
MATTER FOR WADA **FOUNDATION BOARD**

DECISION

SUBJECT: THIRD REPORT OF THE WORKING GROUP ON THE REVIEW OF WADA GOVERNANCE REFORMS – **RECOMMENDATIONS FROM THE EXECUTIVE COMMITTEE**

RESPONSIBLE PERSON: ULRICH HAAS, WORKING GROUP CHAIR

1. INTRODUCTION

At its meeting of 24 November 2021, the WADA Executive Committee received a report presented by Professor Ulrich Haas, Chair of the Working Group on the Review of WADA Governance Reforms (Working Group). The report included both the recommendations of the Working Group and the results of the discussions held between the Public Authorities and the Sports Movement since the last Executive Committee meeting in September 2021.

Following the report and the subsequent exchanges between the Executive Committee members at their meeting, the Executive Committee is presenting recommendations to the Foundation Board on three items: Athletes' Representation, composition of the Executive Committee and composition of the Foundation Board.

2. DECISION/S REQUESTED

The Foundation Board to agree to the recommendations as presented in section 3 (below) concerning:

- a. Athletes' Representation**
- b. Executive Committee composition**
- c. Foundation Board composition**

3. RECOMMENDATIONS

a. Athletes' Representation

- Support for the WADA Athlete Committee (WADA AC, to be renamed "WADA Athletes Council") to be composed of 20 members (five members for Group 1¹, eight members for Group 2² and seven members for Group 3³).

¹ Group 1 consists of four athletes coming from members of the International Olympic Committee Athletes' Commission (IOC AC) as appointed by the IOC AC, and one athlete from members of the International Paralympic Committee Athletes' Council (IPC AC) as appointed by the IPC AC.

² Group 2 consists of eight athletes elected by the athletes' commissions (ACs) of International Federations that are Signatories to the Code.

³ Group 3 consists of athletes appointed by the special appointment panel in order to fill skills and diversity (e.g. gender, geography, sport) gaps³ among groups 1 and 2.

- The Chair to be elected by an absolute majority of the members of the WADA AC. All members of the WADA AC to be equally eligible.
- Given the high number of athletes coming from Olympic and Paralympic Sports that are subject to the World Anti-Doping Code (Code), the majority of the WADA AC is to be composed of athletes coming from Olympic and Paralympic Sports. This condition could be ensured through the appointment process of athletes from Group 3 if need be.
- The special appointment panel to be composed of two athletes to be elected from and by the WADA AC and a member of the WADA Nominations Committee. The appointment panel shall consult with the WADA President in order to take into consideration the strategic priorities and needs of the organization before drawing up its final list of candidates. The special appointment panel shall have a transparent process and explain the strategic priorities and other criteria it took into account when drawing up the final list of candidates.

b. Composition of the Foundation Board

- A clarification of the roles and responsibilities of the Foundation Board and the Executive Committee should be put forward by the Working Group for the May 2022 Executive Committee and Foundation Board meetings.
- The reform of the composition of the Foundation Board should preserve the balance between the Sport Movement and the Public Authorities.
- The WADA Statutes to be amended to add four new Foundation Board members:
 - o Two seats to be added to the Sports Movement's quota for representatives of athletes to be elected from and by the WADA AC, with one member (at least) to come from Paralympic Sport.
 - o Two seats to be added to the Public Authorities' quota for representatives of National Anti-Doping Organizations (NADOs), to come from:
 - The WADA NADO Expert Group (NADO EAG) to be composed of ten members elected by NADOs on a regional basis (two NADOs representatives from the five regions). Only Code compliant and operationally independent NADOs are eligible⁴.
 - The two NADOs representatives on the Foundation Board are elected by the WADA NADO Expert Group (NADO EAG) among its members.
- Any decision at the Foundation Board needs a 2/3 majority of the members present.

c. Composition of the Executive Committee

- A clarification of the roles and responsibilities of the Foundation Board and the Executive Committee should be put forward by the Working Group for the May 2022 Executive Committee and Foundation Board meetings.
- The composition of the Executive Committee to be amended to include:
 - o The WADA AC Chair;
 - and
 - o One independent member.

⁴ Regional Anti-Doping Organizations (RADOs) are not eligible.

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