

**Minutes of the WADA Executive Committee Meeting
12 May 2015, Montreal, Canada**

The meeting began at 9.00 a.m.

THE CHAIRMAN presided over a short in camera session prior to the commencement of the formal agenda.

1. Welcome, roll call and observers

THE CHAIRMAN formally welcomed the members to the meeting of the Executive Committee of WADA. He welcomed Ms Widvey from Norway, representing Europe; Mr Shirama from Japan, representing Mr Niwa, who was involved with diet business in Tokyo; Mr Coleman from New Zealand; and Mr Vallini, who was doing the work for the Doping Free Sport Unit of SportAccord. It was the first Executive Committee meeting for Mr Henrique De Rose, from Brazil, although the members had seen his cheery face for many years.

The following members attended the meeting: Sir Craig Reedie, President and Chairman of WADA; Rev. Dr Makhenkesi Stofile, WADA Vice-Chairman, South African Ambassador to Germany; Ms Beckie Scott, Athlete Committee Chairperson, ANOC Representative; Mr Vallini, representing Mr Gian Franco Kasper, IOC Member and President of the FIS; Mr Francesco Ricci Bitti, President of the International Tennis Federation; Professor Dr Ugur Erdener, IOC Member, President of World Archery; Professor Eduardo de Rose, President, PASO; Mr Tony Estanguet, IOC Member and Member of the IOC Athletes' Commission; Ms Thorhild Widvey, Minister of Culture, Norway; Mr Michael Gottlieb, Assistant Deputy Director and National HIDTA Director, Office of State, Local and Tribal Affairs, White House Office of National Drug Control Policy, Executive Office of the President, USA; Mr Shirama, representing Mr Hideki Niwa, State Minister of Education, Culture, Sports, Science and Technology, Japan; Mr Jonathan Coleman, Minister of Sport and Recreation, New Zealand; Ms Valérie Fourneyron, Health, Medical and Research Committee Chairperson, Member of Parliament, National Assembly, France; Mr Edwin Moses, Education Committee Chairman, Board of Directors, USADA, USA; Mr David Howman, WADA Director General; Mr Tim Ricketts, Standards and Harmonisation Director, WADA; Mr Frédéric Donzé, Director of the European Regional Office and IF Relations, WADA; Dr Olivier Rabin, Science Director, WADA; Dr Alan Vernec, Medical Director, WADA; Mr Rob Koehler, Education and NADO/RADO Relations Director, WADA; Ms Catherine MacLean, Communications Director, WADA; and Mr Olivier Niggli, Chief Operating Officer and General Counsel, WADA.

The following observers signed the roll call: Adam Pengilly, Richard Budgett, Christian Thill, Andrew Ryan, Ichiro Kono, Rune Andersen, Andrew Godkin, René Bouchard, Valérie Amant, Graeme Steel, Marit Wiig and Ayako Ito.

– 1.1 Disclosures of conflicts of interest

THE CHAIRMAN asked the members if they had a conflict of interest on any item to be discussed on the agenda. If there were no disclosures of conflicts of interest, the members could proceed with the meeting.

2. Minutes of the previous meeting on 15 November 2014 in Paris

THE CHAIRMAN drew the members' attention to the minutes of the previous Executive Committee meeting, held in Paris on 15 November 2014. He asked if there were any particular observations. The minutes had been circulated and he was not aware of any particular issues that had been brought to the attention of the WADA

management. If that was the case, could they be regarded as a true record of the discussions in Paris in November the previous year?

DECISION

Minutes of the meeting of the Executive Committee on 15 November 2014 approved and duly signed.

3. Director General's report

THE DIRECTOR GENERAL went through his report to verbally raise some issues that needed to be updated from it and accentuate some of the matters that he thought needed some attention.

Looking at UNESCO, there were currently 177 ratifications, and there were four more in the pipeline: Kiribati, Honduras, Solomon Islands and Djibouti were all countries that had completed the process and their documentation was on the way or would be on the way to Paris. The conference of parties for UNESCO, a biennial event, was to be held on 29 and 30 October that year in Paris, and it was a very important meeting for governments, as it was the convention they had ratified giving effect to the Code. WADA had been working very closely with UNESCO to help them put together an agenda that was both interesting and useful, and WADA had also been helping in terms of the UNESCO monitoring programme to ensure that there was no duplication with the WADA monitoring programme, but also to ensure that the governments had a good process and rapport as a result of monitoring. He would report again to the Executive Committee in September as to the agenda and then in November as to the outcomes.

As far as Interpol was concerned, there was a new secretary general, and WADA was seeking a meeting for the WADA President with the new secretary general to discuss the memorandum of understanding that WADA had with Interpol and the partnership going forward. As an aside, WADA had worked very closely with Interpol recently in relation to a dietary supplement commonly known as DNP, which recently had caused two deaths, one in the UK and one in France. It was readily available over the Internet, it was used a lot in gyms around the world, particularly in bodybuilding, and WADA had worked with Interpol to send out a statement warning athletes and others to stay away from that lethal substance.

NADO development was really something for Mr Koehler to report on. His report focused on countries that WADA was particularly worried about or interested in because of upcoming major events. He had mentioned Brazil and the progress or perhaps lack of progress occurring with the Brazilian NADO. He was a trifle concerned about the time the NADO, ABCD, was taking to become fully operational. WADA was working with the IOC and others to ensure that the anti-doping programme at the Rio Olympic Games would be a good one, and he had no real problems with that, but he was hoping that the NADO would be able to play its part in conducting that programme and more particularly in playing a part in the lead-up, as there would be a number of trial events in Brazil that would require anti-doping programmes to be put into place.

There was more positive news about Kenya. WADA had been talking about Kenya for almost two years, as a result of a couple of television documentaries showing that banned substances were readily available in pharmacies and also through prescription by local doctors. The Kenyan Government had responded to those reports and to WADA's entreaties and the African WADA regional director had been in constant communication with the government and with the key individuals from the major sport, which was of course athletics. With the help of Anti-Doping Norway and the Chinese NADO, a task force had been formed to create a national agency in Kenya and to develop the RADO of which Kenya was the headquarters, so for that region it was very important that anti-doping progress. He had been slightly concerned about the lack of progress in the past; he could now say that there was movement and he hoped that that movement would become a faster movement.

He reported about the management team: WADA had nearly completed the necessary recruitment to allow the management to cope with new work that WADA had had to take on as a result of the revisions of the Code and standards. There was a new communications director, Ms Catherine McLean, and she had been welcomed at the end of last year. She had certainly been extremely busy in the time she had been with WADA. In his management report, he had listed the priority activities for that year, and there was a long list of mandatory activities, things that had to be done under the Code and the constitution. He had not attached it to his report, but he would make sure that the members had a copy of what WADA needed to do on an annual basis. In addition, WADA looked annually at key activities that ought to be given priority. They had been given priority in the way in which the budget had been formed, and those who were familiar with the way in which the budget was presented would know that it tied in with the strategic plan to show that each item related to strategy and became an operational plan on an annual basis. That year, the seven priority activities were as follows: WADA would assist all the signatories to ensure that they got into shape with good Code-compliance practice of the new rules, and that had an emphasis on quality practice, and that was what WADA was doing, and the members would see reference in the papers to the way in which WADA was going about that. The second priority was to advance the Athlete Biological Passport in a harmonious fashion, as well as to enable WADA to monitor the profiles that came into ADAMS. WADA would promote the voice of the clean athlete at all times. That governed the work that WADA did. WADA would address the issue of quality or consistency in laboratories. Many of the members had said over the years that WADA needed to make sure that each laboratory could conduct analyses of samples received in the same way, or at least in a similar way. WADA had commenced the way in which it was assisting signatories in gathering, sharing and storing information and then conducting investigations. WADA was enhancing ADAMS, but the bigger project was ADAMS 2016, approved at the previous meeting, and it would be introduced in 2016, probably in the final quarter of the year. The priority activity was the conference of parties for UNESCO. It was most important for WADA to ensure that the governments had a good, strong, successful conference in Paris.

He had attached to his report extra activities conducted the previous year, just so that the members would be aware of the things that the management was asked to do. After each of the meetings, the work increased, and the management took on the tasks with full commitment.

The special research fund had been established with the IOC offer of 10 million dollars towards research, made on the basis of the IOC matching government contributions to the fund dollar for dollar. That had closed on 16 November the previous year. There had been commitments from governments totalling around 5.9 million US dollars, and when he said around, this was because there were some fluctuations due to exchange rates, because one or two of the countries had made the proposal in accordance with the exchange rate at the time, and there had already been variations. WADA had already received almost 4.5 million dollars from governments; it had received 1.5 million dollars from the IOC and was waiting for the next tranche, so there would be a fund of about nine million dollars in hand and in a separate account. That would not go through the annual budget. It would be a separate account, subject to separate conditions and subject to the research projects to be talked about later that morning.

Other issues raised in his report included the major leagues. WADA had been asked in Copenhagen in 2003 by the sport movement in general what it would do about the major leagues, and he had explained again and again that WADA could not do anything about the major leagues becoming a signatory unless they wished to be. There was nothing in the way in which they operated that linked them with the government or the Olympic Movement in the USA. WADA had worked very closely with baseball, which currently had rules that were pretty close to the Code. The sanctions were not so close, but the rules were, and the programme was pretty significant, probably one of the better programmes of international team sports. WADA was working with the NHL and the NFL to try to bring them up to the same standard and would continue discussions with them to try to do

that. WADA had not yet had that much luck with the NBA, but he was expecting a meeting in the coming months. WADA had had help from FIBA, the IF, and Mr Baumann to try to make changes within the NBA programme.

WADA also had an initiative with the PCC, the Partnership for Clean Competition, and that was a group of the Major League Baseball people, the National Football League, the USOC and the US Anti-Doping Agency. They were putting in an extra 4.5 million dollars towards research over the coming three years, and WADA had a position on their board and science grant committee to ensure that they did not duplicate what WADA was doing by way of research, but rather enhanced what WADA was doing. Looking at the new pot, WADA really had new funds of about 16.5 million dollars for research. That was something that the President had personally endeavoured to ensure was a very good figure, and he liked to think that that had been achieved.

He had listed in his report some of the cooperation efforts being made recently, including the one with the Council of Europe and Anti-Doping Norway to hold a result management seminar in Oslo in late August, and the meeting between the IFs and NADOs in late March to follow up on what Mr Ricci Bitti had said over a number of meetings, to try to get the NADOs and IFs to work together and make sure that each knew what the other was doing so as not to come into conflict or to duplicate. Mr Ricci Bitti would be pleased to see the initiative and the way in which that initiative was progressing. There would be another meeting in relation to that later this year.

WADA was also very pleased with the cooperation project that it had with Turkey: again, a tripartite agreement between WADA, Turkey and Anti-Doping Norway, and those were the sorts of initiative that WADA would continue to look at around the world with other governments, NADOs and sports.

He had foreshadowed in his report that he would table a paper on National Federations (NFs), an area about which the management had been concerned, as WADA did not monitor compliance at NF level, and over the past few years a significant number of appeals had come from NF cases and WADA had come unstuck, as their rules had not been consistent with the IF parent and therefore were non-compliant. He would return to that in some depth in a few minutes.

He had attached to his report the release by the CAS in relation to the Pechstein case, and Mr Niggli would be happy to talk about that if the members had any queries about where that was going and what was being done, at the court level and at other levels.

He had also attached to his report the recommendations made by the Working Group on Compliance, and what had been done about those recommendations. That was a request made by Mr Pound at the November meetings, and the management had responded by showing that each of the recommendations had been answered and the issues of compliance were vested with the Independent Compliance Review Committee.

He concluded by referring to the paper on the table relating to NFs. WADA's management had put together the rationale behind trying to address the issue, suggesting that the best possible way was for all NFs to have rules in place that were consistent with the IF parent. The ITF did that, and there could be a model clause that WADA could provide to IFs to insert to ensure that their member federations had anti-doping rules that were consistent. WADA was volunteering that to provide an answer. He did not expect any decision immediately, but would like to understand whether that was a possibility to be proceeded with, and then the management would come up with the suggested model rules or article. There was one issue that came out of that and that was sports that did not have IF parents, and the management was going through the process with the Australian Football League, which had no international body, but it did report internally in Australia, and that seemed to be the sort of sport that would need guidance from the NADO in the country. Another that came to mind was a similar sport: Gaelic football. In Ireland, it came under the auspices of the Irish Sports Council and there were rules in place as a result of that process. That completed what he wanted to say with

regard to his report, and he would be very happy to answer questions or deal with comments.

On behalf of the Olympic Movement, PROFESSOR ERDENER thanked Mr Howman for his detailed report. He wished to talk about the UNESCO convention. He looked forward to seeing concrete results and actions concerning the UNESCO project.

MR SHIRAMA introduced himself. He was the Deputy Director General for the Sports and Youth Bureau at the Ministry of Education, Culture, Sport Science and Technology in Japan, and he was present on behalf of Mr Niwa, the Executive Committee member from Japan.

On 28 January that year in Tokyo, the International Conference for the Pharmaceutical Industry and the Fight Against Doping in Sport had been held, sponsored by WADA, JADA, UNESCO and the Japanese Ministry of Education, Culture, Sport Science and Technology. Mr Reddie, the WADA Chairman, Mr Howman, the WADA Director General, Ms Fourneyron, the Chair of the Health, Medical and Research Committee, and Dr Rabin, the Science Director, had travelled all the way to Japan to attend the meeting. He appreciated their participation in the meeting and the fact that it had been possible to conclude a successful meeting. He sincerely appreciated WADA's cooperation. The conference had been held under Japan's international initiative entitled Sport for Tomorrow. The conference had been part of the three pillars of the initiative and Play True 2020. Going into 2020, hard work would be done to eradicate doping throughout the world, and he appreciated WADA's continued support, contribution and cooperation.

THE CHAIRMAN said that the conference had been very successful. Quite clearly, relations with the top end of the pharmaceutical industry were very important.

MR RICCI BITTI commented on the very comprehensive and extensive report. He agreed with what his colleague from the IOC had said about the need to push UNESCO and explain that the signature of the convention by the governments was only the beginning and not the end of the story, and there needed to be follow-up, and WADA should surely promote the fact that legislation and NADOs were needed in each country. Progress was needed in order to have a good ADO matrix.

He congratulated WADA on the latest ADO symposium. He had heard that it had been very successful (unfortunately, he had been unable to attend) and that it had gone in the direction he had been suggesting for many years. It seemed that people were more aware, so he recorded with great satisfaction that it was currently considered a high priority.

With regard to the recommendation, he commented on the jurisdiction between IFs and NFs. He had read the additional paper in a hurry that morning, and it was very good. He agreed with the first recommendation, but would be a little more prudent about the second one so, on behalf of the IFs that he represented, he recommended tabling the second part, as it included the jurisdiction problem between the IFs that delegated power and sanction management to the NFs and the IFs that did not, so he wanted more detail with regard to the second recommendation, but he welcomed what WADA had invited the members to do.

His third comment was that he was very satisfied by the response on the governments' side, and he thanked them for matching contributions. Research was currently very well covered, with money coming from sport and governments together, with about 10 million dollars to be spent in the years to come. It would be very useful in order to progress the system.

About the Pechstein case, it was important to know if any other case had taken advantage of the Pechstein procedure, as the case was a huge threat to sport, the CAS and the institution of arbitration that sport had put in place, and he wondered if other people were taking advantage of the example, which was dangerous in his opinion.

MR COLEMAN said that the Director General had briefly described the seven priorities; could Mr Howman comment on the financial pressures that WADA was facing and how, with an increasing list of priorities, plans were shaping to manage those priorities in coming years, as well as the general approach to managing those financial pressures?

MR GOTTLIEB spoke about the special research fund that had been referred to by the Director General. He thanked the Director General, the Chairman and the IOC leadership and Dr Moses for their flexibility and commitment in recognising the unique way in which the USA sometimes funded sport, and the various aspects and ways in which the US Government moved that money around. He was very pleased and proud of the collaborative way in which it had been possible to succeed in that endeavour. He thought that it would help improve the health and safety of athletes. Perhaps equally importantly, it demonstrated the level of commitment and collegiality and partnership, and he thanked everybody who had played a role in that.

MS WIDVEY referred to the CAS. Based on the Pechstein case in the German courts and the clear criticism of the CAS, was there anything WADA could do to remedy the situation? As the Olympic Movement was a core stakeholder, were there any plans to assess the situation that had arisen? Europe was fully committed to contributing to the process. In fact, the previous week, the Council of Europe's monitoring group had discussed the situation and concluded that not only did the CAS institution need to be reformed, but also that the entire hearing and appeal panel system should be carefully reviewed.

Regarding the CIRC report, the findings of the CIRC were worrying, and she would follow further developments closely. She would welcome a reaction from the sport movement and the IOC on the findings and wondered whether there were any plans to follow up on it.

THE CHAIRMAN replied that Mr Howman would deal with that issue, as it came up slightly later in his report, but he understood the minister's question very clearly.

MR ESTANGUET said how much he welcomed the progress achieved, in Kenya for example, and he was very happy to see that there had been progress in some of the weaker areas of the world. With respect to Kenya, the Director General had mentioned the fact that there was new information available, and he wondered how that new information was going to be shared and how the intelligence would be made available to the various stakeholders, specifically the NADOs and NFs, to make sure that it would be possible to continue to progress in Kenya. He might take the floor later regarding Brazil, which would be coming up again.

MR MOSES congratulated Mr Howman and his staff on the good work done with the professional sports, as USADA knew how difficult it had been, and the people at Major League Baseball were talking about what a great relationship they currently had with WADA, after fighting for many years in the past, and they were very pleased with the very strong programme, and those sorts of efforts were really the strength of WADA. USADA had been involved with other professional sports, such as professional boxing (it had tested at the Pacquiao-Mayweather fight), and UFC, which had a problem and would require the assistance of WADA, and then there were all those discussions that needed to take place with professional sports, so he appreciated the work that had been done and the progress made, particularly with the professional sports in the USA.

THE DIRECTOR GENERAL responded to the comments. He thanked Professor Erdener for reminding him about the UNESCO policy project. It was not a project in which WADA was involved, although WADA was interested in it. It had progressed, although he was not yet aware of the results or when they would be made known, except that they should be finished by the time of the conference of parties in October. UNESCO had approached WADA to host a meeting of the people involved in the policy project, at WADA's expense. There had not been too many dollars in the bank to invite a whole lot of people for a picnic, so it had not done that, but WADA had suggested that it could host them if they

paid their own way. He was awaiting the next step from the UNESCO project team and, as soon as WADA had the results, he would certainly tell the members about them.

Regarding the Japanese intervention, that was the first time he had received so many congratulations on his report, so he was not sure how to respond except to say that he thought that WADA could still do better. He certainly appreciated the commitment in Japan from JADA and Sport Japan in terms of the progress and the programme that had been put into place for Sport for Tomorrow, and he was working closely with the people to address a couple more activities later that year.

He told Mr Ricci Bitti that he would make sure that the convention and the UNESCO conference of parties was a successful one. The real key was to have a strong monitoring programme, and it had been quite difficult to persuade the bureaucrats in Paris that they needed to take stronger steps. They had provided WADA with a programme, a project that required a series of questions to be answered by governments, and WADA had helped that development and had helped to go round the world and suggest to governments that they reply. The time for reply was the following Monday, and to date he could say that 77 countries in the world had responded, so there was a huge number that had not. Part of the reason for that was that they had not been given a lot of time, and that was a little bit short-sighted; however, WADA would continue to try to work with them.

He thanked Mr Ricci Bitti for his comment on the NF paper. The second recommendation was only if the IFs wanted to delegate, not that they should, so his suggestion was that WADA follow recommendation one and provide a draft, or acceptable model, rule. The ITF had one and WADA might be able to adapt it and make it available to others.

Mr Ricci Bitti had asked about the Pechstein case, and he hesitated to give the full answer. He would ask Mr Niggli to deal with that and the other question that had come from the Norwegian minister. He knew that Pechstein had taken the matter to the European Court of Human Rights.

MR NIGGLI said that there had not been huge arguments regarding pending cases, but the Pechstein case was under appeal in Germany, so the decision was not yet final, and he could still hope that the Supreme Court in Germany would issue a different ruling. The concern was that there were a number of other pending cases before the Court of Human Rights in Strasbourg, including Pechstein but not only her, which were raising the same kind of issue as that raised by Pechstein about the structure of the CAS and how it functioned. There was not much that WADA could do. The CAS was independent and WADA had no power over the CAS at all. It was a matter of concern for WADA and for sports at large, as it was not an anti-doping issue: it was a much broader issue about having an independent court of arbitration that was recognised by national courts at national level. He was concerned, but would have to see how things were going to evolve, in Germany and before the other court, and he hoped that the CAS had already planned for action if there were bad decisions coming from the courts.

THE CHAIRMAN added that Mr Niggli was quite correct: WADA awaited judgement from the Supreme Court in Germany. The greatest danger that faced the whole system of arbitration, which had been built up over many years so that, in the main, sport looked after its own sanctioning, would be decisions at the European Court of Human Rights. If WADA lost battles at the European Court of Human Rights, it was entirely possible that every doping case in any country would be dealt with by a national court. There would thus be a British version, a French version, an Italian version and a Norwegian version, and how on earth would WADA make anti-doping work on that basis? He was absolutely certain that the IOC was fully aware of the situations. The difference was that WADA was a customer of the CAS; it gave the CAS business, and the CAS resolved appeals that WADA put to it, so it was actually quite difficult to turn around and force the CAS to do something, but he assured the members that WADA was aware of it

and he knew that Professor Erdener was well aware of the dangers, particularly of a human rights case. That was serious.

THE DIRECTOR GENERAL turned to Mr Coleman. The financial pressures on WADA had really been there since day one, so there was no change for WADA in terms of making a dollar go as far as it possibly could. WADA had, the previous year, in the budget, anticipated the extra work that it would have to conduct as a result of the revisions to the rules. In the budget, the members would see links to each expenditure item, to the rules and to the strategic plan, to show why WADA had had to respond and why WADA had asked for more money in certain areas. In relation to the priority activities, WADA had fed back to that document, so it had gone back to the budget and back to the priority issues raised as expenditure items in the budget the previous year. There had been 20 items, and seven had been identified as activities on which WADA really wanted to concentrate that year. That was how it was managed. In the lead-up to the Finance and Administration Committee in late July, the management would again prepare a draft budget with links back to the strategic plan and the work that had to be conducted, to see what needed to be done to do the work properly. He was sure that Mr Ricci Bitti would be able to answer further.

He thanked Mr Gottlieb. WADA worked hard in the USA and recent events had been very pleasing to WADA, and he thanked Mr Gottlieb for his participation in that.

He thanked Ms Widvey. Her question relating to the Pechstein case had been answered, and he would refer to the CIRC report after completion of the Director General's report.

He told Mr Estanguet that things had come from a second documentary in Kenya. It had been shown in April or March that year, and the documentary had corroborated the information that had come from a previous documentary. That was a local one. WADA had spoken to the documentary film-maker, to get information from him. WADA had been able to refer that to Athletics Kenya. It was necessary information that was going to affect athletes; it was information about the athlete entourage, those who were supplying the drugs, those going to doctors to get prescription drugs that they should not be getting, and so on. That was the level of enquiry that needed to be furthered, and that was why Mr Swigelaar from the African office had pursued the government. WADA would continue to do that. If there were information that needed to be passed on to an IF or a NADO, WADA would do that. It did not currently fit into that category.

He told Mr Moses that he thought that WADA had come a long way, particularly with baseball, and everybody should know that the commissioner of Major League Baseball was Mr Manfred, who was a very close friend of WADA, but early discussions that he had had with Mr Manfred had been volatile to say the least. Every time that he had had a meeting in New York with Mr Manfred, he would say something like, 'What is your president saying now in the media and why?' WADA had been trying to pave the way, and then the president would say, 'Baseball has the biggest problem in world sport for steroids.' That had been true, but it had made the initial relationship quite tense for a while. WADA and Major League Baseball were currently in a position whereby they could talk freely to one another. The league had a significant programme, had hosted meetings of the WADA Athlete Committee, hosted meetings of the investigations team and so on, and he was very grateful for that and hoped that that friendship would continue.

THE CHAIRMAN wished to make it quite clear that Mr Howman had been talking about a previous president, and not him.

THE DIRECTOR GENERAL said that he was quite happy to say that it had been Mr Pound, who had been well known for going out loud and strong over a number of issues, and that had been one of them.

THE CHAIRMAN thanked the Director General for the progress that was clearly being made.

– 3.1 CIRC report analysis

THE CHAIRMAN said that it had been his suggestion that that very comprehensive, long and detailed report dealing with one particular sport should be on the agenda, not to deal with the sport, but to deal with the recommendations that that report had made that might affect WADA. He was not going back through everything that the authors had said, but they had made a number of references to WADA.

THE DIRECTOR GENERAL said that the CIRC had been set up by the UCI to conduct a wide-ranging independent investigation into the causes of the pattern of doping that had developed in cycling and allegations implicating the UCI and other governing bodies and officials in ineffective investigation. There had been a number of findings and recommendations. Some of those recommendations had an impact on anti-doping globally, and WADA had taken those recommendations from the report and answered them one by one within the paper that the members had before them, showing what WADA was doing about them. In addition, there were a number of recommendations made by the CIRC about how cycling could do better. Cycling's director general had been talking to him on many occasions and wanted WADA's help to address some of those issues as well. He had provided the responses to the global issues and would be happy to respond to any comment about those. As far as the UCI issues were concerned, WADA was consulting with the UCI about issues such as the prevalence of doping in cycling, the advance of the Athlete Biological Passport, quality testing and so on, and WADA would continue to liaise with the UCI to help it develop its programme in an appropriate way. The only other thing in the report had been the Vrijman report, which had not really been the Vrijman report, but a report on which WADA had spent a lot of time, money and energy in 2005, 2006 and 2007, defending the position that WADA had taken, as many allegations had been made in that report against WADA and its then president, Mr Pound. WADA had had to go to court to defend them and Mr Pound had had to go to the IOC ethics commission to defend his position, and the CIRC report stated that the report had been written essentially by Mr Armstrong's lawyers in consultation with Mr Hein Verbruggen, the former president of the UCI, and the purpose of it had been to try to nail WADA rather than undertake an independent review. He mentioned it because it had cost WADA hundreds of thousands of dollars in a situation in which WADA had been unable to afford it, and WADA was looking forward to an appropriate apology in due course.

THE CHAIRMAN said that the recommendations from the CIRC report were before the members, and that was how WADA proposed to deal with them. He would be happy to take comments on the first three pages. The last one was rather more subjective. He invited observations. Were the members happy that WADA was dealing with the comments made about it in an appropriate manner?

MS FOURNEYRON congratulated the Director General. She expressed her delight in having a healthy President again.

Regarding the CIRC report, first, the work of the independent commission was of great value and quality. It was useful for cycling as well as the whole anti-doping community. Even though most of the recommendations had already been implemented by WADA or were in progress, WADA should consider carefully the recommendations to adapt and strengthen its strategy in certain areas. More specifically, regarding TUEs and the recommendation that WADA should scrutinise TUEs more effectively and should encourage ADOs to better use ADAMS, she shared some of the discussions held with the two expert groups. There was a growing concern among experts with the recent explosion of TUEs. In 2013, 636 TUEs had been approved and entered into ADAMS. The previous year, that figure had been 897, representing a 41% increase. When comparing the TUE figures between the start of 2014 with the figures during the same period in 2015, the result was simply astounding: a TUE increase of 81%. She thought that WADA needed to pay attention to the results, ask for the explanation behind the increase, and take action if needed. The TUE Expert Group had expressed its concern about NADOs not using ADAMS to report TUEs to WADA, and that had a significant impact on the capacity

to scrutinise and understand TUEs across the globe. She looked forward to hearing about the next steps of the plan to develop ADAMS worldwide and improve compatibility with other systems. It was a key issue.

The documentation of research and the issue of funding was something she would develop in her report. On the last point, the Vrijman report and the Lance Armstrong case, she was thrilled that the CIRC report acknowledged that WADA and its Executive Committee had done their job in a totally impartial way and that the attacks by the UCI had been unfair and disloyal, and she was pleased that the same conclusions applied to the critics of the French laboratory and the journalists from L'Équipe who had released the story. The attacks by the UCI were blatant lies and she was happy to see that the truth was finally being told.

MR MOSES said that he appreciated the CIRC report and was glad that the truth had finally come out. During the time that all that had been going on, he thought that Mr Pound had taken a very courageous position on what had been going on in cycling and the Lance Armstrong case, and had taken a lot of heat, and he had also taken a lot of heat from baseball, which was why those things had really turned around. One had to appreciate that, during that time, he had taken a courageous stand. He had had to be defended legally, but that was why things had changed, and that was the kind of effort one needed in the world of doping. With respect to the CIRC report, WADA should take a very hard stance and demand an apology, because what had happened to Mr Pound and WADA had since happened to USADA when it had released the report on Lance Armstrong. He had gone to great lengths to damage USADA in the news, politically, and had even gone as far as having a lobby to try to defund USADA, going to congressmen and senators and actively trying to defund the organisation and ruin it. WADA had to take an aggressive stance, demand an apology. He was not happy at all with the way in which the report read in terms of the culpability of the senior members of the UCI and the past two UCI presidents. WADA was dealing with similar issues in Russia and its anti-doping agency. As a former athlete, he had been in the battle for a long time, and he did not appreciate it at all, and urged WADA to take the strongest position possible, because that was what the real fight was about in the end, the one that went on behind the scenes and came out a lot later. That was his position on it.

THE DIRECTOR GENERAL told Ms Fourneyron that he appreciated her comments totally and he knew the expert groups she had attended had appreciated her comments to them, as it was important to have the support of the chair of the Health, Medical and Research Committee. He was really worried about ADAMS and the fact that not all the TUEs were going into ADAMS; if more went in, there would be better outcomes, and he hoped that would be achieved with ADAMS 2016. In the interim, everybody should know, WADA was not getting close to 50% of the TUEs in the world, and many were being granted in situations that could be suspect and, unless WADA could look at them, it could not even comment. WADA's management team would certainly support her suggestions. He concurred on behalf of the management as to what Mr Pound had done in those days and what the management had done to support Mr Pound and WADA, and he was sure Mr Pound would appreciate those sentiments personally when he appeared the following day.

The comment by the minister from Norway had been addressed to the sport movement and not to him.

THE CHAIRMAN said that he thought it was only fair to respond to Mr Moses. He would discuss the point privately with Mr Pound. It would not come as a surprise to know that some people named in the CIRC report were still very active in their beliefs, rightly or wrongly, and how WADA dealt with that was quite sensitive. He was not backing off, but he was not sure that a statement from WADA saying that it demanded an apology immediately was the smartest thing to do when WADA had other statements made, and of course they did involve Mr Pound. He wanted to discuss that with Mr Pound, get a view on how to take that forward and then see how to respond to other comments made. He

had to say that he was sympathetic to the principle of what had been said, as it seemed to him that the CIRC report was pretty damning on previous UCI management.

– **3.2 New ADAMS**

THE DIRECTOR GENERAL observed that the paper spoke for itself.

MR COLEMAN said that he knew that some ADOs had not purchased ADAMS but had purchased other systems, for example, New Zealand had purchased SIMON on the understanding that it would be possible to integrate it with ADAMS. What progress could be expected on that?

THE DIRECTOR GENERAL responded that the whole intention of ADAMS 2016 was to allow other systems to connect with it. ADAMS was free; there was no cost. The other systems bought and which were more commercially available would be able to connect with ADAMS, but at the expense of those who wished to use it. That was the key. They needed to pay for the connectivity.

MR ESTANGUET said that there were a couple of points he wished to raise with regard to ADAMS. It was an extremely sensitive topic. He was expecting the new version by the end of 2016. He had thought it was to be received by the beginning of 2016, so he imagined that there was a new schedule for ADAMS, and he would therefore like to know what could be expected between then and the end of 2016. With regard to objectives pertaining to athletes, close attention had to be paid to the fact that WADA had to put forward as user-friendly a tool as possible, particularly with regard to whereabouts. More support would have to be given to the athletes to be able to understand the tool. When he said the athletes he included their entourage. Athletes often turned to their trainers, coaches and other entourage members when it came to dealing with that type of constraint; therefore, he called for a sharing of the pressure with respect to athletes' whereabouts among the NFs and IFs and other organisations that could already provide information on competition addresses and certain other items of information that were perhaps harder for the athletes to get hold of. There were also some real issues regarding athletes who were not members of the target group. Were they concerned or not, or to what degree were they concerned by the new ADAMS? In the past, ADAMS had not been used during the Olympic Games and he thought that in the future it would have to be, and the IOC would have to progress on that. In short, when would ADAMS really be up and running and fully functional? Until then, WADA had to give athletes support when it came to better understanding how to use the tool. WADA had to do so by educating their entourage, which was often not able to inform the athletes. Regarding the paperless tool, which had been piloted in the USA, what was the feedback and how would that be implemented within the new ADAMS?

THE DIRECTOR GENERAL replied that the schedule had always been the latter part of 2016; it had never been thought that it could be delivered earlier than that. He did not want to give an exact date because, when one started talking about IT, one was talking about a number of variables and there was no exact end date. There had been a team of people pooled together, including athletes and others in the entourage, to look at how ADAMS should be developed. WADA had received 400 to 500 suggestions from that group of people, including athletes, as to what should be included, and those had all been entered into the programme. WADA had signed the delivery contract and was working with the delivery agent to ensure that what was needed was in it. As WADA developed, there would be tests and trials conducted that would involve athletes. That was the way in which the programme would be put forward. WADA was not ignoring what was in ADAMS at the moment and was enhancing ADAMS bit by bit. That also continued. The third point was what sort of education or trials could be given to people. WADA could do some but would be very reliant on all of its colleagues and partners in anti-doping to deliver further down, so it drip-fed right through. The NADOs would do that for sure, and WADA could look to the IFs to see what they could do in addition. Mr Estanguet had made a very good point about the entourage being part of that, and that was something that needed to be addressed internally by WADA to work out how that

could be delivered in addition, as they needed to understand what their athletes had to provide.

DECISION

Director General's report noted.

4. Operations/management

– 4.1 Endorsement of Foundation Board composition for Swiss authorities

THE DIRECTOR GENERAL informed the members that they were being asked to approve the composition of the Foundation Board for referral to the Swiss authorities. The management made a recommendation to the Foundation Board and it was a normal process.

With regard to the operational performance indicators, WADA provided those simply for information, and if there were any questions from the members he would be happy to deal with them. The idea was to show that the management operated in accordance with the matters raised in the budget and so on.

DECISION

Executive Committee to recommend to the Foundation Board that it approve the composition of the Foundation Board for the Swiss authorities.

5. Athletes

– 5.1 Athlete Committee chair report

THE CHAIRMAN explained to the new members of the Executive Committee that Ms Scott was a very distinguished Olympian, and she chaired the Athlete Committee.

MS SCOTT regretted that she was unable to attend the meeting in person in Montreal. She would present the WADA Athlete Committee meeting report, and then she would hand the floor to Mr Estanguet to field any questions or concerns.

Very briefly, the WADA Athlete Committee had met on 24 and 25 March in Lausanne, Switzerland, and had also taken part in the WADA Anti-Doping Symposium, which took place there annually. That was the second year that the Athlete Committee had done that, and all of the members had appreciated the opportunity to engage and interact with the anti-doping community at large. It was a great opportunity to hear perspectives and meet members from the anti-doping community. Many members had also taken part in the panel discussion, entitled 'Breaking the Code of Silence'.

At the Athlete Committee meeting, many points had been made. There had been many new members joining for the first time, and all had been very enthusiastic and had engaged straight away, so it had been very exciting for her as the chairperson.

She picked a few points and elaborated on them a little bit. The first lengthy discussion on supplements was an ongoing discussion in the committee. The Athlete Committee had agreed that it was an issue that had to be understood fully by athletes in general. There continued to be inadvertent positive tests, so the committee was trying to address it on different levels and had come up with a number of suggestions for WADA to consider, the first being to encourage UNESCO to develop discussions with the industry leaders to promote industry regulation. That was one of the biggest risks: that the industry was so unregulated, so the committee would like to see steps taken to address that.

The committee asked that WADA consider organising a meeting or symposium to engage a small group of experts to examine the present position in relation to supplements and what might be considered to advise athletes.

Some consideration could also be given to an innovative research project under the new research fund related to supplements and asking that they be properly researched, and that could be under social or regular science.

The Athlete Committee would also like to continue to promote the medical advice and guidance of a good and healthy diet. Many athletes felt that there was a benefit from taking supplements, and that could be psychological, but the Athlete Committee would like to promote the message that they were not necessary and a good and healthy diet was certainly the best way to go.

Some concern had been raised about the fact that not all medallists at major international multi-sport events were tested. Many athletes who won medals expected to be tested and that should be the case.

Another point had been raised about clarity for the application of the rule on prohibited association, which had come in with the new Code; it was a very good rule and regulation, but the athletes were wondering who would be notifying them and how the information would get to those responsible for notifying the athletes. It was a bit of a grey zone and the Athlete Committee sought more clarification on that.

The Athlete Committee had raised the point of the integrity of the anti-doping organisation responsible for sample collection and the importance of the integrity of such organisations and trust. That was a very big psychological barrier for many athletes in different sports, and it was really important that the DCOs not see themselves as friends of the athletes but rather conduct themselves in a very professional manner. There had been some actual experience from members of the committee who had described interactions with DCOs who had gone to get their photos taken with the athletes or had got too friendly, so the Athlete Committee would like to see that addressed as well.

Moving on, athletes also thought that it was very important that the private sample selection companies in the world be properly and fully monitored by WADA for compliance, and they should also undergo a compliance review process.

The Athlete Committee would also like the opportunity to make more comments, particularly when high-profile athletes were making negative statements on anti-doping in the media. There was the recent example of a very high profile soccer player who had made some negative statements about anti-doping in the press, and that had been very damaging to the anti-doping community as a whole, and perhaps the Athlete Committee should work with the WADA Communications Department to respond and ensure that the other side of the message was out there as well.

In terms of stakeholder engagement, the Athlete Committee had connected with the IF and NADO athlete committee chairs throughout the world. That process had been started the previous winter with outreach and assigning different members of the committee to different IF chairs, and the response had been enthusiastic and engaged. The Athlete Committee had been able to connect with many different IF athlete committee chairs, and was already getting a lot of feedback and a lot of interest, and was generating what she had hoped: an important two-way information process, whereby the Athlete Committee was able to disseminate information coming from WADA to the different athlete committees, but it was also getting feedback and information and ideas and thoughts from the athletes who were on the ground, so that was very exciting and something she was looking forward to continuing.

As she had mentioned many times at meetings, there was a very enthusiastic and engaged committee, and all of its members were actively participating in anti-doping activities outside the WADA Athlete Committee and meetings and showing their support in many different ways. The WADA Athlete Committee had recently expressed its support for the Russian investigation in a written statement posted on the WADA website. Mr Ben Sandford, one of the WADA Athlete Committee members, had also taken part in WADA's first legacy outreach event at the 2015 FIS Nordic World Championships in Sweden, and that had been a great success by all accounts. Mr Sandford had served as the athlete

ambassador. The event had been entitled 'Clean as Snow', and it had been jointly run by WADA and the FIS, and it had been a very good programme to help promote the clean sport message among competing athletes and their entourage. A pre-event press conference had been held and the legacy programme had been explained to the media by the FIS Secretary General, Sarah Lewis. The athletes had had an opportunity to take part in a number of activities, including the Play True quiz, pledging their loyalty, signing the pledge and taking photographs, and there had also been a joint social media campaign run around the event, entitled 'Ask the Athlete Clean as Snow Campaign', so by all accounts it had been a very successful campaign.

Ms Andréanne Morin had made a presentation to the DCOs at the 2015 Pan American Games; Ms Claudia Bokel had been chairing the Agenda 2020 section on protecting and honouring the clean athletes; Mr Felipe Contepomi had been featured in a World Rugby video on supplements, and the Athlete Committee members continued to take part in a lot of activities outside the WADA Athlete Committee itself.

The Athlete Committee continued to meet via teleconference calls, and had held a meeting recently with the Director General of WADA, and the next meeting would be in Montreal on 19 and 20 October.

She had a colleague at the table with the members that morning, Mr Tony Estanguet, who she knew would be very happy to take questions relating to the Athlete Committee, and she thanked the members for the opportunity to join the meeting via conference call.

THE CHAIRMAN asked Ms Scott to stay on the line in case Mr Estanguet said something with which she disagreed. He asked the members if they had any questions on the work of the Athlete Committee. He asked Mr Estanguet if there was anything he wished to say.

MR ESTANGUET underlined what Ms Scott had spoken about in relation to supplements. That was a reality the athletes had been facing for many years, and the Athlete Committee had the same discussion every year. WADA definitely needed the support of the governments and probably UNESCO to find a solution to be in touch with the industry and tackle the issue. It was not possible to tell the athletes not to use supplements or that they were not necessary. The marketing was very strong and athletes were consumers, so the Athlete Committee definitely needed the Executive Committee's support and would be more than happy if the members could express their feelings about the proposed suggestions by creating a new group to tackle the issue, as the Athlete Committee needed the support of the Executive Committee to find solutions. He thought that it was also a problem of communication. Around the world, anti-doping issues and WADA were attacked frequently, and the athletes had high profiles on social media and could be strong ambassadors when it came to replying to people who were attacking WADA and the world of anti-doping. It was necessary to tackle the matter by defining a communication strategy and using athletes in the coming months, because the power of athletes should not be underestimated, and there were many athletes ready to play that role. He thought that WADA had to be more proactive in communication and trying to send out a more positive message than that read about and heard on many occasions. He supported Ms Scott regarding the way forward on supplements and communication. The Athlete Committee tried to work on an athlete committee network but definitely needed support on communication issues.

MS FOURNEYRON spoke about supplements. They had already been mentioned by Ms Scott at the meeting the previous November, and the Director General had spoken about two athletes who had died recently. In France, in 2012, the minister of sport had signed a partnership with a certification body to develop a label such as ISO that applied to supplements. The presence of the label would mean that the supplement was free of substances, thus providing safety and security to the athletes, so maybe that was something that could be developed or publicised on a global scale. But the question was, was it WADA's role to make some money in supplements, in research into supplements

and work in that area? Was it not the role of the public health authorities, governments and the industry?

MR MOSES applauded Ms Scott's efforts to discuss supplements for world-class athletes. Everybody was looking for a competitive edge and the general consensus from the athletes' point of view was probably that there were no illegal substances in the supplements, but the real reality was that there was a very high possibility that they would contain them. It was hard to determine where to stop and where to start, and where the responsibility lay. Through athlete communications and social media, there was definitely a possibility to be able to impart the information to more athletes as quickly as ever than there ever had been. When it came to athletes' communications, the athletes were going to have to take responsibility for a lot of the consequences of using supplements. As much as it was possible to find supplements that were untainted, the reality was that a tremendous amount of positive cases around the world came from supplements, and it was a really difficult problem. The Athlete Committee really should work with the publicity and WADA but, at the end of the day, it was a responsibility that came down to whether an athlete was going to decide to use a supplement or not and whether they were going to take the risk. His personal feeling was that 60% of all cases probably came from some kind of supplement that somebody had taken and they thought that it was okay. That was a huge number. He thought it was really sad that the athletes got caught by not paying attention and, at the same time, one could not really rely on what was on the label of many of the supplements, because many were illegally made in somebody's bathtub and packaged up, and he was sure that there were some custom-made supplements that had illegal substances in them on the market, and it was a really difficult problem to deal with, but the Athlete Committee had to keep up the good work and the athletes were going to have to understand that they needed to take more responsibility for that as well. The issue of athletes taking substances had been a topic of discussion for 20 years, and it was still a very big issue. He advised the Athlete Committee to keep up the good work. The Education Committee had discussed it at length and had come up with a couple of possibilities, and simply needed to stay in touch with the Athlete Committee on which direction to go in.

MS SCOTT wished to respond to the comments. The issue had continued to come up ever since her involvement with WADA, which had been ongoing for ten years, in that athletes took supplements and the industry was unregulated and there had to be some kind of middle ground found, and there was a role for the Athlete Committee to play there, and it had come up with some good suggestions in terms of giving consideration to a special research fund or project, or encouraging UNESCO to get involved, or engaging the symposium to tackle the issue because, when the Athlete Committee engaged with athletes around the world, overwhelmingly it came back again and again that they were concerned about supplements. The Athlete Committee members knew that athletes were taking them. It was not excusing any positive test results. It had never come up at the committee meetings that the responsibility was on anybody but the athletes; but, at the same time, there was a way in which the Athlete Committee could help and assist athletes with that really large issue out there. She thought that was what the committee was doing and hoped that progress would continue to be made.

MR COLEMAN said, in response to Ms Fourneyron's comments about the border between it being public health issue and an issue for NADOs and WADA to take on, that it was unlikely that governments would take it on as a public health issue; so, if it was not dealt with by WADA and NADOs around the world, he could not see where it would be dealt with. Obviously some good suggestions had come out of the report. What was the process for capturing some of those and acting on them rather than noting them? The suggestions that the athletes had come up with were across a range of areas.

THE CHAIRMAN rather agreed that it followed a little bit from the suggestion that the point should be made to UNESCO. He hoped he was not being cynical, but expecting UNESCO to get the governments of the world to introduce legislation on supplements when the biggest market was entirely unregulated and there was no wish for that to

happen seemed to him to be quite difficult, so therefore the second point was how WADA could capture what the major issues were, which was relatively easy for WADA to do, as it knew that many of the adverse findings were supplement-based. The problem then was how to get that message to active athletes, and he thought that what the athletes did in the Athlete Committee was splendid. They then needed to take it to the NOCs, certainly at major events, so that they would tell all their teams going to the Olympic Games not to do it; they then needed to take it to IFs so that they would tell their athletes not to do it, and WADA could do a lot, but the ultimate delivery was not within WADA's power. But the debates were always worth having. He had tried to go into the supplement business some 18 months previously. He would not tell the members who had done it, but a distinguished athlete in the USA had been signed up, and his performance had gone down rapidly ever since he had signed up. The IOC medical director had assured him that taking supplements was likely to be bad for one's health, and then he had spoken to the lawyers, who had fallen about laughing, so he had given up. It would have solved WADA's financial problems if it had been able to market and manufacture a guaranteed safe WADA supplement! It had to be education, a long process, and encouragement of WADA's partners. As far as the IFs were concerned, there was an obligation under the Code to them all on education, and maybe WADA could invite them to concentrate rather more on supplements as part of that process.

He thanked Ms Scott very much indeed for phoning in from Edmonton. He wished her good luck, thanked her for her contribution and hoped to see her soon.

MS SCOTT wished the members a very fruitful and productive meeting.

DECISION

Athlete Committee chair report noted.

6. Finance

– 6.1 Government/IOC contributions update

MR RICCI BITTI said that he would take the members through the finance papers and was ready to answer any questions together with the Chief Financial Officer, who was present. The Executive Committee would be responsible for recommending to the Foundation Board the approval of the year-end accounts of 2014, but first he wished to deal with the government/IOC contributions update.

He had received an update that morning, which stated that, with the final payment the previous day, WADA had reached 76.45% of contributions received compared with 77.21% the previous year, so WADA was in line, although slightly lower that year, compared to the previous year, but still very good. Additional contributions had to be mentioned and, to date, 612,704 US dollars had been received, and he thanked Russia, Japan, UK Anti-Doping and Kuwait, and he highlighted Kuwait because it was the first time that it had contributed additional funds to WADA, and the contribution included a commitment to continue. That was good news.

DECISION

Government/IOC contributions update noted.

– 6.2 2014 year-end accounts

MR RICCI BITTI informed the members that, with regard to the 2014 year-end accounts, WADA had attained about 99% of the public authorities' budgetary contributions and had also received donations, or additional funds, for 631,952 dollars, and he again thanked those who had contributed and who had been mentioned earlier.

WADA had posted an excess of expenses over income of approximately 28% above the budgeted deficit, and the excess had been 1,136,225 million US dollars compared to a budgeted deficit of, 884,217 and that was the negative news that day, due basically to exchange rates. WADA accounted in US dollars and the majority of expenses were in

Canadian dollars, and the volatility had been particularly high that year. The loss in exchange, which was an unrealised financial loss, accounted for the significant figure of 951,000 dollars, which meant that, without that loss, internal operations had been much better than the budget of 884,217 as the total loss was 1,136,225; so, in internal operations, WADA had done much better than budgeted. The most important item, capital expenditure, totalled 1.685 million, 600,000 under the budget of 2,300,000, and that had created a surplus of cash reserves for the year-end; however, not all the projects had been completed, and would be carried over in 2015. There had been some unexpected expenses: WADA had started spending money on the ARD investigation in Russia, and it was only fair to say that that would be a significant cost in 2015, but it was what WADA had to do. Generally speaking, the overall financial position of WADA was stable; however, as the cash reserve depleted, it had become imperative to increase funding to seek solutions to decrease expenditure without reducing the activities of WADA. The Finance and Administration Committee had done its best to prioritise, as Mr Howman had already mentioned, and efforts had to be made every year, but WADA had been clear about that since the beginning. He was a long-standing member of the Executive Committee and he knew that it was common in the WADA exercise to try to spend as little as possible.

With regard to the ICS, the auditor's report, the members had a copy before them; it was very positive as usual with no suggestions for improvement. There was only a minor remark, relating to two mis-statements, one related to an over-statement of salary accrual in 2013 of 382,000 dollars, and another suggestion of incorrect potential loss of exchange rates not mentioned had to do with bonds that would expire in 2015, and that was a suggestion, but the two mis-statements had been considered immaterial, and the auditors had said that they would have no impact on the reporting and suggested not changing the financial statements. Those were the comments about the 2014 accounts.

He repeated that the negative note was the loss on exchange rates. He had no easy solution, and he repeated that it was an unrealised, financial loss that had an impact only on the year-end results and less on the cash.

With those comments, he recommended that the Executive Committee approve the accounts to be submitted the following day to the Foundation Board, which had to formally approve the 2014 year-end accounts. The auditor would give the report the following day to the Foundation Board.

THE CHAIRMAN said that the dollar was very strong at that time, and it was only an issue when one had to account in dollars. That was reality. Were there any questions, or were the members happy to submit the accounts to the Foundation Board the following day?

DECISION

Proposal to recommend 2014 year-end accounts to the Foundation Board approved.

– **6.3 2015 quarterly accounts (quarter 1)**

MR RICCI BITTI noted that there was a printing mistake. WADA was at 56% of total budgeted income received and not 39%, as had been written in some papers distributed, but that was not very significant, since WADA received the major portion of its funding at the beginning of the year and then it spent it throughout the year. The profit that the members could see did not reflect any kind of trend; it was simply due to the fact that the majority of the money was received at the beginning of the year, while the expenses occur more towards the end of the year. On the expenditure to date, the two major expenses already completed, were for the ADO symposium, in accordance with the budget, and legal costs. Looking at the paper, on the final page, he mentioned the two items as slight variations, with some concern about the future of legal expenses, but they were unfortunately part of WADA's duty and, with the investigation in Russia and some

litigation cases, WADA was already slightly over what had been budgeted for 2015. Already, 42% of the legal budget had been spent in expenses up to the end of March, and that was a lot. He wished to mention the Lausanne office. The figure included the successful anti-doping symposium, and that was the reason for which 35% of the total budget for that item had been spent. For the next part of the year, the Finance and Administration Committee would carefully consider the situation in July with more information than it had in March.

DECISION

2015 quarterly accounts noted.

– **6.4 2016 budget – preliminary planning**

MR RICCI BITTI stated that the proposal was obviously to postpone the submission until the September Executive Committee meeting, as the committee did not have many elements at that time, but some elements could be considered. The Finance and Administration Committee had to talk about the increase in contributions, the grants received and the exchange rates, and there were many elements of uncertainty in the preparation of the 2016 budget, including the decision about travel expenses. There were two different positions. The IOC would like WADA to cover travel expenses again, and the governments were more in favour of paying the costs themselves. That cost practically compensated for the contribution increase. He envisaged that, if WADA were to continue its activity, no less than a 3% increase should be considered, but the travel expenses would be included. The other important cost for 2016 would be the Olympic Games, and some 700,000 dollars would be budgeted (including the Independent Observer programme, the Outreach programme, executive travel, etc.) and the basic budget, although it was all provisional, so those were the items that would have to be covered with some kind of strategic policy decision, amounting to about 1.5 million dollars (the travel expenses of the Foundation Board and Executive Committee members and the Olympic Games in Rio de Janeiro).

Having said that, he thought that he had provided a summary of what the Finance and Administration Committee was doing. Everything was under control. The cash situation had improved since the previous year, and that was good news, as cash was always important. There was a tight situation regarding budgetary expenditure and maintaining all the activities, but the Finance and Administration Committee would meet to discuss that seriously in July and was also considering a recommendation from the Council of Europe to have a three-year plan. WADA had always worked on a very short-term basis, although it might be a good idea to have a three-year plan. The operations were very well identified and there were very few special expenses such as the Olympic Games, but he would submit the three-year plan proposal to the Finance and Administration Committee and he would come back to the Executive Committee in September with all of the information that he had anticipated or provide further details to the members.

MR COLEMAN said that he totally supported the suggestion of a longer planning horizon and wondered if actually a four-year horizon might make good sense. He wondered whether there had ever been a financial review as opposed to an audit of WADA's activities, to make sure that the finances were truly aligned with the priorities. Looking at the key performance indicators for operations, it had struck him that there were many activities on that list (and it was a very long list) that were outputs rather than outcomes.

Going back to governments and contributors and the issue of looking for a 3% rise in an international environment of low inflation, in his country, inflation had been 0.1% in the previous quarter, and he thought that there would have to be a good case for seeking those contributions, and it was important to be able to demonstrate that WADA had clearly got activities and desired outcomes aligned with the budget and that WADA had done all that it could to make sure that it had reprioritised and was clear about the outcomes being sought from WADA.

MS WIDVEY said that Europe was of course committed to a fully functional and appropriately funded WADA; however, she sought information on how the process for developing the budget was established. Would it be possible to prepare an overview of the entire budget process from start to finish? In that regard, Europe strongly recommended that the WADA management and the Finance and Administration Committee establish a multi-year budget process, and she understood that the management was willing to look into that. For the 2016 budget, Europe asked the WADA management to prepare the information needed, including the different scenarios: 0%, 1% and 3%. She did think that it would be important to have different choices so as to be able to choose after a good discussion. Would the committee have a discussion about the budget at the May meeting?

MR RICCI BITTI responded that it was good to hear that the questions were coming from newcomers, although they were not new. He answered Mr Coleman: he recognised the economic situation in the world. He struggled, because WADA had duties, such as the legal ones, which could not be easily forecast, as they depended on the situation and the case, and they were very expensive. The priority had been WADA's priority all the time. The Finance and Administration Committee tried to review, but stuck to the minimum that WADA could do, and he asked Messrs Reddie and Howman to answer, as the Finance and Administration Committee was living with what had been recommended.

In terms of a calendar, the problem was that the Finance and Administration Committee did not have enough information. The accounting of WADA was very seasonal, and it made sense to discuss the budget at the September Executive Committee meeting and to leave it till July for the Finance and Administration Committee to have more information. It would not have enough information in March. That was his view, but he asked Mr Howman and Ms Pisani if they agreed. He believed that the calendar that WADA currently had was the best possible. All the information on the process and the notes on the budget would be given to the members in September. Just to give confirmation to the members that their points were valid, there had been three budget options presented the previous year. The problem was prioritising. He believed that WADA was at the minimum level of functioning. WADA was an engine working on one cylinder, and it did everything it could with the money available. WADA was very pleased with the governments' response regarding the fund, and he thanked all of the governments for that, as it had allowed WADA to have a 10-million dollar research fund, which had enabled it to reduce its own research budget. That had been helpful the previous year. Those resources were in place and WADA would continue to keep its research budget low, but he could tell the members that there was not much room at all for manoeuvre.

MR REEDIE said that the reality was that doing it on an almost annual basis reflected the fact that, in every month of the year, something came up that people asked WADA to do and, on that basis, shorter-term budgeting tended to be more accurate. Having done it for years, he was not sure that it made all that much sense to do it in April before the meeting in May. If, however, WADA were able to put together a two to three year projection, that might in some way answer the questions raised. The problem was that items came up constantly on which WADA was involved in spending money that he could not guess. The ARD television programme in Russia was a classic example of that.

MR GOTTLIEB said that there were two things that had been helpful from his government's perspective. He recognised the work put in by the chairman of the committee and Ms Pisani on a daily basis to keep up with the change in currencies and circumstances. The first was that it had been tremendously helpful the previous year when the Finance and Administration Committee had brought the options to the Executive Committee. It had been very helpful as a decision-making body to be able to see in real terms what the trade-offs were when talking about a 15% versus a 2% increase. He would encourage that to be done again for the next year. He fully agreed that it was difficult to predict what was going to happen two or three or four years down the road. He had struggled with the continual requests from his government for a sense

of where WADA was going in the future, so the Executive Committee could say that it thought that, in 2017, there would be another 2% or a 3% increase, but some guidance to take back to the governments, understanding that it might not be perfect, would be tremendously helpful. He thought that was what his colleague from Norway was asking for.

MR RICCI BITTI said that the management would try to do what had been asked; obviously, it meant more work, but it would be a must, as it had been the previous year. Then, the management would try to put in place a multi-year exercise. He would say that three years for WADA was more than enough, as it was an agency that worked on very unexpected items that could come up without any warning. He believed the management would try to put in place the options and the multi-year exercise.

THE DIRECTOR GENERAL reminded the members that, about five or six years previously, the management had produced an expenditure guesswork budget, which had been useless because, by the time the Finance and Administration Committee had met, it had been out of date and the information on which the expenditure had been based had changed, so he thought that the members should reflect on past experience.

THE CHAIRMAN thought that nothing that WADA had produced had been useless.

MR COLEMAN asked if there had ever been an external financial review of activities to make sure that the outcomes being sought were in line with what WADA was actually doing. Governments faced massive challenges on an ongoing basis, in a very uncertain environment, and it was becoming standard international practice to have those rolling four-year plans that were looked at on a yearly basis, so he did not think that it was an insurmountable challenge.

THE CHAIRMAN said that the answer to the first point was no, that WADA had not had an external examination, and it must be possible to have that done. He heard what Mr Coleman was saying about a longer projection and, with a bit of luck, it would be reasonably accurate.

MR RICCI BITTI mentioned that there would be a cost associated to that external examination.

THE CHAIRMAN said that he had not told Mr Ricci Bitti about it in any detail and, rather than sit back and say that WADA did not know what was going to happen other than the fact that WADA was likely to be short of money, he had asked the management and in particular Mr Niggli to set up the mechanism to establish a charitable foundation in the USA, where, with a wonderfully strong dollar, there were lots of people who were substantially richer than they had been one year previously, for the backbreaking toil of watching the market go up. That was a complex exercise because, if one was looking for donations, one had to be quite skilled in what one asked for. That work was under way. Mr Ricci Bitti would not be able to make use of any of that at all, as WADA simply did not know whether it would work; but, clearly, if it did, in terms of the short-term challenges that WADA had, it might be helpful.

DECISION

2016 budget update noted.

7. Education

– 7.1 Education Committee chair report

THE CHAIRMAN invited Mr Moses to give the members his verbal report as chair of the Education Committee.

MR MOSES said that it was appropriate to go right after the Athlete Committee report because everything that was done in education went directly to the athletes and/or the people around them. As ADOs focused on the implementation of the 2015 Code, the Education Committee's job continued to grow and play an important role in guiding the

global approach. The meeting had been on 8 and 9 April in Montreal to discuss the WADA education programmes, and it had been very insightful, including a very balanced set of people from all aspects of sport, who were very eager to provide input. The Education Committee had also welcomed Ms Mariana Quintanilla from the WADA Athlete Committee; it was very beneficial to the committee to always have an Athlete Committee member present. In fact, he wished to ensure that the Athlete Committee and the Education Committee shared agendas from the meetings and, when available, a member from each body should attend the meeting. That was absolutely crucial, because the issues directly involved athletes and what the research work sought to do was find out the connections between why athletes wanted to use drugs, who might be conspiring, and the whole psychology behind it.

The Education Committee also commended the WADA team for the quality of the work and the commitment to promoting education globally. Depending on what part of the world one was in, it had a lot to do with what kind of information one was able to get as an athlete, and most athletes had electronic communication, meaning that they could get information quickly, but many athletes did not have that option and the Education Committee was always concerned about how to reach them too, at events or through electronic communication.

In terms of key points, there were four main themes, the first of which was partnerships. ADOs should involve athletes more in protecting clean sports. That was one of the conclusions that had been reached. It had also been agreed that there was a need to continue to promote the importance of education among leaders and decision-makers to obtain more support for education programmes. The Education Committee also encouraged WADA to work closely with the IOC and see how it could be more involved in contributing to relevant commissions, perhaps with WADA members on them. The Education Committee felt that WADA members had a lot of expertise and should perhaps be more involved with some of the IOC commissions. The Education Committee also encouraged WADA to offer cooperation to the IOC with respect to the social science research programmes for the purpose of sharing ideas and avoiding the unnecessary duplication of research, because many of the same people who applied to WADA could apply to the IOC for research grants, and it was felt that WADA had the ability to redirect some of the research to a different area so as to avoid duplication.

When it came to resources, the Education Committee encouraged the creation of resource kits for parents of athletes. It was felt that that needed to be done. The Education Committee also requested that WADA see what could be done to further educate athletes and support personnel about supplements. That was key. In terms of approaches to education, the Education Committee wanted to send a strong message that athletes needed to play a positive role in promoting clean sport and supporting ADOs, as there were a lot of athletes in the world who could be very helpful publicly supporting such programmes, and the support should be more of a positive approach versus a punitive approach; in other words, athletes should be congratulated for being in a testing pool. Because they were in a testing pool, it was much more likely that ADOs and WADA would be able to provide a cleaner, more ethical and stable playing field. WADA needed to take advantage of that psychology, and the fact that WADA was there to help and WADA was testing everybody and trying to maintain the balance in clean sport. Everybody had the right to compete in a clean and ethical sport, and that needed to be promoted as opposed to the punitive model. That should be the message.

In 2015, there would be a global education conference, and the CCES, in collaboration with WADA, would be holding a values-based education conference in Ottawa on 2 and 3 October that year to bring together researchers and experts to examine how ADOs could review their education programmes and enhance them to strengthen the global fight against doping in sport, and the Education Committee had also reinforced the need for ADOs to attend the conference.

Then there was a recommendation on spending in the documents; in addition to that, at the meeting, the possibility of special research funds being allocated to social science

research had been discussed. The Education Committee felt that more money was required for social science research, and it was felt that the special funds could help look at the general integrity issues relating to why athletes cheated, who was around them maybe causing them to cheat, and what the whole psychology was, to give a more rounded basis on which to further the research and come to some conclusions. The Education Committee sought Executive Committee approval to allocate one million dollars of the special research fund to social science research. That was included in the folders.

He asked Mr Koehler to provide an overview of the projects.

DECISION

Education Committee chair report noted.

– 7.2 Targeted social science research projects 2015

MR KOEHLER highlighted the fact that the members had before them the social science research general update on research conducted to date from WADA's perspective, and it provided a brief summary on why it was important to have education, the targets of education, the type of content that was needed, where education should take place, when the ideal time for it to take place was and how to deliver the education programmes. The document outlined every research project funded by WADA, the outcomes and the summaries, and it further explained how that research had been used to enhance WADA programmes and global education programmes. That was to be noted.

He recognised that WADA was not the only organisation doing social science research, and the Executive Committee had approved targeted research one-and-a-half years previously, looking at the global perspective of research. That was all the research that had been conducted from the literature review. It would be finalised on 3 August. There would be an initial review and, once that was available, he would make sure that it was posted on the website and made available to all of the stakeholders. That had been commissioned by Professor Backhouse.

During the WADA Education Committee meeting with the Social Science Research Ad Hoc Working Group, there had been a recommendation to use the 155,000 US dollars that the Executive Committee had approved in November 2015 for targeted research, and the recommendation from the Education Committee was that WADA look at three areas: two areas of targeted research, one looking at how doping was influenced by the globalisation, commercialisation and evolution of sport, recognising that the landscape had changed slightly, including looking at gender and age differences, and the second looking at further examining the gateways to doping, and the steps an athlete took to doping, which included the use of supplements and how that might affect the further enhancement of what they might do in the future. That included technology and how that contributed to the overall perceived culture of doping. Those were the two targeted research topics. The intention for those two would be to issue a call for proposals for researchers or look at somebody in the field who had looked at that to do further research. A total of 135,000 US dollars was available to allocate to the two projects in some way or another.

Furthermore, it had been recommended that, for the partnership project with UNESCO, the IOC, the IPC, the ICSSPE, and the International Fair Play Committee, one single resource be created. The Executive Committee had approved the project one-and-a-half-years previously and the partnership group had listened to the researchers and realised that more funds were needed, so an additional 20,000 US dollars would be made available for the project to look at increasing a global scan of the values-based education that was out there, looking at values in school, how the researchers would design the programme for the school curriculum and then testing the effectiveness of the resource, so not only creating something, but using funds to make sure it was actually working. The recommendation was 155,000 dollars of unallocated resources to be allocated to those three projects in 2015.

THE CHAIRMAN said that it seemed to him to be absolutely clear; were the members happy with that? He acknowledged his gratitude for that, as he had been thinking that he might ask Mr Koehler about how many had been funded and the results and there they were. He had not yet read it, but he would certainly do so, as it was a useful document.

DECISION

Proposed social science research projects approved.

– **7.3 2015 social science research funding**

MR KOEHLER said that Mr Moses had introduced the recommendation of the Education Committee, which was to look at allocating one million US dollars from the special research fund that had been gathered by the Olympic Movement and the governments globally, and allocating that one million dollars over a period of several years to contribute to the field of social science research. The primary reason had been that, over ten years, 2.5 million had been introduced into social science research and the Education Committee and the expert group had felt that it was highly underfunded and, in order to get some more quality and innovative research looking at general integrity issues, it would contribute to the most important thing that WADA was currently looking at, which was how to prevent doping as opposed to how to catch dopers. The recommendation from the Education Committee was on the table.

THE CHAIRMAN observed that that was a bigger number than Mr Koehler normally asked for.

PROFESSOR ERDENER said that the Olympic Movement supported the idea, which was really important. There could be a decision in principle and the process could be arranged by the WADA presidency according to cash flow and other budgeting issues.

MR COLEMAN asked a question about the special research fund. Was that nine million dollars?

THE CHAIRMAN replied that it was not possible to give an exact figure, because some of the countries that had guaranteed support paid WADA in local currency, but WADA would be in advance of 12 million in total of IOC-WADA funds, and there was the further 4.5 million with the PCC which did not in his experience spend much money on social science research, but he assumed it was 12 million dollars.

MR COLEMAN said that he totally supported the social science expenditure strategy. What was the strategy with the fund in the long-term? Was it just to make disbursements and draw down on that capital? Was the idea to have a sustainable fund whereby one was dispensing the interest in the gains made on the fund over time? What was the general approach?

THE CHAIRMAN responded that the idea was to seek new, different, more modern and more effective areas of research; rather than just improving the testing method for what WADA had been doing for years, the aim was to do it differently and make it more effective, and WADA would spend that fund totally on that exercise. WADA was not going to invest the fund and use the interest. The IOC had guaranteed 10 million, and the point was that WADA wanted to get it on the ground and make a difference, so it was not an investment and WADA would spend the interest; it was a fund that WADA would spend, and Ms Fournayron would provide the list of the areas under item 11 in which WADA would be seeking applications.

MR COLEMAN asked whether WADA would be getting a picture of what the disbursements would look like over time in terms of the amounts. He was thinking about the long-term strategy for the fund; were there projections over how that fund would be drawn down over the next decade?

THE CHAIRMAN replied that he did not think that WADA was that accurate. WADA would list the areas in which it encouraged applications. Once those areas were listed,

the applications would come in, and WADA would get a feel from that as to how long the process would be. Some of the applications traditionally on research would be for one or two years, and some were four-year applications. In the normal research activities, WADA currently held around four or five million dollars, which were allocated but as yet unspent by the researchers.

MR COLEMAN said that his real point was that the Chairman was confident that the best approach was to draw down that fund, rather than disperse the interest over time and create a sustainable thing that could last years and years into the future.

THE CHAIRMAN responded that the IOC, in its generosity, wanted that to make a difference to protect the clean athletes immediately. That was what WADA was asking the governments to match. Thinking about it, it was an easier sell than it was to go to the governments and ask for money to put in a fund, and in fact with interest rates as they were, he thought that WADA was better doing that.

He asked about the point made by Mr Moses about cooperation between the WADA social science research and the IOC social science research so that the two did not end up doing the same thing.

PROFESSOR ERDENER replied that it could of course be coordinated between WADA and the IOC.

MR KOEHLER clarified that, during the IOC round, Dr Rabin had shared all the social science research projects, so WADA had already been involved.

THE CHAIRMAN asked if the members were happy that, as a matter of principle, up to one million dollars would be allocated over a period of time to social science research, remembering that WADA currently had somewhere over two million dollars in the bank. WADA awaited cheques from the IOC. That would take some time, and WADA would proceed on that basis.

DECISION

Proposal that USD 1,000,000 of the Special Research Fund be allocated to the WADA Social Science Research Grant Program approved.

8. Health, medical and research

– 8.1 Health, Medical and Research Committee chair report

MS FOURNEYRON said that, ahead of the presentation from Dr Rabin and Dr Vernec, she wished to make a few comments on the outcome of the five months she had spent as chairperson of the Health, Medical and Research Committee.

Tying in with what had just been discussed, i.e. research, she had been in Doha the previous week representing the President at the fifth annual symposium on Global Trends in Anti-Doping Research, organised by the ADLQ, and she thanked the President for placing his faith in her. It had been a very interesting opportunity to exchange experiences and information with various players, NADOs, RADOs, local authorities and her predecessor Professor Ljungqvist. The focus of the symposium had been developments and trends in past, present and future anti-doping research. One slide that was particularly relevant showed the way in which, since WADA had been founded, the resources earmarked for research had evolved, as well as the percentage of the budget devoted by the agency to research since its creation, with the first start-up period between 2000-2004. She pointed out that that was the period during which there had been significant resources (six to seven million dollars), and that was precisely when it had been possible to make progress on CERA, EPO, insulin equivalents, insulin analogues (2008), and the Athlete Biological Passport (2009). During that time, WADA had been able to take major strides forward and make significant advances. That was how WADA should respond if people accused WADA of wasting public money; quite the reverse was

true, as huge strides forward had been made during that time with the research funds, and return on investment had been very good. In 2014 and 2015, research budgets had been cut, and she was not pointing the finger or blaming anybody, but the Executive Committee had chosen to give priority to the new ADAMS and focus on compliance with the new Code. Bearing past history in mind, the current situation was more promising and the stars appeared to be better aligned when it came to funds for research, and she pointed to the new special research fund, created by the IOC and the public authorities, and emphasised the work of the President and Director General when it came to obtaining matching funds. The fund was able to take advantage of a methodological experience built up ever since the Health, Medical and Research Committee had been established, and she was not taking any credit for that, although she noted that there had been some significant achievements. In that vein, she also emphasised the ever-closer cooperation between the anti-doping world and the pharmaceutical sector, which was crucial in order to anticipate the ability to detect new substances when they were still in the clinical research phase, when they were not yet on the market and already being misused for doping purposes. That meant better protecting clean athletes, and WADA had to work together with the pharmaceutical industry to do that. She pointed to the success of the Second International Conference on the Pharmaceutical Industry and the Fight against Doping, which had been held in Tokyo and brought together more than 300 participants, and thanked the Government of Japan, the Japanese Ministry of Education, Culture, Sports, Science and Technology and JADA for their involvement. Significant progress had been made in January 2015 in Tokyo, with global framework agreements with certain giants in the pharmaceutical sector, such as GlaxoSmithKline, Roche, Novartis and Pfizer, since December, to exchange information about new drugs being developed, and that was a very promising cooperation and WADA had to continue to step up multilateral and bilateral partnerships.

As part of the strategy to protect clean athletes, she highlighted the memorandum of understanding between WADA and IMI on the sharing of information and data. With respect to the pharmaceutical industry in future years, it was working on issues such as the aging population and loss of autonomy, and therefore it was looking for drugs that could help that population but could be misused. As such, the powerful partnership also formed an essential component of WADA's action.

Finally, there was a multiannual partnership between the PCC, the Partnership for Clean Competition, and WADA.

A second topic she wished to broach was the need for accuracy and specificity in objectives. WADA had new resources, but that meant that it had to be even more attentive, demanding and specific in terms of how they were to be used. The 13-million-dollar research fund had been earmarked for specific instructions or signage, visible and powerful strategic orientations. That meant that WADA had to focus on a limited number of projects and not scatter efforts and sprinkle dollars left, right and centre. WADA had recently had to devote a great deal of money to lawsuits and research had received slightly less money. WADA should not be using funds in small increments. The new funding was an opportunity for WADA to indicate which issues would be the focus of its research efforts. Apart from the funds to be devoted to the educational and social side of things, WADA had to open up debate on four specific priorities regarding science and medicine. The detection of autologous blood transfer was a huge topic, as WADA had to make progress on that front. The improvement of the Athlete Biological Passport and detection thresholds and endocrine parameters were also of importance. As the members would be hearing, there had been significant improvements in those fields, but WADA still had to improve what it was doing. Then, there were the various forms of gene doping. There was another difficult issue, which could not be allowed to persist: that of glucocorticosteroids. When used orally, they enhanced performance, but they were also commonly and legitimately used for injured athletes. There were plenty of questions regarding the different regulations relating to their use and WADA could not allow the situation to continue.

In conclusion, she focused on an issue relating to methods. Since January, with the support of the Director General and the President, she had taken part in a number of the meetings of the expert groups (List, TUE and Laboratory), and she noted the high calibre and commitment of the members of the groups, ably supported by a very hard-working staff. Of course, progress was always possible; one could always do better, and she hoped to see an improvement in the way in which WADA operated internally and externally. Internally, WADA should improve cross-disciplinarity and information-sharing among the committees. She had suggested that, before the Health, Medical and Research Committee met, the various expert group chairs get together. When a substance was modified by the List Expert Group, there were consequences on the TUE and Laboratory expert groups as well, so it was important to bring the various groups up to date on matters; that seemed essential to her. Exchange between the groups and the administration still took place vertically, in silos, and that could lead to frustration. The experts felt that they were not really being listened to. Scientists also would like to see greater cross-disciplinarity and cooperation with external partners. That had also been mentioned in Doha. Occasionally, laboratories worked on an issue with the support of WADA and then discovered that other laboratories were working on the same issue without anybody knowing what the other laboratory had been doing. She had wanted to report after just a few months in her new position. WADA was definitely the driving force when it came to scientific and medical research, but it should not be a lone star disconnected from the rest of the galaxy.

THE CHAIRMAN summarised what Ms Fourneyron had said. The members had seen the main areas in which WADA would wish to seek applications from researchers to move the world forward so, before moving on to any part of the science reports from Dr Rabin, were there any questions on the four priority groups that had been mentioned?

MR ESTANGUET said that he was not sure it was directly linked to what Ms Fourneyron had said, but he had a question regarding a recent documentary broadcast in France on micro-dosing in sport, and the Athlete Committee had raised the matter at its previous conference call. Was the Health, Medical and Research Committee working on the issue and what kind of response might be given to athletes and the media on that specific issue? It had been quite negative and aggressive.

MR RICCI BITTI thanked Ms Fourneyron for giving a very clear picture of the state of the art in the field. He congratulated her and assured her that he fully supported research. It had not been cut because it was not a high priority. The President and he were keen to help research, which was considered vital. Obviously with the fund, there had been no choice but to cut the standard budget, but not the budget that WADA wanted to allocate to research and, thanks to the IOC, there was some opportunity to do what WADA wanted. The second message had to do more with the content. WADA had to open up. However much money it had available, it would never cope with what was needed, so it needed to open up to what was being done in the world of research, the pharmaceutical and other fields mentioned by Ms Fourneyron, so as to be as effective as possible, because there was never going to be enough money for such things.

PROFESOR DE ROSE asked for new information on clenbuterol because, especially in his continent, and for Central American and Caribbean and Pan American regional games, the medical commissions had problems dealing with clenbuterol, because it was clear in the List that clenbuterol was forbidden; nevertheless, there were issues of contamination. He believed that WADA had already started to distinguish between clenbuterol in meat products and clenbuterol in doping substances, so was the Health, Medical and Research Committee looking at doing something in terms of clenbuterol?

DR RABIN answered the questions in order. He told Mr Estanguet that he had been made aware of the documentary in France, and Ms Fourneyron had been directly involved as part of the programme. WADA had produced statements and press releases on the work and the latest, issued the previous evening, clearly indicated that WADA had had access to the data. WADA had gone to the investigator and had requested access to the data to reprocess the analysis. There had been serious questions as to the protocol

applied, the fact that there had been no placebo group and no double-blind crossover study; it was very questionable, and the way in which performance had been measured was also questionable. He was not against having athletes involved in some anti-doping research, but that needed to come within a very strong ethical framework, which had been done very carefully in the past at WADA. Looking at the data, WADA's interpretation of the results was very different to that of the researcher. To cut a long story short, eight athletes had started, one had dropped out, two had incomplete data that could not be fully analysed so, in the end, there had been five profiles and, out of the five profiles, all of the calculations showed that two would have been reported as positive and three suspicious in the Athlete Biological Passport. The Athlete Biological Passport would have reported 100% of the five profiles as either suspicious or positive, so that was very different to the outcomes in the programme. Many working daily on the Athlete Biological Passport acknowledged that the various aspects of micro-dosing should be addressed, and WADA was working constantly to refine the Athlete Biological Passport and introduce new variables to allow WADA to have a greater impact with the tool and detect micro-dosing in the future. Overall, WADA's interpretation of the data was certainly very different to the television programme.

He told Mr Ricci Bitti that, in Doha the previous week, there had been a lot of support given to the research that had been conducted in anti-doping over the past few years, and it was clear that WADA was a leader in that field, which gave WADA extra responsibility, and he was thinking in particular about the partnerships developed over the past few months and the coordination role, which was embedded in the World Anti-Doping Code, but it was also probably one of the most challenging tasks that the WADA Science Department and Health, Medical and Research Committee members faced. Following the meeting in Doha, that was certainly something WADA wished to be more actively involved in.

He told Professor De Rose that clenbuterol was a real issue, and it had been discussed around that table several times. WADA had been involved with the Mexican authorities in developing a major excretion study, which was very complicated, for the simple reason that there was some local legislation that had to be respected, and it was illegal to give contaminated meat voluntarily to individuals, so WADA had had to design a very complex protocol, which had been completed, but the parallel excretion study remained to be completed, and that ultimately would give access to a way of distinguishing between two different levels, either the concentrations or the ratios of enantiomers, to distinguish between contaminated meat and the clenbuterol voluntarily ingested for doping purposes. That was an issue that would be faced increasingly. Professor de Rose had mentioned clenbuterol, but there were also other substances; all the meat residues and substances used to fatten cattle would create an issue for WADA, and that was an issue that would not go away. It would be necessary to further discuss how to address that properly with the expert group. That was a real issue. In some areas, everybody consumed meat that contained some of those residues. He hoped he had answered the questions.

He added a few points to what the Chairperson of the Health, Medical and Research Committee had been saying earlier. The draft 2016 List had been completed by the List Expert Group and made available for consultation as of 6 May 2015, with a deadline for comments by 22 July. That would be a fairly long consultation period and, as usual, once WADA had collected all the comments and suggestions from the stakeholders, they would be reviewed at the August List Expert Group meeting and then by the Health, Medical and Research Committee members for presentation to the Executive Committee in September.

On the laboratory front, he informed the members that WADA was currently discussing with IMIM, the organisation providing the samples that WADA was using as part of its assessment programme for the anti-doping laboratories. That was an essential programme and WADA was currently discussing with IMIM the extension of its contractual agreement, as long as IMIM provided WADA with satisfactory conditions. He

added that, at the recent Laboratory Expert Group meeting, there had been a request by the experts to make the three methods – the EPO analysis, the Hgh direct analysis (the one with the differential amino acids), as well as IRMS – mandatory for the new laboratories gaining accreditation and to remove the two-year grace period to develop the methods, which would make the laboratories more harmonised, in particular those that had just regained WADA accreditation.

He informed the members of an interesting piece of news. Professor Ted Friedman, the chair of WADA's Gene and Cell Doping Panel, had received a very prestigious award, the 2015 Japan Prize, and Professor Friedman had really insisted upon receiving the award that it was due not only to the quality of his research and his vision of research, in the field of gene therapy in particular, but also the involvement of that approach in practical aspects of society, namely doping, as Professor Friedman had been at the forefront of the battle against gene doping, and that could be a sign that that year, the expert group that he chaired, the Gene and Cell Doping Panel, had approved at least one method for the detection of gene doping, so that was both a breakthrough in anti-doping and recognition of the involvement of Professor Friedman in that activity. He congratulated Professor Friedman, and informed the members that the Japan Prize was potentially the precursor to the Nobel Prize. More good news might be on its way. WADA was already honoured to have Professor Friedman as the chair of that group, not only as a scientist but also as a human being.

He would be pleased to answer any questions.

THE CHAIRMAN asked if any of the members had any questions. A very substantial amount of work was done by the Science Department. It was wide-ranging, there were not that many of them, and they covered a great deal of activity. He would ask afterwards for a simple definition of an 'omic'.

DECISION

Health, Medical and Research Committee
chair report noted.

9. Legal

– 9.1 Legal and investigations report

MR NIGGLI informed the members that there was good news. The members would be surprised to hear that it had to do with data protection. After eight years of discussion, he had something positive to report. That was in relation to the work conducted since the previous year with the Swiss authorities. There had been very intense discussions with them, starting with the President visiting the highest sports authorities in Switzerland and putting the issue of data protection on the table. WADA had agreed with the Swiss on a way of solving the issue of the transfer of data to Canada. With the agreement of the Swiss data protection authority, WADA would renew its ADAMS agreement with all of the ADAMS users and, instead of signing the agreements with WADA Montreal, the users would sign them with WADA Lausanne, so the data would enter Switzerland and would then be transferred to Canada under an agreement that had been approved by the Swiss authorities and under which all data protection requirements would be met. That meant that the transfer of data and use of ADAMS should not be an issue for any organisation in Europe, because Switzerland was deemed adequate under European Union legislation; therefore, the transfer of data should no longer be an issue. WADA was thus solving an issue that had been on the table for a long time, and he thought that that was really good news.

Other good news might be on its way, as WADA had also worked with the Canadian authorities, both the Quebec Government and the Federal Government, to try to have WADA fall under the jurisdiction of the federal law on data protection, which had been the initial issue, because WADA being a not-for-profit agency had been under the Quebec law as opposed to the federal law, which was recognised by the European authorities as

adequate. There was currently a bill before the parliament, which should be approved over the coming three weeks, under which WADA would then fall under the jurisdiction of the federal law for data protection, and that would also solve the issue of transfer of data. On that front, the transfer of data was no longer an issue and certainly no longer an excuse for some people not to use ADAMS.

That being said, there were still data protection issues out there. The EU was preparing legislation, and the work was ongoing. The latest he had heard from the European Commission in Brussels was that the European Commission had said that it would be up to each Member State to ensure that it had legislation in place under which it would recognise that anti-doping was in the public interest and, on that basis, the collection, sharing and transfer of information would become legal under the new regulation. The problem was that WADA had been advocating that such recognition should be part of EU regulations, applying to everybody in the same fashion, rather than the EU sending the ball back into each Member State's court and getting individual pieces of legislation from each country, which would differ from one another and certainly which might not all happen at the same time, if at all. Therefore, there was still great concern about the overall situation. WADA would keep discussing the issue and the Member States should think about their own responsibility to ensure that they had proper legislation in place before the regulation entered into force.

On the legal cases, he informed the members that WADA had appealed on Friday the cases from the Australian football leagues (34, potentially 35, cases). That had made headlines in Australia. That would not help Mr Ricci Bitti with the budget, but it had been felt that it was very important from the point of view of principles. The initial decision had been questioning the ability to pursue non-analytical cases, and the level of proof required to win the cases and, at a time when the new Code was entering into force and putting a lot of emphasis on non-analytical cases, it was important to set the right precedent. Those cases were being appealed at the CAS.

It had been highlighted that the budget line for litigation was quite high; WADA had been facing costly litigation, not least case number 3 under pending litigation, which was a golfing case in the USA in which WADA was not even a party. It was a case between an athlete and the PGA, and WADA had been dragged into that case by the PGA and the athlete, asking about the discovery of documents from WADA which had proven to be a very time-consuming exercise, requiring the involvement of lawyers from the USA and Canada, and it had cost WADA hundreds and thousands of dollars. Litigation was complex and WADA had to face up to that reality.

He also drew the members' attention to the fact that there were cases for which no decision had been reached. That was way too long and not acceptable from an anti-doping point of view. There were clearly issues regarding how some of the national appeals bodies were operating within their own jurisdictions.

On investigations, WADA had organised training courses on intelligence management. The first had been delivered in Paris some weeks previously; it had been very successful and very helpful. The next course would be in Lausanne and open to NADOs and IFs. The first course had been fully subscribed after just a few days, and there would be other editions. WADA was trying to help all ADOs understand what their responsibilities were under the new Code and how to do such things without overcomplicating matters, managing the information in a sensible fashion so that it could be useful from an anti-doping point of view.

THE CHAIRMAN congratulated Mr Niggli on the data protection issues with the Swiss and Canadian authorities. He was very well aware of the relatively cautious and highly accurate discussions that Mr Niggli had been undertaking for years to get WADA to that stage. It was really even more irritating that the European Commission was being, in his view, as unhelpful as it currently was. In his country, there was absolutely no chance of a piece of legislation going through the British Parliament to say that doping was in the public interest when clearly it was. Off the record, WADA might speak to its European

friends and go back to the European Commission and say that what it was suggesting, as far as doping was concerned, was completely impractical and simply would not work on a European basis. It seemed to him entirely wrong that, because a lot of sport was driven from the European region, that campaign in which everybody had been involved year after year was being made more difficult. He understood some of the niceties about data protection and he had nothing against that but, if one asked any European politician on their own, they would agree. It was the combined view of whoever it was in the European Commission that WADA needed to get at. He would not suggest releasing Mr Niggli on the European Commission, as that would immediately solve the problem, but he did think that WADA needed to speak to its European colleagues to make sure that representations at a very high level were made to the European Commission to say that it was in danger of tying WADA's hands behind its back.

MR RICCI BITTI asked which level was more sensitive: the European Commission, or the Council of Europe, as it was more involved, and he gave the example of the convention on manipulation, which had been very difficult but, in the end, a common basis had been reached, so perhaps it was the Council of Europe.

MR NIGGLI replied that the legislation was currently being discussed in Brussels at the level of the European Commission, and it was being discussed by the Member States, the European Commission and the European Parliament.

MS WIDVEY said that she had been told about a long history of disputes between Europe and WADA in that regard, and of course she could bring it back and have a discussion about it, but she was wondering if it might be feasible to have experts from WADA and also Europe to see where there was common ground and also where there were obstacles that needed to be discussed and solved. Perhaps a report could then be prepared for the September meeting. That might be a way forward.

MR NIGGLI replied that WADA was doing that. WADA representatives had been to Brussels many times, and would be there again on 29 May; he had been to the sports directors' meeting to explain WADA's views on the matter, and everybody was well aware of the issue, and he had been talking to the Luxembourg presidency. The question was frankly beyond WADA. That was not a fight between WADA and Europe; it was a question of how Europe was going to solve the issue. It was between the European Commission and the Member States as far as he could see. It was not so much WADA that should be in the middle of that. He wanted ADOs in Europe, not WADA, to be collecting and sharing data, and how Europe got to that point he did not know, but it did not currently seem very easy under the new regulation.

THE CHAIRMAN asked who currently held the European presidency.

MR NIGGLI replied that Latvia currently held the European presidency, and Luxembourg would hold it subsequently.

THE CHAIRMAN noted that they would be represented the following day.

MR NIGGLI responded that he was well aware of the issue and was trying to help.

MS FOURNEYRON said that, when WADA had adopted the new Code in Johannesburg, she had been responsible for the adoption of the International Standard for the Protection of Privacy and Personal Information and all the documents. She had worked with the past president of the ECHR. All the work had been done with the previous European Commission president. There was an argument for the fact that, previously, data protection might have been difficult for Europe, but all the work for the new Code and the new international standard had been done with that perspective in mind and with the president to whom she had referred.

DECISION

Legal and investigations report noted.

– **9.2 Independent commission**

MR NIGGLI said that he had nothing to add to what was in the members' folders.

THE CHAIRMAN noted that the independent commission continued its work.

MS WIDVEY stated that, as a representative of the European countries, she welcomed WADA's proactive approach in investigating different allegations of serious doping cases and also expressed Europe's support in that, but also, for the sake of transparency, she suggested that WADA develop clear procedures and mechanisms as to what criteria would lead to the initiation of such independent commissions. That issue had been raised by the European countries.

THE CHAIRMAN thanked Ms Widvey for her statement of support.

PROFESSOR DE ROSE informed the members that Brazil had a common regulation on such decisions. Each federation did it by itself, and there was an old regulation that submitted such legislation to the sport tribunals and, as very old people understood about rules of sport but not about doping, sometimes there were crazy decisions going to the IFs, but at least 90% of the Brazilian federations were currently using arbitration, and the decisions, because they were reached by experts, were going in the right direction. He welcomed the Brazilian NADO's control of such regulation. The Olympic Movement wished to put forward an argument in favour of the potential benefit of retaining TUEs and also medical files for ten years, in particular in the context of reanalysis of the programme and to assess a possible legal solution.

MR NIGGLI thanked Professor De Rose for the information. The fewer appeals there were, the happier WADA would be. If that made for good decisions, then that was good news.

On the TUEs, it was back to data protection, because the whole data retention issue was based on a document produced in cooperation with the Council of Europe and the data protection experts on the lengths of retention for each type of data and, if there was a good rationale for keeping TUEs for longer, that was a possibility that should be discussed again with that group. There were other discussions on other types of information that should be kept for longer, and that was possible; but, for all of that, it was always a balance between the interest of the individual not to have information retained for too long and the interest of the system to retain the information for longer; so, if a good case could be made to retain the information for longer, why not? That was what WADA needed to get from the scientists, and then the management would bring that to the table for discussion with the experts.

DECISION

Independent Commission update noted.

10. World Anti-Doping Code

- **10.1 Compliance activities plan 2015 and other compliance-related issues**
- **10.2 Implementation of World Anti-Doping Code and International Standards 2015 – rules update**
- **10.3 Non-compliance**

THE CHAIRMAN introduced Mr Bouchard, the Chairman of the Independent Compliance Review Committee, who would explain where it was, how it was working and what its recommendations were, and he was happy to give him the floor.

MR BOUCHARD said how pleased he was to be the chairman of the Independent Compliance Review Committee and to be in a position on behalf of the members of the committee to provide the members with advice, guidance or recommendations through the WADA Compliance Task Force. He was also pleased to be able to report on the work conducted by the committee thus far. WADA had had two meetings, one in February and

one in April, so clearly the group was in the early stages of the work, but nevertheless had accomplished quite a bit. The first meeting had been devoted to a briefing session mostly, but the members had had a good discussion and made a few recommendations. There had been a briefing on the components of the compliance monitoring programme, as well as an overview of the ISO implementation process. The group had been engaged in reviewing the peculiarities of Code implementation in certain countries, for instance, where legislation needed to be amended. The group had discussed at length the proposed tier model for countries and IFs, and also a number of outstanding cases or issues had been brought to the members' attention and they had been briefed at length on the nature of the issues and provided access to the exchange of official documents between the task force and the relevant organisation. The group had worked; it had not just listened. It had worked and had made a number of recommendations, and he gave some examples. He had said that he would go back to the tier model for countries, and the group had discussed that and the indicators or the criteria for use, and one of the recommendations made was that the criteria should be more focused on the sport indicators first and foremost for countries. The model for IFs had been revised and some sport types had been brought to lower tiers, parachuting being one of them. There had been a long discussion on the criteria to be used in the tier model, and the members had also discussed the fact that they should be used internally and in a flexible way. A number of criteria had been proposed by the task force; they had been looked at and, in some cases, had been deemed too broad and not so connected with the sporting environment, so the group had made a few suggestions regarding some of the criteria to be used, and basically it had been said that the basis of the criteria should be broader than what had been presented. The group had also recommended that non-compliance be one of the criteria. It had recommended that the tier model be reviewed on an annual basis, as things changed, and it was important to have revision on an ongoing or annual basis. When talking about some of the recommendations that had been put forward, the group had tried to establish a firm approach; but, at the same time, and it had been an important aspect, the other side of the approach was to keep the communication lines open with the organisations and provide them with tools to facilitate their work. The tools should be developed to facilitate the assessment of signatories and be made available to signatories. There had been talk about developing a chart, which would indicate in detail the kinds of issue that the organisations had to deal with when looking at the Code, for instance, on TUEs or result management, so as to provide a good indication of the rules that each organisation had to follow. The group had also left space for self-assessment, and had talked about the possibility of having a survey. It had even discussed the nature of the questions to be asked, and had indicated to the task force that it felt that the questions needed to be a little more focused, not open-ended, as that would lead to all kinds of interpretation and generate a lot of work for the organisations and for the signatories involved. A long discussion had been held about signatories' rules that were not yet in line with the Code. First, there were those signatories who had sent their rules to WADA and with which there was discussion and progress was anticipated. A list of those countries was attached to the documentation in the members' files. Then there were those signatories who had not yet provided the first draft of their rules, perhaps half a year after the conclusion of the convention in South Africa, and after repeated letters sent to those organisations. Dealing with the first group, those who had sent their rules to WADA and with whom there was discussion and progress, and there had been further progress since the previous meeting, the members had a report identifying the countries or signatories in their files.

It had been thought that it would be important to provide the Executive Committee and Foundation Board with a summary of the situation. When looking at the list, the motive and the progress of the work, as he had said, 18 months after the conference held in 2013, it was felt that there had been good discussion with the organisations and that there had been some progress, although it was important to make further progress with that group by November. With the second group, those who had not yet submitted the first draft of their rules, in spite of the fact that there had been letters sent by the task force, the members of the committee recommended to the Executive Committee

and the Foundation Board that those signatories be declared non-compliant at that meeting and the following day's meeting. Again, he insisted that the idea was to be firm and send a strong message but, at the same time, keep the communication lines open. WADA should continue to engage with those countries and, when the WADA task force and staff got the signal that they were ready to engage, to help and assist them. The committee had also made a recommendation on how to deal with the issues encountered by certain organisations, such as the IBF, World Rugby, the International Cricket Council and others. Some of the recommendations were included in the documents that were for the members' consideration.

In a nutshell, the committee members were very engaged and committed; they were experts in their own field of activities, and they brought different perspectives; but, throughout the two meetings that had been held, they had been very coherent in terms of the approach and the point of view shared by the group. Just by way of an indication, at the two meetings, three things had come up on a regular basis: the importance of harmonisation, moving forward and getting a new Code (WADA was moving towards harmonisation, and it was an important aspect). Also, there was the issue of having respect for the resolution process embedded in the 2015 Code. Finally, ensuring respect of the rights of the athletes came up on a regular basis. He was not saying that those were the only things, but they were the main things that had driven the discussions around the table.

THE CHAIRMAN observed that, in many ways he was quite encouraged with the kind of response that had been seen. There were lots of people who were compliant and, as a committee, the principle of cooperation to try to get people compliant was correct, and one ended up with a situation whereby relatively few were not, but that was the final issue WADA would have to deal with. That was the first time WADA had had the opportunity to do that with the chairman of the Independent Compliance Review Committee. Were there any questions?

On behalf of the Olympic Movement, PROFESSOR ERDENER agreed with the approach that consisted of categorising signatories in tiers. He thought that more information was expected on the actual tiers and which signatory would belong to which tier.

MS WIDVEY congratulated WADA on the revised compliance approach, but there was one issue that was not clear to her: what were the consequences of non-compliance?

MR ESTANGUET supported the previous question asked and asked about real gains from the athletes' perspective and, to guarantee equity, he thought that people were a bit worried about the fact that stakeholders would not be compliant for the Olympic Games, so how could WADA anticipate the situation, and what was the next step with the potential sanctions? He knew it was not easy for WADA to speak about that point but, definitely, there was the possibility that stakeholders would not be compliant and it would be necessary to define a calendar and determine when it was acceptable to be compliant and when WADA would have to start changing tack and being more aggressive. His point was about that and the fact that, with the new laboratory in Rio, he wanted to know whether that laboratory would be used for the test event to be started in a few weeks' time. What kind of experience would the laboratory have had before the Olympic Games, which would be held in one year's time? Mr Howman had mentioned in his report that morning that the ABCD would have to accelerate its efforts, and that was why he wanted to group all of his comments about the situation in Rio and remind the members that, for the athletes, it was the next goal and all efforts would have to be made so that the NADO, the laboratory and all the stakeholders would be compliant as of that date. If not, what would the next step be for the non-compliant stakeholders and what would the potential sanctions be?

THE CHAIRMAN said that he would not ask about the Rio laboratory, but the Executive Committee was faced with a decision on whether to accredit the laboratory and should talk about its capacity at different times. Would Mr Bouchard like to deal with the question of tiering and the other question on the implications of non-compliance?

MR BOUCHARD responded to the question about having access to the documentation on where countries or signatories stood. The idea at the start had been to keep that internally, but there was no real motive to keep it internally; so, if one wanted access to it, one could have access to it. The group was at the beginning of its work, and was looking at criteria, and gauging some criteria, and that was why an annual review was being discussed. There were criteria and he thought that the group was on the right path. Some people had mentioned ranking or weighting the criteria; it might be too early to do that. The idea was to look at the criteria and ask whether a good picture was being obtained. The picture would evolve depending on how things developed. With that in mind, that was clearly something that could be shared with the group.

On the consequence of non-compliance, he turned to Mr Niggli to be a little bit more specific. He was afraid that, if he ventured into that, he might forget a few points and he wanted to be thorough.

THE CHAIRMAN observed that he would do precisely the same thing in Mr Bouchard's shoes.

MR NIGGLI said that he would return the questions to sports and the governments, as it would be very useful for the compliance programme to know what the stakeholders would give as a consequence of a declaration of non-compliance. WADA had very limited power and, under the WADA constitution, there were only a few consequences as to membership of the Executive Committee or the expert committees, but the real question was what would the Olympic Movement and the governments do in terms of consequences when an organisation was declared non-compliant?

THE CHAIRMAN remarked that that was a very professional legal answer. Surely there had to be some legal implication if a recognised NADO were non-compliant, for example. What would happen if they ran a test, there were an adverse analytical finding and a process were produced? He would have thought that a smart lawyer would make sure that it did not apply, so that athlete could not take part or whatever. Was he missing a point there? Was it just simply non-compliance and that there was no legal result immediately thereafter?

MR NIGGLI replied that there would potentially be a weakening of the system, as there would be challenges as to the validity of the work being done found non-compliant or the right for the organisation to conduct that. He could see lawyers bringing arguments on that. In terms of what was going to be done about an organisation being non-compliant, apart from WADA being public about it and being concerned about it, there would be others that would have to assume responsibility.

MR RICCI BITTI said that it was something of a delicate matter, as there was a difference between non-compliant bodies. He knew that there were some bodies that were not compliant and they had specific problems, but he would say that every organisation had been more or less compliant for some time, so it was difficult. They had to show the specific issue in the specific sport, but some of the sports mentioned in the documentation were the top sports, even when it came to doping matters. His position was that it was very delicate, at least at the beginning, so he suggested looking at criteria and the use of measures that were proportional to that, because honestly there were people who were not compliant for specific issues that could be solved easily, and then there were people who were not answering, and that was a different field.

DR STOFILÉ said that, a few years previously, he thought it was in 2006, WADA had had to deal with the issue of non-compliance with the UNESCO convention and, as Mr Ricci Bitti was referring to an important sport code, it had been a very important sport code with which there had not been compliance, in that very same chamber. The Executive Committee had taken a decision as to how to deal with that and had taken that to the Foundation Board meeting, and the proposal had been adopted. He did not know why WADA was not relying on that experience; had there been problems with the implementation of decisions or were there fundamental differences between non-compliance with the UNESCO convention and that particular one?

MR NIGGLI responded that WADA was clearly not monitoring the UNESCO convention; there might be some overlap, but those were two different things. WADA was monitoring signatories to the Code and, to be very clear, there was currently no sport that had been declared non-compliant; it was all ongoing discussions. Before determining non-compliance, there was a whole process to be gone through, and certainly WADA would address individual issues and try to solve them.

MR GOTTLIEB made a quick observation. Mr Niggli had made the point that WADA might have a limited number of options, and he certainly did not dispute Mr Niggli's assessment of that; however, Mr Niggli had mentioned one of the tools in WADA's arsenal, and that was public awareness, and that was a critically important option and a critically important tool, especially with Rio coming up and, if he understood WADA's responsibilities in terms of coordination and raising awareness and all the common goals in fighting the issue, a little sunlight could be a very good antidote, and letting the world know exactly which stakeholders had not done what, at least at that point in time, would prove very critical. It was very important to get some momentum in terms of letting people know how many and who was where on the tier, and that was a very powerful tool not to be underestimated.

THE CHAIRMAN thought that WADA should be quite clear: the members were there to discuss whether people had rules in place; not whether they were good or bad, but whether they had rules in place. WADA had worked quite hard on many cases. There was a very small number of IFs, and lots of governments; the process was quite slow, but the members knew that progress was being made. The situation had been changing on a daily basis, and some political attempts had been made to solve problems, such as lifting the phone and speaking to the president of the NOC in a country and informing him that there was non-compliance (he had nearly had a heart attack) and, 24 hours later, the work had been done. But WADA had ended up with a small number of countries at the end of the day from which it had not heard at all, with seven reminders. Eventually, what Mr Bouchard was saying was that WADA worked with practically everybody, and had gone a long way down the line but had ended up with a small number of people who, currently, were non-compliant, and Mr Bouchard sought a recommendation on that basis to be taken to the Foundation Board.

MR BOUCHARD said that, as indicated, there were two groups and, for the group from which no information had been received, the idea was to say that they were non-compliant. Since WADA had given indication as to the recommendation, some countries or signatories had come up and sent in their proposed rules, and that day WADA had received a letter from the Government of Andorra. Andorra was on the list but WADA had received the communication that day, and the letter said that Andorra was preparing the legislation and would engage WADA in the rules; if the committee had known that at its session, Andorra would not have formed part of the group in question. The committee had really focused on the countries that had not engaged at all after repeated calls from WADA to send in their revised rules. The second group had sent in their proposed rules; some of them were involved in the legislative process and it took time. Since WADA had continued to engage with them and saw progress, WADA advised keeping the communication lines open, continuing to engage and helping them out. At that stage of the game, it was probably better to continue the process of engagement and await progress.

THE CHAIRMAN said that those were people from whom WADA had not heard at all so, after seven reminders, was it the Executive Committee's view that it take to the Foundation Board a recommendation that those seven NADOs be declared non-compliant? He believed that by saying that, a little bit of sunshine might well be a good thing. WADA might refer that decision to major event organisers and tell the major event organisers that that was the situation. The one that clearly occurred to him was the Pan American Games, to be held in Toronto in July. He thought that the rules said that, as far as the Olympic federations were concerned, WADA would inform the IOC.

MR COLEMAN asked the Chairman why he thought some of the nations were non-compliant. There were clearly some that should be, but then there were others such as Guinea-Bissau and Liberia, which had had other things going on, such as the ebola outbreak, and Afghanistan, which had other pressing priorities. Was there a sense that there was no infrastructure out there to draw up some rules or that some of the nations just did not care? What was the next step beyond having the rules? Also, he guessed it was probably easy enough to draw up a set of rules, but it was then a matter of what one actually did with those rules, and having rules in itself was an obvious precursor. For some of those nations, however, just having the rules might not actually change any behaviour, so he was interested in Mr Bouchard's views on that.

MR BOUCHARD said that his view or the view of the committee was that there had not been any engagement with the countries, so the first step might be to send out a signal that there was a Code, it had been 18 months, and that they should engage with WADA; then, with respect to the enforcement of those rules, that would be done through the monitoring process of Code implementation, when WADA developed the tools that allowed it to determine the extent to which the legislation was being enforced. He did not want to put too much emphasis on that but, after 18 months of no engagement at all, the committee had felt it was important to send out a signal and, when a signal was sent out, there was some response to that signal, whether from the countries that had provided their rules and simply sped up their process, or from countries that had not previously engaged, and Andorra might be a good example of that.

THE CHAIRMAN said that this was a major recommendation. Did the Executive Committee make it or did the Working Group on Code Compliance make it to the Foundation Board?

MR NIGGLI replied that he thought that both would make the recommendations.

THE CHAIRMAN asked whether, on behalf of the Executive Committee, it was the members' view that, in the list before the members, removing Andorra, the seven countries be declared non-compliant by the Foundation Board.

He was very grateful and he thought that the committee was a very good one, and he took note that, as knowledge was developed, things like suggested tiering would come back, so that WADA would be able to tell people where they lay in the scale of compliance. At the end of the day, WADA wanted everybody to be running top-class anti-doping operations, no matter how big or how small or what their constitution was. Would Mr Bouchard be present the following day so that the darts could be thrown at Mr Bouchard and not at him?

MR BOUCHARD replied that he would be present at the Foundation Board meeting.

DECISION

Compliance activities plan 2015 noted. Proposal on non-compliance to be made to the Foundation Board the following day.

11. Science

– 11.1 Chile laboratory

DR RABIN said that he would be very brief when presenting the laboratory proposals. The first referred to Chile. There had been an Executive Committee decision in September 2013 as part of the global strategy for the anti-doping laboratory network to support the development of more laboratories in Latin America. Since Argentina had decided to withdraw from the WADA accreditation process, it had made way for Chile to declare its interest in becoming a WADA-accredited laboratory in the future. There was a proposal from a laboratory in Santiago in Chile to apply for candidate status for WADA accreditation. He added one note of interest, which was the coordination between Chile and Uruguay to develop a tandem of one urinary laboratory and one blood laboratory, so

there was good coordination in the region to develop the two laboratories in parallel. The document was presented for approval of candidate status for the laboratory in Santiago.

THE CHAIRMAN stated that his view was that the Executive Committee had satisfied, through the Science Department, the whole approval structure that was sought to accredit a laboratory. The department had done everything that the Executive Committee had asked it to do and he was therefore happy to take a decision from the Executive Committee to accredit the laboratories in Chile, in Rio de Janeiro and in Ankara. Was that a conflict of interest for Professor Erdener?

DR RABIN pointed out that it was not an accreditation for the Santiago laboratory; it was technically approving that the Chile laboratory become a candidate laboratory, so that WADA could work with the laboratory to prepare it for the probationary phase. The two other laboratories were up for accreditation.

THE CHAIRMAN asked if the members were happy with the proposal.

DECISION

Proposal on candidate laboratory status for the Chile laboratory approved.

– **11.2 WADA laboratory re-accreditation**

11.2.1 Rio de Janeiro laboratory

DR RABIN said that the Rio laboratory had faced a tremendous challenge after the loss of the accreditation, as several issues had had to be addressed by the laboratory following the revocation. The laboratory currently had a brand new facility, with new equipment and more staff, and there had been a strengthening of the management of the laboratory. The laboratory had previously been accredited by WADA; it had been part of the network, and the laboratory had very good experience in that respect, and many of the staff members or scientists working with the laboratory at the time of accreditation were still part of the team. The laboratory had done well during the EQAS programme, despite some issues that had had to be addressed; much remained to be done on the way to the Olympic Games, and WADA planned to work closely with the IOC and with the task force to make sure that the laboratory could also cope with the workload and WADA could prepare the laboratory for the Olympic Games in the summer of 2016.

PROFESSOR DE ROSE reassured Mr Estanguet about the capacity of Brazil to take samples, because doping control had been done since 1971 and, at the past five Olympic Games, at least ten Brazilian DCOs had attended the Olympic Games as experts in sample collection. The Brazilian laboratory had been accredited in 2002, so it had been operating as a laboratory for some time; consequently, Mr Estanguet should not be worried about the capability of Brazil to deal with the test events.

DECISION

WADA accreditation of the Laboratorio Brasileiro De Controle De Dopagem (LBCD), Rio de Janeiro, Brazil approved.

11.2.2 Ankara laboratory

DECISION

WADA accreditation of the Turkish Doping Control Center (TDKM) – Hacettepe University, Ankara, Turkey approved.

– **11.3 Technical documents**

– **11.3.1 TD2015IDCR**

DR RABIN said that WADA was constantly refining the technical documents in support of the laboratory activities, and the fact that the technical documents were up for

approval, after a long review process and involving many scientists in the anti-doping laboratories and outside the laboratories, was a good sign of the vibrant activities in support of what WADA was currently doing, not only in terms of the rules, but also in terms of the laboratory activities. Without further ado, he would give the floor to Mr Barroso to briefly present the technical documents up for approval and the key changes proposed for each of the documents.

MR BARROSO said that he would take the members through four technical documents that had been recently revised by the Laboratory Expert Group with the support of some working groups that had been tasked with the revision of some of the documents.

The first was the 2015 IDCR. It was probably one of the oldest documents in the list of technical documents, dating back to 2010, and the document had been in need of revision for a long time, as there had been substantial developments in the field of mass spectrometry over the past few years, with new equipment leading to better sensitivity and resolution, so the criteria, essential for any anti-doping test, had needed to be reviewed in accordance with the latest scientific developments. That was the most technical of all of the technical documents. There had been major changes to the document, and it was shorter than the previous one, because those involved in its production had tried to summarise as briefly as possible the main criteria to be applied in confirmation analysis for all target analytes. As to the criteria for chromatographic separation and mass spectrometry analysis, all had gone through a process of consultation with the stakeholders and with experts in the field, including experts outside the anti-doping field working in related areas but not precisely in anti-doping. The members would see some of the criteria on the screen. He would not go into detail, but assured the members that they had been checked by the experts.

– **11.3.2 TD2015MRPL**

MR BARROSO said that the next document was also an important one and went hand in hand with the IDCR technical document, and had to do with the minimum required performance levels. Those were basically the minimum concentration values at which the laboratories had to detect any prohibited substance 100% of the time. The document harmonised the way in which the laboratories applied the procedures and the way in which they reported their results. There were some minor changes, although the first one was probably quite significant, as it related to the introduction of growth hormone releasing factors as a specific target analyte for which all laboratories had to have the capacity to perform analysis. That had required some new improvements in the techniques applied by the laboratories, and they had been given until March the following year to make the analysis mandatory, although the technical document was going to be implemented immediately, as there were already several laboratories that had the capacity. That meant that, from March 2016, all WADA-accredited laboratories had to be able to detect such substances, which were an essential part of the TDSSA, as they were the new doping agents that had been used instead of human growth hormone. There was also a specification about desmopressin, which was a masking agent, and a new MRPL had been specified for that substance and its analogues. There were two other very important developments: for the reporting of octopamine, the technical document set a reporting limit of 1000 ng/ml, and that was important because of the cases related to the consumption of some food that might lead to octopamine findings in urine, so that was a level that made it possible to distinguish between doping and the inadvertent consumption of the substance in food (it was not contamination, but simply that the food contained that substance). For salbutamol, which was a beta-2 agonist prescribed for the treatment of asthma, there had been a reporting limit, and there was a small change to what had been received in the documentation in the files, as the reporting limit had been revised to 50% of the MRPL and not to the MRPL itself. It had been considered by the experts that the MRPL was a very high limit, and that WADA would not detect any abuse if the limit were so high. He referred to a last-minute minor change. Looking at the table of the MRPL, for DHEAs, one of the samples that had been included in the technical

document was anamorelin, which was a DH secretagogue. Following consultation with the experts, it had been decided to take the example off the technical document, for the simple reason that there was no reference standard available; so, if there was no reference standard, the laboratories would not be able to implement a method and that might create an ISO problem when they were assessed by the ISO 17025 accreditation body.

– **11.3.3 TD2015NA**

MR BARROSO said that there were also minor changes that had been made to the technical document for the analysis of nandrolone and its metabolites. The changes had been made to bring the document into line with the other technical documents. There had been a gap in the reporting of IRMS results so, when IRMS results were inconclusive, they had to be reported somehow, and in that case they would be reported as atypical, something that would trigger further analysis or targeted testing by the testing authorities. And there was also the possibility, albeit remote, to conduct IRMS analysis when the concentration values were below the decision limit. The testing authorities might have intelligence information or other analytical observations in the samples that, according to the laboratory experts, would warrant IRMS analysis even in samples in which the concentrations were low. It had led to some debate but, scientifically speaking, it was a well-founded assumption.

– **11.3.4 TD2015GH**

MR BARROSO said that there had been a human growth hormone method that had been applied in WADA-accredited laboratories since 2008. There had been guidelines, which had been revised in 2014 following the publication of the revised decision limits. It had been decided by the Laboratory Expert Group that the method was mature enough currently, and that the laboratories were sufficiently experienced in the application of the method to make the guidelines into a technical document, meaning that all the provisions of the technical documents were mandatory. There was no room for flexibility, as it was a mandatory level-two document. One minor change was a technical matter regarding the reporting of the ratio values when the pituitary value could not be measured, as it was too low. Before, WADA would assume the lowest possible value that could be measured, the LOQ, which basically underestimated the actual ratio in the sample, so it had been decided also for legal reasons to report those cases as greater than, as there was more sensitivity in the higher level being measured.

THE CHAIRMAN observed that it was abundantly clear to everybody that, as science developed, it was necessary to keep up to date, as the lawyers of the world would expect WADA to do so. A great deal of work went into such recommendations and, as a committee, he suspected the Executive Committee members had to place their trust entirely in the quality of the Science Department. Was it the Executive Committee members' view that the four technical documents should be approved?

DECISION

Technical Documents TD2015IDCR,
TD2015MRPL, TD2015NA, TD2015GH
approved.

12. International Federations

– **12.1 2015 Anti-Doping Organisation Symposium report**

MR DONZÉ said that he would be fairly brief, not only because he was sure that the members were as hungry as he was, but also because he would report in a more complete fashion to the WADA Foundation Board the following day.

He outlined a few key elements in relation to the 2015 Anti-Doping Organisation Symposium that WADA had organised in Lausanne from 24 to 26 March that year. There were some who had been sitting around the table for a few years who would be aware that the event had grown consistently over the years, to the point that it had become the largest gathering of anti-doping practitioners around the world, and it was WADA's largest annual event, which was reflected in that year's figures and numbers, with a record number of over 470 participants, representing a significant number of different ADOs (in total 180 different ADOs, including 75 IFs, 95 national and regional ADOs and 12 major event organisations), so it had been a significant success in that regard, but WADA had also been told by the participants that the content and the way in which the symposium had gone that year had been very successful. WADA had tested a number of new features that year. Whereas the symposium had been held over two days in the past, it had been held over three days that year, following feedback from participants at previous events, which had allowed WADA to hold a full day of practical workshops in relation to a number of new features of the 2015 World Anti-Doping Code, so the focus had really been on the practice of the World Anti-Doping Code. There had been a number of other new features, including the presence requested by previous participants of WADA-accredited laboratories. They had participated in the third and final day of the symposium, enabling significant and useful interaction with ADOs. A minor, yet important, new feature was that WADA had opened for the first time the first day of the symposium to the media, a great way to publicise the symposium but also to invite input from investigative journalists.

The symposium had been recognised by participants as a very good platform not only in terms of information sharing, experience sharing, sharing of trust and confidence between the various players in the fight against doping in sport, but also in terms of ultimately enhancing the quality of anti-doping across the board and the protection of clean athletes. Not wishing to rest on his laurels, and as usual had looked at all of the formal and informal feedback received from the participants, and a number of features would take place the following year. The symposium would be held again over a three-day period in Lausanne from 14-16 March the following year. He was working with a small steering committee on putting together an agenda, and would consult with the various stakeholders, and he looked forward to holding another successful symposium with the anti-doping community the following year in Lausanne. He would provide more information the following day.

THE CHAIRMAN noted that it was a very significant event; he had been unable to make it and he was grateful to Dr Stofile for representing him. All sorts of good news had come out of it, including the side meeting between IFs and NADOs to work together, not least the fact that the athletes had been present, and the fact that the media had been present (although that had not been quite as relaxing as it might otherwise have been). He congratulated all those involved on a huge effort. He did appreciate everything that was done.

DECISION

2015 Anti-Doping symposium report noted.

13. Any other business/future meetings

THE CHAIRMAN noted that the suggested Prohibited List was normally circulated three weeks prior to the upcoming Executive Committee meeting. The dates of the List Committee and Health, Medical and Research Committee were at the end of August and the beginning of September, so the members would get it not three weeks before but on 3 and 4 September, so they would not have quite as long as they normally had to digest the Prohibited List. With a bit of luck, those in charge would illustrate at the beginning where the major changes were.

The iPad system was beginning to work, as all the members became technically competent and understood what they were supposed to do.

He thanked the staff for all their efforts and the participants for their attendance and attention, and noted his appreciation for the work that had been done.

DECISION

Executive Committee – 16 September 2015,
Copenhagen, Denmark;
Executive Committee – 17 November 2015,
Colorado Springs, USA;
Foundation Board – 18 November 2015,
Colorado Springs, USA.
Executive Committee – 11 May 2016, Montreal,
Canada;
Foundation Board – 12 May 2016, Montreal,
Canada;
Executive Committee – 21 September 2016,
Warsaw, Poland.

The meeting adjourned at 13.50 p.m.

FOR APPROVAL

SIR CRAIG REEDIE
PRESIDENT AND CHAIRMAN OF WADA