was Anthony Jones, and he was the Deputy General Counsel at the White House Office of National Drug Control Policy. He was one of the lawyers who provided legal advice and counsel to Dr Gupta and the agency. He would be providing a short informational briefing about the Rodchenkov Anti-Doping Act, also known as the RADA. He had been actively involved with the development of the RADA, and had been part of the team that had provided technical legal assistance to the United States Congress in its consideration of that legislation. He was speaking that day as a subject-matter expert on the RADA and its legal provisions. He hoped to provide some clarity

about what the RADA did and did not do, and noted that he was not speaking for the United States Department of Justice, because that was a separate and independent agency. Again, he was speaking in his capacity as a subject-matter expert on the RADA, and the views that he was expressing did not necessarily represent the views of the US Department of Justice (DOJ) or any other federal agency.

He would begin with some background on the Rodchenkov Anti-Doping Act. In the wake of the Russian state-sponsored doping scandal, the US Government had believed that additional measures were required to hold doping conspirators accountable. The RADA had been unanimously supported by all US anti-doping stakeholders, including the Team USA athletes, the US Olympic and Paralympic Committee, the US Anti-Doping Agency, the United States Congress and president, and it had been enacted into law four years previously. That day marked the four-year anniversary of the RADA. The goal of the act was to target members of an athlete's entourage who participated in international doping conspiracies. That was very much in line with the statements made by IOC President Thomas Bach when he had encouraged governments around the world to do more to 'drain the anti-doping swamp by targeting members of the athlete's entourage that contributed to international doping conspiracies'. President Bach had recognized that just banning them from the games was not enough when they were actively involved in harming athletes. The RADA was hence very consistent with President Bach's statements to drain the anti-doping swamp.

He wanted to speak about laws with extraterritorial application. As the public authorities knew, laws like the RADA were not unusual or extraordinary. It was similar to other US laws and other public authority laws that had extraterritorial application, and examples of US laws that applied outside of the USA were bank and wire fraud laws, anti-money laundering laws and anti-terrorism laws. Other countries had similar laws that applied outside of their borders to protect their interests and their citizens.

The RADA expressly did not apply to athletes. In the drafting of the provisions of the RADA, it had been made clear that it did not apply to any athlete. No athlete who set foot in the USA would be detained or arrested by the FBI because athletes were excluded from actions under the RADA. It did not allow the FBI to arrest or detain members of an athlete's entourage outside of the USA. The FBI was not going to show up in some foreign country and arrest people, but the USA had extradition treaties, mutual legal cooperation treaties and treaties with other governments. If it was targeting a member of the entourage who was outside of the USA, it would work with the public authorities in the country in which the entourage member was located. It would work with their law enforcement authorities to cooperate in that regard. The USA did not believe that the RADA usurped WADA's authority as a global regulator. WADA maintained full authority to sanction athletes for anti-doping rule violations, and WADA, as well as the sport federations, could take actions against the members of the entourage to ban them from participating in further competitions. The RADA's enactment had not led to the massive expansion of similar laws around the world that targeted anti-doping conspiracies, and part of the reason for that was the unique role that the USA played in international sports. Thousands of athletes went to the USA every year, and they served as athletes for American colleges and universities. Athletes from around the world went to the USA for training, to coach, to use the training facilities and to work with trainers. Given that, the USA played a unique role in international sports. That was part of the reason why the US Congress thought the RADA was necessary, given the unique role that the USA played in the international sports field.

With regard to how the RADA applied, it applied to major international sport competitions involving US athletes from at least three or more nations. It applied to competitions governed by the World Anti-Doping Code, and it required a direct connection to US interest. Thus, US athletes must be participating in the competition. The competition organizer or sanctioning body must receive financial support from an organization doing business in the USA, or receive compensation for broadcasting those competitions inside the USA. The RADA expressly targeted the athlete's entourage: the athlete support personnel, including coaches, trainers, doctors, government officials, sport organization officials and other members of the entourage who might be targeted. Because athletes were immune from prosecution, the law encouraged athletes to come forward as whistleblowers. Those who came forward had the full protection of the United States Government if they became a whistleblower. It was believed that the RADA was consistent with the World Anti-Doping Code and the International Convention on Doping in Sport, and that was because the act used the convention's definitions of prohibited substances and prohibited methods as predicate violations for the RADA to apply. The RADA created the new US crime of international doping fraud conspiracy under 21 U.S.C. section 2402. It included criminal penalties of up to 10 years of imprisonment, fines of up to 250,000 US dollars for individuals and asset forfeiture. Perhaps most importantly, RADA provided restitution for victims and whistleblower protection. Again, any athlete who came forward had the full protection of the United States Government.

In the four years since the RADA had passed into law, the US Department of Justice had taken three enforcement actions against three individuals. He would talk about the facts of each of those cases, just to make clear how the US Department of Justice had applied the Rodchenkov act. The first case was the USA versus

Eric Lira, which had concluded in May 2023 when Lira had pleaded guilty. Eric Lira had been a kinesiology and sports medicine doctor who had pleaded guilty to providing banned performance enhancing drugs to Olympic athletes before the 2020 Tokyo Olympics. Lira had obtained banned versions of PEDs and given them to Olympic athletes who had competed for two different countries outside of the USA. He had pleaded guilty and been sentenced to three months in federal prison and fined over 16,000 US dollars for the RADA violation.

The second and third actions that the US Department of Justice had taken under the act had occurred in December 2023, and those cases were the USA versus Dewayne Barrett and the USA versus O'Neil Wright. Barrett and Wright had both been coaches and personal trainers who were alleged to have provided banned PEDs to athletes in advance of the 2020 Tokyo Olympic Games. Barrett and Wright's coaching services allegedly included providing three Olympic-level athletes who had competed for three different countries with banned PEDs. The charges under the RADA were still pending against those individuals, those coaches who had been charged in December 2023.

Some key lessons could be learnt from the three actions that the US Department of Justice had taken against the RADA. The DOJ had charged only the US citizens for doping conspiracies. One had been based in El Paso, Texas; one had been based in New York City; and the other had been based in Atlanta, Georgia. They were all US citizens, and the individuals charged were the quintessential examples of members of the athlete entourage. They had been coaches, personal trainers and doctors. Again, that was consistent with IOC President Bach's encouragement of governments to target the members of the athlete entourage, who often encouraged and coerced athletes into those international doping conspiracies. The individuals charged by the DOJ had provided banned PEDs to multiple Olympic athletes who had competed for different countries outside of the USA, and the major international sporting competition that those charges had concerned was the summer 2020 Tokyo Olympic Games. The US DOJ was using that law to target essentially drug traffickers who were distributing and providing banned PEDs to athletes around the world.

He wanted to talk about the RADA and his office, the White House Office of National Drug Control Policy (ONDCP). White House agencies like the ONDCP were expressly prohibited from communicating with the US DOJ about potential or ongoing criminal investigations. That prohibition was designed to prevent the White House from improperly influencing independent DOJ criminal investigations. Due to that strict prohibition, the ONDCP was not aware of potential or ongoing anti-doping investigations because no communication whatsoever with the DOJ was permitted by that prohibition. Neither Dr Gupta nor the ONDCP had any ability to direct or influence broader investigations, because there could be no discussion with the FBI or DOJ about any ongoing or potential investigations. That concluded his presentation and he would welcome any questions that the members might have.

MR DE VOS was grateful for the presentation and did not know if he should say happy birthday or not. He was not convinced. He was also grateful that Mr Jones had twice quoted IOC President Thomas Bach. However, he thought it necessary to clarify that the statements quoted had not been made specifically in the framework of the Rodchenkov act, but more in general terms. He appreciated the presentation, but believed that it was one interpretation of the Rodchenkov act. He was not convinced that the other agencies, including the US Department of Justice, as Mr Jones had said, had no clear relationship with it. There might be other interpretations. That was also the legal advice that had been received in the past on that. It was therefore one interpretation. He reiterated his appreciation of the presentation but was still not convinced that that was the clear application of the Rodchenkov act at that time. It was one interpretation, but many others were possible. He believed that it was still necessary to be extremely careful about the application of that act.

THE CHAIRMAN thanked Mr Jones for the presentation.

He noted that the next meeting of the Executive Committee would be held virtually on 27 March of the following year. Efforts had been made to find a host for the September 2025 meeting and he believed that there was some good news to be announced.

MR KEJVAL said that he had spoken to the Czech NADO and agency for sports, which would be happy to invite the Executive Committee members to Prague in September 2025. The final schedule would be clarified to avoid a clash with the World Athletics event in Japan.

THE CHAIRMAN thanked Mr Kejval for the generous offer and the good news about the forthcoming host of the Executive Committee meeting. In December, prior to the World Conference on Doping in Sport, the Executive Committee would convene, as in past editions. The date would be confirmed soon, either 1 or 2 December 2025, upon confirmation of the full programme for the week in Busan, Republic of Korea.

Before closing the meeting, there were two members who would not be there the following year, and one member whose attendance was uncertain. Notwithstanding the forthcoming African Union elections, he hoped

that Ms Cessouma would attend the following Executive Committee meeting in March. Ms Roxana Maracineanu was leaving the Executive Committee. She had represented Europe for the previous three years. He thanked her warmly for her engagement and always active participation in all meetings. He believed that they would work together in the future on anti-doping, perhaps in different capacities.

MS MARACINEANU thanked the Council of Europe for giving her the opportunity to sit on the Executive Committee over the past few years. She wished to thank the people from the Council of Europe who had worked with her. It had not always been easy because at CAHAMA, they needed to have specific points to make at each Executive Committee meeting to justify their presence. Nevertheless, she had very much appreciated her position, the chance to learn more about WADA, the opinions of the various members and the opportunity to have intelligent debates. During her term, she had been witness to the design of the strategic plan and the implementation of the programme on education and the research, which she believed to be very important. Even though the research presentations were sometimes squeezed in at the end, they had always been a highlight for her during the Executive Committee meetings. The Athlete Council had been set up along with all of the athlete-focused programmes, including the Ombuds programme. To reiterate her earlier point, WADA was a very important organization to her and, in her capacity as minister, she had worked hard to ensure that attention was paid to all forms of violence and sexual abuse in sport. WADA's fight for sporting integrity and the integrity of athletes could converge with that fight, which, fortunately, was being taken up by many countries around the world. Fair competition was extremely important, in her opinion, and she welcomed the fact that that was a focus. Rather than referring to WADA's reputation, and she knew that the organization had been shaken up, she thought that WADA should continue to set an example. In so doing, WADA should continue to promote transparency, democracy, effectiveness and collaboration, raising awareness of those critical issues. Common confidence in WADA guided athletes' confidence in what they were doing day by day. The values of sport existed only if all parties tried daily to improve their own values. She was grateful for the opportunity to have been part of the Executive Committee for those years, and hoped to continue to work together with the members in the many efforts required to prevent doping.

THE CHAIRMAN thanked Ms Maracineanu for those kind words and her engagement. He also wanted to especially thank the longest-serving senior official in WADA: Professor Erdener, who would be departing after serving for almost 12 years within WADA as an active contributor and supporter of WADA's work. He would personally miss having Professor Erdener around the table at each meeting. He thanked him and was sure they would keep in touch. He presented a symbolic award in recognition of Professor Erdener's long-standing dedication to clean sport.

PROFESSOR ERDENER responded that, at the end of that meeting, his WADA career was indeed finishing, after serving WADA for 12 years as an Executive Committee and Foundation Board member, and the former chairman of the Health, Medical and Research Committee. He had closely worked with three presidents and there had occasionally been some turbulence during meetings in the past. Luckily, there was currently a very good and friendly atmosphere in the WADA Executive Committee due to the managing style of the WADA President, whom he thanked for creating that important environment. He thanked all of his friends and the WADA staff for their continuous support during his activities, and wished everybody all the best. He hoped to see his friends on other occasions.

THE CHAIRMAN thanked Professor Erdener again for everything he had done for WADA and the anti-doping community. Before concluding, he also wished to thank the Saudi hosts for their exceptional hospitality and significant contributions to hosting that meeting. He thanked the WADA staff for planning and supporting the conduct of that meeting and the interpreters and all of the volunteers for their hard work that day.

MS CESSOUMA said that she wished she could continue as a member of the Executive Committee the following year, but she did not know what was going to happen. Everything would depend on the result of the elections taking place the following March. That was probably going to be her last meeting as a member of the Executive Committee. She had had an opportunity to be part of the Foundation Board as well. It had been a wonderful journey. The meetings had been a great learning opportunity for her. She had not previously worked in the field of sport, but she had learnt an awful lot over the past three years. She was committed to clean sport on an African and global level. She thanked the President, Vice-President and Director General and all of the WADA staff for the work done in the fight against doping in sport. It had been a privilege and an honour and, if she was not with the members the following year, she wanted the members to know that she had made new friends and would have good memories. She hoped that the members would continue to work to protect athletes and have clean sport. She thanked Africa for enabling her to work with the members. She thanked the members, as well as Mr Swigelaar at the African office, and all those who worked in the background but contributed to the fight against doping in sport. That was what united everybody. She thought that the members should continue

their joint efforts and they could count on her to continue the work outside WADA. She thanked the members once again for the friendly cooperation. She looked forward to seeing them again soon, if not as a member.

THE CHAIRMAN hoped that Ms Cessouma would continue as a member of the Executive Committee the following year. Either way, he was sure that they would find a way for future collaboration together. He thanked her for everything she had done.

DECISION

Executive Committee – 27 March 2025, virtual meeting;
WADA Annual Symposium – 18 and 19 March 2025, Lausanne, Switzerland;
Foundation Board – 29 May 2025, virtual meeting;
Executive Committee – week of 15 September 2025, Prague, Czech Republic;
World Conference on Doping in Sport – 1-5 December 2025, Busan, Republic of Korea;
Executive Committee – 1 or 2 December 2025, Busan, Republic of Korea;
Foundation Board – 5 December 2025, Busan, Republic of Korea.

The meeting adjourned at 5.30 p.m. GMT +3.

FOR APPROVAL

MR WITOLD BAŃKA
PRESIDENT AND CHAIRMAN OF WADA

MR OLIVIER NIGGLI
DIRECTOR GENERAL AND RECORDING SECRETARY