

**Minutes of the WADA Executive Committee Meeting
12 November 2013, Johannesburg, South Africa**

The meeting began at 2.00 p.m.

1. Welcome, roll call and observers

THE CHAIRMAN asked the members to stand for a brief silence out of respect for Mr Jurith, the US representative and chair of the Education Committee, who had unfortunately passed away. He would propose to do something similar at the Foundation Board meeting on the Friday and then convey in writing the mark of respect paid to Mr Jurith's passing to his immediate family.

He welcomed the members and thanked them for their attendance at what would be a significant week in the life of anti-doping. The focal point was the revised Code, which would occupy most of the discussion and time, and he looked forward to it unfolding in a progressive and very beneficial way. Japan was not represented by the new Japanese minister, Mr Sakurada, who would be arriving on Thursday, but he welcomed the official deputy, Mr Nagayama, to his first meeting and thanked him for coming.

He distributed the roll call and asked the members and observers to sign it.

The following members attended the meeting: Mr John Fahey, AC, President and Chairman of WADA; Professor Arne Ljungqvist, WADA Vice-Chairman, IOC Member and Chairman of the WADA Health, Medical and Research Committee; Ms Beckie Scott, Member of the IOC and Member of the IOC Athletes Commission; Sir Craig Reedie, IOC Vice President; Mr Alec Moemi representing Mr Fikile Mbalula, Minister of Sport and Recreation, South Africa; Mr Gian Franco Kasper, IOC Member and President of the FIS; Mr Francesco Ricci Bitti, President of the International Tennis Federation and Chairman of ASOIF; Mr Ugur Erdener, IOC Member, President of World Archery; Mr Michael Gottlieb, representing the US Government; Mr Nagayama, representing Mr Yoshitaka Sakurada, Minister in Charge of Sports, Japan; Mr Andrew Godkin, representing Mr Peter Dutton, Minister for Sport, Australia; Ms Valérie Fourneyron, Minister of Sports, Youth, Non-Formal Education and Voluntary Organisations, France; Mr Ernesto Irueta, representing Mr Francisco Boza, Minister of Sport, Peru and President, Americas Sports Council (CADE), Peru; Mr David Howman, WADA Director General; Mr Rune Andersen, Standards and Harmonisation Director, WADA; Mr Frédéric Donzé, Director of the European Regional Office and IF Relations, WADA; Mr Rob Koehler, Education and Programme Development Director, WADA; Ms Julie Masse, Communications Director, WADA; Dr Olivier Rabin, Science Director, WADA; Dr Alan Vernec, Medical Director, WADA; and Mr Olivier Niggli, Legal Director, WADA.

The following observers signed the roll call: Andy Parkinson, Benjamin Carlier, Natalie Mills, Christian Thill, Richard Budgett and Françoise Dagouret.

– 1.1 Disclosures of conflicts of interest

THE CHAIRMAN asked if there were any conflicts of interest in respect of matters on the agenda (other than the ones that were obvious to most without having to say it) that the members wished to disclose. He noted that this was not the case.

2. Minutes of the previous meeting on 11 September 2013 (Buenos Aires)

THE CHAIRMAN drew the members' attention to the minutes of the previous Executive Committee meeting. Was it the members' wish that he sign the minutes as an accurate record of the proceedings of the previous meeting on 11 September 2013 in Buenos Aires? Was there any matter arising from those minutes that had not been brought to his attention?

DECISION

Minutes of the meeting of the Executive Committee on 11 September 2013 approved and duly signed.

3. Director General's report

THE DIRECTOR GENERAL informed the members that his written report was a truncated one, as the members had of course heard very thoroughly from him in Buenos Aires, and he would not repeat what he had raised at that meeting; however, there were several updates and a few matters in addition to his written report.

UNESCO's conference of parties had been convened in Paris on 19 and 20 September, and subsequently the deputy director general of UNESCO had met with him in Montreal in mid-October. He had conveyed to her some of the issues about which he would advise the members. The conference of parties itself had been in part positive; Dr Konbaz from Saudi Arabia had been elected chairman; that continued a trend whereby all four chairs had been WADA Foundation Board members, and that was a significant step and a positive response by the states parties. The introduction of a report to assist countries that did not have legislation providing against trafficking and distribution of prohibited substances had been announced, and that was a significant project to take place in five targeted countries to look at ways and means of providing models for others. The monitoring report had not been so positive. A self-monitoring process had been undertaken and UNESCO had used some of the information in the logic report prepared by WADA. 129 states parties had responded but, regrettably, there had been no analysis of actual compliance and no steps had been suggested to be taken in relation to any state party that was not compliant or any steps in relation to any state party that had not even reported. As a result, there had been no compliance report as such. The WADA President had expressed his concerns in a consequent letter to the director general of UNESCO along with an offer that WADA would be only too willing to help in more ways as to the next monitoring report and the next conference of parties to be convened in two years' time. WADA had assisted the secretariat that year by seconding a senior member of its staff to assist and work in Paris for a period of time, and he had had to withdraw that secondment, as WADA had greater needs for the person back in Montreal. WADA respected the role that UNESCO played and did understand that it was currently undergoing pretty serious financial constraints through lack of budgetary income, but he hoped that the offers and the positive assistance WADA gave would be more gratefully and usefully received.

Regarding the WCO, he made again a plea that governments consider the secondment of one of their experienced customs officers to Brussels to work for that organisation. France had provided a secondment to Interpol and WADA looked to other countries for suggested secondees to the WCO.

Turning to other countries whose anti-doping programmes WADA was looking at under a microscope, he started with Brazil. He had to say that there had been disappointing progress in the establishment of an operating NADO there. There had been many promises but very little in the way of delivery. Although there were laws in place, and one or two appointments had been made, no work was being done in the anti-doping sphere. WADA had talked about this with the IOC and about how the anti-doping programme could be advanced for the Olympic Games in Rio in 2016. It seemed to him at present that the assistance that might be given by a NADO in Brazil might be minimal, and therefore WADA was looking for other ideas.

WADA representatives would be revisiting India, a major country, the following year to give assistance in several areas in its anti-doping programme, at India's request. India had reached out and WADA was talking with India and had obtained assistance from the Japanese and Australian ADOs, which had agreed to work with WADA to help the Indian agency gain in experience and expertise.

Jamaica had been in the media consistently over the past few weeks following an exposé from the former CEO of the Jamaican ADO that testing had not taken place the previous year before the Olympic Games. WADA had received an invitation from the Prime Minister to go to Jamaica and conduct an audit. WADA had been told initially that it could not go until some time in the New Year, but had complained and, as a result, had gone in mid-October. An experienced team had gone from the WADA office. This was not the first time that a team had gone to Jamaica to provide assistance. As a result of the visit, a report had been compiled, and it had been given along with recommendations to the Minister. WADA wanted to make sure that the report was factually accurate, so had given the Minister an opportunity to comment, and then WADA would look at the recommendations provided and how they could be put into place. One of the recommendations concerned the composition of the JADCO board itself. It appeared that there were significant conflicts of interest within the board and that led to a conflict of interest in the way in which the board operated, as there was confusion within the organisation between governance and management, with the board essentially doing the management work. WADA had given some ideas about how the programme could be put into place, and had looked to nearby NADOs that would be prepared to help, and in the coming weeks WADA would put those issues into place. WADA would be hosting the executive director of JADCO in Montreal in December, so that he would be given as

much guidance and help as possible. He was hopeful and confident that the NADO would return to being the organisation it had been 18 months previously with that help.

Regarding Nigeria, WADA was looking forward to meetings that week with members of the Nigerian Government because, again, this was a country in which a NADO was required, and all the words were being put together in the right order but the action was not forthcoming.

There had been significant progress in Egypt following a WADA visit in early October. The NADO had appointed a CEO, and there was a very well-appointed laboratory, which WADA had visited several times to undertake inspections, and it was his recommendation, and he sought Executive Committee support, following the laboratory strategy paper that the Executive Committee had approved in September, that the Cairo laboratory be a candidate laboratory for accreditation. He asked for that support.

Kenya was another country in which there had been a lot of procrastination and little progress, and it was getting to the stage whereby an inquiry, if established, might have missed the boat, as the evidence that could have been compiled was getting close to 18 months old. He had read recently in the media that perhaps an inquiry team had been established, but he had yet to see the terms of reference and composition of those entrusted with undertaking that work.

Moving to other issues of significance, the first was the food contamination issue in Mexico and clenbuterol. Members would recall that the topic had arisen 12 months previously with a number of positive football cases, which had been shown to have come most likely from contaminated cattle. The government and sport had sent a deputation to Montreal following a number of new cases in football. WADA had engaged with the government fully to provide some sensible research, which could help distinguish clenbuterol in food from that taken in other forms, and he would report back in May on progress in that regard.

The paperless project had been picked up again at the Executive Committee's request and a memorandum of understanding was about to be signed with USADA so that the project could be made available to all ADOs. He understood from the IOC that samples stored from the Olympic Winter Games in Turin were being reanalysed and he looked forward to the results.

There was not a lot more to report from the major leagues than what he had reported in September. WADA had invited the CEO of baseball to address the Foundation Board members at the meeting in Montreal in May, and he was willing to do that. Some of their experience from the Mitchell report and conducting investigations would be of interest. Also of importance from the major leagues was the agreement reached with the national hockey league for pre-games testing in the lead-up to the Olympic Games in Sochi.

The issue of the laboratory in Rio de Janeiro had been mentioned briefly in Buenos Aires. Subsequently, three false positive cases from that laboratory had been discovered to have occurred prior to the revocation of its accreditation. All had been in football. This new information complicated the reaccreditation process. He awaited steps to be taken by the laboratory and the government in the fast tracking of the accreditation that they had been given in September.

There were two final matters, the first of which was that there would be a meeting of the TUE chairs convened in Paris on 16 and 17 October 2014 with hosting from the French Olympic Committee, and he was very grateful for that.

The final matter had been raised in Buenos Aires following a discussion in relation to WADA's task, and WADA had been asked to look at the constitution and strategic plan to see if any changes might be suggested. Mr Niggli and he had looked very carefully at both documents and had no suggestion for any changes to be made. They were of course open to suggestions from members as to whether there were areas that they considered would merit greater attention.

MR REEDIE referred to the grant to SportAccord, and informed the members that the IOC had also agreed to renew its contribution to that organisation at the same amount as previously. He wondered if Professor Ljungqvist might like to deal with the food contamination issue in Mexico.

PROFESSOR LJUNGVIST said that he did not have any more information to provide. It had been a concern for some time, but he did not have any additional comments to make.

THE CHAIRMAN said that he knew that there were discussions with the Mexican Government to recognise that there was a problem there, and he guessed that it had to come from the government. WADA would certainly continue to monitor from its point of view.

MS SCOTT said that she had a comment regarding the athletes from Jamaica and Kenya and the situation there. These were athletes who continued to dominate the world of athletics and they were very strong, results and performance-wise, yet there was a situation whereby they were either not being tested or the NADOs were inadequate, and she wondered whether this was an

opportunity for WADA to start testing. She felt a real sense of urgency for the athletes from Jamaica and Kenya that something needed to be done, either in cooperation with the IAAF or by WADA alone with its own targeted intelligent testing.

THE DIRECTOR GENERAL took note of the comment made by Mr Reddie. He responded to Ms Scott that the situation in Kenya was not a testing issue; the athletes were being tested by the RADO and the IAAF. The majority of national athletes tested by the IAAF had come from Kenya and Jamaica. The issue was one of allegations raised by the media as to the wide availability of EPO and other substances around the training centres, and it had been a very serious allegation with some substance from doctors and so forth that WADA had felt ought to be inquired into so that, if it existed, it could be stopped, and so that those responsible could be sanctioned. WADA had asked for that inquiry in the middle of the previous year or towards the end of the previous year, and the President had even visited Kenya to ask for it to take place. Nothing had been done. WADA could not do anything. It might be able to once the Code was revised and it had greater power, but it could not do anything except report to the Executive Committee and, if the Foundation Board felt that it was strong enough, then he supposed WADA could suggest that there be non-compliance. Currently, there was an inquiry but no breach of the rules. It was an inquiry that could lead to a breach. It therefore put WADA in a grey area, and that was the current position. He thought that WADA would probably hear from the Kenyan authorities whilst in Johannesburg.

THE CHAIRMAN said that there might be some more news before the week was out. He understood that the authorities had announced an investigation. They had given him all the right words when he had visited the country, but no action had followed. This was one of the things with which the revised Code would help, assuming the investigation aspects that were in the revision were approved that week, but WADA was currently frustrated, as were the athletes.

MS FOURNEYRON thanked the authorities for the wonderful welcome received thus far in South Africa. She referred to item 3.1, the follow-up to the report on the effectiveness of doping controls. She represented the European governments and she wished to recall that the European governments were determined to comply with the Code and support the statistics that WADA had produced for 2012. On the report on the ineffectiveness of anti-doping controls, it was necessary to underline how much the report stressed a more active regulatory role that should be played by WADA. It also played an essential role in bringing about Code compliance. She had seen in the documents that a new organisation would be needed once the new Code was approved, but all the countries would have to help in implementing the new Code. It was also important to underline again that WADA would have the right to impose sanctions on any party that was not Code-compliant. She hoped that everybody understood that obligation. There had been a first debate in Buenos Aires on the importance of the issue and she hoped to take this further and obtain information about an agreement to be reached on the next report. She had been unable to have a more detailed discussion on this, particularly with regard to the calendar, time-frame and recommendations. As far as the public authorities were concerned, taking proposal number 30, they were convinced that the NADOs had to remain independent; however, the independence criteria had yet to be determined, especially with regard to financing. Europe was working on this. Regarding proposal number 32, she agreed that the NADOs should be able to test foreign athletes on their territory; but, if this were the case, special budgets should be set aside for such activities. She also agreed that NADOs should focus on the "big" cheats and make use of information, but should not neglect the smaller and amateur competitions to make sure that there was comprehensive anti-doping control.

She again thanked WADA for the very objective look at the statistics, which showed that the governments and NADOs were making great efforts in anti-doping controls. The proportion of out-of-competition testing was 55% compared to 38% on the part of the sport movements; 15 out of 20 organisations were NADOs asking for IRMS, and only 22% of the tests had been performed by the sport movement. It was necessary to be aware of what the results meant in reality. WADA had to step up the fight against doping in sport, whether among the NADOs or the IFs, and she was quite sure that the statistics would help WADA to make progress, particularly with regard to the bigger sports. It was a matter of credibility. The statistics were needed to bolster credibility and especially to counter arguments stating that the fight against doping in sport was ineffective; it was not. Everybody had to work together to enhance credibility in that area.

THE CHAIRMAN said that the Director General had asked for the support of the Executive Committee to include the Egyptian laboratory as a candidate for accreditation. It was a part of the world that needed more support and more facilities. He took it that the members agreed to allow Egypt to be included as a candidate laboratory. It would obviously have to go through a lengthy evaluation process but, with the members' concurrence, WADA would proceed along those lines.

DECISIONS

1. Proposal to include Egypt as a candidate laboratory approved.
2. Director General's report noted.

– 3.1 Update on the Working Group on Lack of Effectiveness of Testing Programmes

THE DIRECTOR GENERAL said that the members had asked in Buenos Aires for a clause-by-clause analysis of how each of the recommendations was dealt with, and that had been done and was on the members' table for noting.

DECISION

Update on the Working Group on Lack of Effectiveness of Testing Programmes noted.

– 3.2 Statistics

THE DIRECTOR GENERAL informed the members that the management had been asked to provide a detailed analysis of the statistics, which had been published earlier that year, and that was for noting. He would be happy to receive any comments or questions.

DECISION

Statistics analysis noted.

– 3.3 UNESCO conference of parties

THE DIRECTOR GENERAL said that he had reported on this item already within his report.

DECISION

UNESCO conference of parties update noted.

4. Operations/management

– 4.1 Election of WADA chair – 2014-2016

THE CHAIRMAN said that the election was the prerogative of the Foundation Board, but he took it that the Executive Committee would recommend unanimously that Mr Reddie be supported by the Foundation Board in his bid to be the next president of WADA for a term of three years.

DECISION

Executive Committee to recommend to the Foundation Board that Mr Reddie be elected WADA chair from 2014-2016.

– 4.2 Election of WADA vice-chair – 2014-2016

THE CHAIRMAN acknowledged Mr Stofile and was delighted that he had been nominated as the public authorities representative for vice-chair, to replace Professor Ljungqvist on 1 January the following year. He trusted that the public authorities and Executive Committee would support that recommendation to the Foundation Board.

DECISION

Executive Committee to recommend to the Foundation Board that Mr Stofile be elected WADA vice-chair from 2014-2016.

– 4.3 Appointment of Executive Committee – 2014

THE DIRECTOR GENERAL said that the members would see the composition of the Executive Committee for 2014 with one spot still to be confirmed: the Asian governmental representative. The Asian governments would be meeting that evening and WADA would be advised as to their representative the following day, so the final document would be tabled on Friday.

THE CHAIRMAN understood that the Director General wished to postpone the resolution until the representative had been confirmed and deal with the matter on Friday.

DECISION

Decision regarding appointment of Executive Committee 2014 postponed.

– 4.4 Foundation Board

4.4.1 Memberships – 2014

THE DIRECTOR GENERAL said that this matter was for information and the members would see in their papers the Foundation Board nominations for 2014 where there had been vacancies, and that paper was attachment 1 to item 4.4.1. That was a matter for information.

4.4.2 Endorsement of composition for Swiss authorities

THE DIRECTOR GENERAL said that the agenda item regarded the endorsement of the Foundation Board as it was currently composed for the Swiss authorities. It was a matter for noting and approval.

THE CHAIRMAN stated that this was the current Foundation Board. WADA had to report twice a year to the Swiss authorities. Were the members happy for that to be filed appropriately in Switzerland?

DECISION

Foundation Board composition endorsed.

– 4.5 Standing committee chairs – Finance and Administration Committee and Health, Medical and Research Committee

THE DIRECTOR GENERAL said that approval was sought for the chairs of the Finance and Administration Committee (with Mr Reddie to take over as president of the agency, the position would be vacant for the remainder of Mr Reddie's term and Mr Ricci Bitti had been nominated) and the Health, Medical and Research Committee (the position would fall vacant at the end of the year). Professor Ljungqvist had been nominated for a one-year period to the end of 2014.

MR GOTTLIEB said that, as a member of the Finance and Administration Committee, he wished to thank Mr Reddie for all his hard work. A number of people around that table appreciated what it meant to chair a committee but, watching Mr Reddie over the years, he could report back first-hand how hard he had worked and, on behalf of all the members of that committee, he thanked Mr Reddie for his hard work in that regard.

One of the key foundations of WADA had always been a balance between the public authorities and the sport movement, and some of that occurred formally by statute or by constitution; other times, that balance occurred by a kind of practice or an informal convention, and the chairmanship of the standing committees had been an important part of that balance, an equal number of committees chaired by representatives of the public authorities and the sports movement and, on behalf of the public authorities, there was consensus that the recommendations were fantastic, but he noted for the record the importance of having that balance between the public authorities and sport movement, and specifically noted that, when the time was appropriate and Professor Ljungqvist did stand down, the public authorities had what they believed to be a fantastic candidate for the Health, Medical and Research Committee in the minister of sport from France.

THE CHAIRMAN noted the comment, and believed that it was something that could be considered the following year when the vacancy was about to occur. He thanked Mr Ricci Bitti for stepping in and also acknowledged Mr Gottlieb's remarks in respect of the chairmanship provided by Mr Reddie and the guidance that had been pretty much part and parcel of his role as chairman of the Finance and Administration Committee. Certainly, it had been a source of comfort to him to have somebody as competent as Mr Reddie was, constantly monitoring and looking at that and bringing forward sensible suggestions to every one of the meetings he had chaired over the past six years. He thanked Mr Reddie and was sure that Mr Reddie would not let go of his supervision in his new role, which would commence on 1 January. He took it that the Executive Committee members approved the appointment of both chairpersons.

DECISION

Proposed chairs of the Finance and Administration Committee (Mr Ricci Bitti) and Health, Medical and Research Committee (Professor Ljungqvist) approved.

- 4.6 Strategic Plan – operational performance indicators

THE CHAIRMAN said that the strategic plan and the operational performance indicators were the accountable process that WADA went through on an annual basis, providing an indication of what was being done and how it was measuring up to the task given. It was not one he invited specific discussion on, but he would not preclude anybody if they wished to make a comment on that paper; otherwise, he would be happy to have it noted.

DECISION

Strategic Plan operational performance indicators noted.

- 4.7 World Conference on Doping in Sport – programme/pre-briefing

THE CHAIRMAN reminded each of the members that, as had been the case in the previous two editions of the World Conference on Doping in Sport, all 12 of the Executive Committee members would be asked to sit on the main stage panel for the duration of the plenary session, so they would be up there with him during the course of the plenary sessions, and he appreciated that. That would be the following day and Thursday morning. On Thursday afternoon, there would be a break for the international standards and then the members would reconvene for a period of time for conclusions on the Friday morning, after which there would be an Executive Committee and a Foundation Board meeting. He encouraged the members to make a booking to make an intervention.

DECISION

World Conference on Doping in Sport pre-briefing noted.

5. Finance

- 5.1 Finance update

MR REEDIE said that he was not in any way pre-guessing what decision the members might take on Friday, but he was beginning to get happy. He was grateful that Mr Ricci Bitti would be taking over the chair of the Finance and Administration Committee, and he was sure that the members would give Mr Ricci Bitti the support they had given to him. The members had all seen at the meeting in Buenos Aires a copy of the Finance and Administration Committee minutes of the meeting held in July, so he suspected that would have to be spoken to at the Foundation Board meeting, but it did not need to be discussed at that meeting.

DECISION

Finance update noted.

- 5.2 Government/IOC contributions update

MR REEDIE said that attachment 1 to item 5.2 was the up-to-date position on the collection of contributions. As the members would see, WADA had reached 98.45% as at 9 November, which was satisfactory. There were a number of countries that had not met their commitments yet, in particular in Asia, and no doubt WADA would be addressing those, and he would hope to get as close to the 100% figure as possible.

DECISION

Contributions update noted.

- 5.3 2013 quarterly accounts (quarter 3)

MR REEDIE said that, as the members knew, the Finance and Administration Committee produced a set of accounts under the IFRS every quarter, and the members would see the quarters 1, 2, and 3 and the year-to-date figure. Taking the year-to-date figure, WADA had taken an income of just under 28.4 million dollars, and thus far its expenditure had been just over 22.2, so WADA showed a notional surplus of just over 6 million dollars. In the final quarter of the year, WADA attracted very little revenue, as almost all of the contributions had been paid and the ongoing costs of the agency continued day-by-day, week-by-week. Every effort would be made to bring in the accounts at the end of the year as close as possible to a balancing figure.

Again, the members could see the actual spend against budget until the end of September, the paper he had always said was the most useful to him. He had gone over the details with Ms Pisani that morning. There were some timing issues as some payments had not been made, although

they would be made by the end of the year, so there was nothing there that caused him any particular concern.

DECISION

Quarterly accounts noted.

– 5.4 Budget 2014

MR REEDIE informed the members that the committee had also dealt with the question of the draft budget, which he thought was probably the item that would interest most of the members of the Executive Committee. They could see the effect of the decision taken in Buenos Aires to look at reducing the agency's costs by asking the two major stakeholders to take on the travel expenses. The Finance and Administration Committee showed the effect of not doing that but having a 2% increase in contributions, and showed one draft with no change. To back that up, there were the full strategic and operational plan explanations, setting out in detail exactly what WADA proposed to spend money on in 2014, and he would come back at the very end to the final page, which was the system of projected cash flows going forward.

The members would see the calculations that produced different degrees of deficit under different funding examples. Clearly, from a finance point of view, the best option was for the stakeholders to meet travel expenses and pay a 2% increase, and he had to record that, although the minutes of the previous meeting had been accurate, the IOC had kindly seen the error of its ways and would happily agree to that contribution level if that was what the public authorities decided to do. Those were the figures that made pretty compelling arguments from a finance point of view for the better revenue exercise he had outlined.

Going on to the projected cash flow as at the end of 2012 and the unallocated cash about which the members had heard him talk for years on different revenue and expenditure assumptions through to the end of 2015, WADA had run its unallocated cash down quite substantially. It was for those reasons that, from a purely financial point of view (and he stressed financial point of view) the Finance and Administration Committee was very strictly of the view that regular understood increases in contributions were the way forward because, if they were not made, inevitably there would come a time when the agency would turn round to its funders and say that they would have to increase their contributions way beyond the figure of 2% to do what was being done at that moment, so he thought the argument was quite clear, the figures were quite clear and the Executive Committee really had to make up its mind what budget it would put before the Foundation Board at its meeting on Friday.

THE CHAIRMAN thanked Mr Reddie for the presentation and invited comments from all Executive Committee members. There were some options. Mr Reddie had indicated the clear direction given by the IOC, which was prepared to increase its contribution by 2% and at the same time pay the Foundation Board and Executive Committee members' air travel expenses to the WADA meetings (there were three Executive Committee and two Foundation Board meetings each year).

MS FOURNEYRON thanked everybody and the Finance and Administration Committee in particular, as well as Mr Gottlieb, who had worked very efficiently in the committee. She was also very pleased with Mr Ricci Bitti's appointment. In 2013, 98.45% of contributions received was really an excellent result and showed how much the members had been working. They had been totally committed and she congratulated them. She also congratulated the committee members on their proposals on savings. There was one point on which the agency could go further, and it had to do with the costs of the new Code for the different countries. It was an important matter. Each country had its budget for its national agency and laboratories. For instance, in France that year, for the 2014 budget of the French agency, there had been a number of questions, and in the current economic situation it had been hard to defend the agency's point of view, but she did not know the financial consequences for each country of the new Code and for each region in order to follow the compliance that was obligatory. She asked a few questions about the reserves and, in view of the reserve that WADA still had, she thought that WADA could really go forward with a few very good ideas to increase the financial flow. She would like to have a clear idea about voluntary contributions by governments, for example the 300,000 dollars for Russia, 300,000 for Japan, and 900,000 for Canada. Might the sport movement like to increase those voluntary contributions as the public authorities had done? According to WADA, that would represent a budgetary increase of 3%. The European suggestion would be to increase public authorities contributions by 0% but, taking into account an analysis, which would be more detailed about the travel costs, and not only travel costs for the Executive Committee and Foundation Board, but also for the costs of preparing meetings, for instance, and she thought that the WADA members should be able to find a balance for those costs together and be really attentive about that. She did not think that she was closed to any flexibility, and did not say that all countries should absolutely pay all the costs for the

meetings. For certain countries, members would simply not attend, so it would be intelligent to observe all travel costs for WADA to be able to prepare for all committee meetings in a better way and save economic resources and diminish costs, but not to the detriment of certain countries that could not pay or would not otherwise attend.

MR RICCI BITTI said that the Olympic Movement position was clear and sought to help WADA have an easier life in terms of cash flow, to increase the budget by 2% (something that had been discussed for a long time) and reduce expenditure and pay travel costs. Ms Fourneyron had made clear reference to the voluntary contributions, but actually sport spent much more. Many NADOs were NOCs, and that meant that NADOs were totally funded by sport in some countries. He recalled that the costs for testing in many countries, and the majority of countries in Europe, were paid for by the NFs (that meant sport) so, basically, expanding that consideration, the voluntary contributions of three countries were nothing compared to the efforts in terms of testing and direct costs that the sport side happily made. Sport had shown that it was more generous. The governments also had additional costs (legislation costs, etc.) that had not been considered but, in the cost investigation made by ASOIF only for the Olympic Movement two or three years previously, it had been in the range of 70-80% of costs really supported by the sport movement, so talking about balancing voluntary contributions was not very appropriate in his view, but he reiterated that the sport movement was ready to increase the budget to give WADA an easier life. He thanked Mr Reddie for what he had done and would try to follow in his footsteps. With the new Code, there might be incoming costs. It was difficult to compare and he did not wish to be competitive but, if one wanted to be competitive, sport had spent and was still spending so much more, although it did so happily.

MR MOEMI guessed that the issue of voluntary contributions by the different member states was exactly that: voluntary, and it should be considered that, over and above the obligations of the public authorities, they went beyond and gave over and above what was expected and, because that was the case, he guessed that the spirit was not one of competition but rather one of complementarity. It should therefore be considered that the IFs would not compel all governments to make such voluntary contributions and that those that were eager and wanted to support and complement the efforts of the governments that gave over and above what was expected should really be encouraged and, when it did happen, it ought to be celebrated without looking at it from a competitive point of view. He would have loved each rand, dollar, franc and euro to be matched, but that would not necessarily be the case, and whatever could be contributed voluntarily by the sport movement should be welcomed.

THE CHAIRMAN said that there was a clear indication from sport of a 2% increase plus travel costs, and from the public authorities he had heard that there ought to be a matching of the voluntary contributions from governments, which would effectively lead to an increase around the 3% mark. It appeared that there were alternative views. Was there any room for any cut-through?

MR REEDIE said that, having listened to the discussion, he had been quite excited when Ms Fourneyron had mentioned 900,000 dollars from Canada. He had not been aware that Canada had given 900,000 dollars

THE CHAIRMAN pointed out that Canada paid well in excess of that figure. Canada paid for the office annually.

MR REEDIE retorted that that was not voluntary; that was contractual. He did not think that WADA should go down that route at all. As far as the IOC was concerned, it had always taken the view that the contributions should be regular, identifiable and increasing rather than matching what might occasionally arise from a voluntary contribution basis. Those were his instructions. He did question, however, the theory that some countries might not be able to attend meetings. As far as he could see, there had been pretty good attendance throughout the life of WADA at the Foundation Board meetings, and he questioned whether that was a serious risk, and perhaps a voluntary contribution could be made to meet that person's costs. He did not see where to go, as he simply could not go back and seek at the very last minute a variation on where he had been instructed to be.

THE CHAIRMAN said that he sought a resolution. The Executive Committee had to make a recommendation to the Foundation Board. He suspected that WADA could talk for some considerable time as to who did what or who gave what. It would not achieve anything, as the sport movement and the public authorities were partners and gave what they could where they could. In his country alone, several hundred million dollars were given by the government to sport every year, and the budget for his country was close to three-quarters of a billion dollars annually going into sport, and the bulk of it was grants to many Olympic sports which, in turn, allowed them to find a way to have anti-doping programmes, but there was no point arguing who gave what. Both gave and should try to do so with goodwill. WADA had coming up that year a situation whereby, with the Code that was going to be approved, the budget indicated that there would be

an additional 750,000 to 800,000 dollars that year just to get the implementation programme going. In the first full year of the Code, which was 2015, as the following year would not be a full year (WADA would gradually work up with the additional people), it would be somewhere significantly above. To the point that there was a reserve there, WADA would perhaps be able to get through to the end of the following year without doing something, but that would depend very much on the set of circumstances over which WADA might not have any control. WADA might do that because there had been a situation whereby the currency parity situation had given a little bit more room than might otherwise have been the case, but this would be the third year in a row that WADA would be saying that there would be no dollars going there, and there WADA was trying to tell the world through the World Conference on Doping in Sport that it was recommitting itself and reaffirming its obligations to the clean sportspeople of the world, and to ensure that the peak body was able to deliver in the way in which it wanted and had always wanted to deliver, and he would be fearful if there was no way of cutting through to a point whereby WADA would know that it would not run out of money by that time the following year. The members would have to deal with it sooner rather than later, and he would very much appreciate it if anybody had a thought for the resolution because, otherwise, he had two resolutions, and he thought that he was going to see a complete split down the middle and he would hate to think that that would be the outcome of his six years at the table during which a vote had never been necessary; there had been a consensus view that had allowed WADA to work in goodwill. On the one hand, the sport side was saying that it would be willing to give 2% plus pay its own airfares and, on the other hand, the governments were saying that they would prefer to see the sport movement match their voluntary contributions. Was there anything the governments might like to say about the question of paying their own airfares? He understood the principle that one ought not to be able to afford to sit at the table, but was there any room to work that one through?

MR GOTTLIEB said that his perspective, and he would not try to speak for all of the public authorities on that point, but at least in terms of the Americas, the USA and North America, conceptually, they did not have a problem with the payment of the airfares and travel costs, with a couple of caveats that he wished to put on the table. The members had been particularly strong in the Finance and Administration Committee meeting to make sure that that included only the Foundation Board and Executive Committee, for which they thought that government support would be available. There had been some discussion as to whether that should include expert committees, working groups, etc., but the members had thought that, to preserve the balance internationally and make sure that people could be represented on the committee from all parts of the world, whether or not their governments had an ability to pay or to be factored into whether somebody should serve on a committee was not appropriate, so that proposal was limited to the Foundation Board and Executive Committee as he understood it. The second concern had been the public perception that WADA was creating a two-tier system in terms of those governments that could and those that could not contribute; so, while he thought that the vast majority of governments would be able to pay their travel costs to the Foundation Board and Executive Committee meetings, perhaps there should be some kind of mechanism, or a voluntary fund, for the governments that were unable to support their costs for whatever reason, to go to WADA and seek some type of assistance. He did not want a situation whereby people were unable to attend meetings because of costs and, as long as there was an opportunity for those smaller or less affluent countries to get that funding from WADA, he would be fine with paying travel costs, but he did not want to see anybody being shut out. He agreed with Mr Reddie: he did not believe that that would become the norm; it would be an extraordinary circumstance, and he just wanted to go on record by making it clear that he did not want that result for any of the options decided upon by the Executive Committee.

THE CHAIRMAN concluded that what Mr Gottlieb was suggesting was that the governments would accept the airfare situation, providing some discretion was given to WADA to ensure that those that could not afford to come for genuine reasons would be able to attend. Was that what he heard from Mr Gottlieb's suggestion?

MR GOTTLIEB replied that that was his suggestion. He understood that there might be some nuance from his European colleague and he would defer to the minister, but he thought that that was a reasonable solution.

MR REEDIE said that Mr Gottlieb had recorded the Finance and Administration Committee discussion very clearly, and he had no personal problem with the slight reserve situation to ensure attendance.

MR RICCI BITTI stated that he had the same feeling as that expressed by Mr Gottlieb. The risk was obviously that WADA might favour only a few countries, and he understood the critical point. Having said that, he recommended that the governments show a common wish to stick with WADA (without talking about sport in general, because obviously sport needed governments in certain countries, and this was not up for discussion). The issue was sticking with WADA. WADA had been

created by two parties. The voluntary contribution was peanuts. What the sport side spent on anti-doping was so much more than what the governments spent. NADOs requested testing costs in half of the most important countries from the NFs, and these were costs borne by the sports. In some countries, the NADOs were even the NOCs, so 100% of the costs were paid for by sport. If one did a comparison, it would be a joke. The sport side did not want to do that. It was necessary to help the agency move forward at this critical point in time. It was the third time that the members were stuck on the issue and he believed that a small effort needed to be made. He shared Mr Gottlieb's personal opinion with regard to expenses. The problem was that the two sides should show that they were willing to go forward together. If an investigation were carried out to compare the voluntary contributions of two countries (and the contribution of Canada had not been a contribution but a bid, which Canada had won, and happily Montreal was a nice city but, if one were to ask the IFs, it was perhaps not the most convenient city), it would be useless. WADA had to show, bilaterally, the same will, because an investigation would favour neither party.

MS FOURNEYRON said that what she had said regarding the travel costs was in conformity with what had just been said. For countries that could not pay the travel expenses for their members to go to the Foundation Board or the Executive Committee, she wanted WADA, for countries having problems, to help them to avoid any problems regarding travel costs. As to the contributions, she did not intend to open up a discussion with Mr Ricci Bitti to find out who did more because, if one added all means paid by governments, even if tests were paid for by the sport movement, for instance, France had eight million euros per year, and she did not have to highlight the elements to justify that WADA had been created by the public authorities and the sport movement. It was necessary to take into account the voluntary contributions that had not the same statute. Russia, Japan and Canada did not have the same statute. Thus the discussion had been held regarding voluntary contributions for the sport movement and the discussion should be settled within a resolution as to the organisation and travel expenditure for the Executive Committee and Foundation Board meetings.

MR REEDIE said that it would be pretty important to come out of the meeting with agreement on how to go forward. On that basis, when the matter had been discussed at the Finance and Administration Committee, everybody had thought at that stage (and in the main the public authorities at that stage had thought) that contribution to travel costs made sense as it avoided the clear increase to an international organisation that could cause difficulties for public authorities all around the world. The second thing the committee had been pretty keen on was to try to get everybody to understand that going on year after year without any increase at all created an entirely false situation and would not work. He suggested going back to the IOC, not for any decision at that point, as this was a much wider issue on the matter of additional voluntary contributions, but suggested meeting the travel cost recommendation made by the Finance and Administration Committee and an increase the following year of 1%. That was the ripe old sum of 132,000 dollars spread between every country in the world. They would not even see it; it was loose change on the bedside table, but it would hopefully get some degree of unanimity and would begin to get people to understand that regular contributions were going to have to go ahead. There had been three years of austerity. WADA had been very good at understanding that austerity affected many countries across the board, which was why it had not pressed for additional funding but, looking at cash flow going forward, WADA was going to run out of funds at an early date unless it began to do something about it. He would much rather have travel plus 2% but, if it was a means of getting agreement around the table so as to get a budget through the Foundation Board on Friday, the public authorities would have to meet a small (and he meant small) addition to annual contribution, and he would go back and speak to the IOC and see what its view might be on matching voluntary contributions one year thence.

THE CHAIRMAN summarised that the proposal be that, for the Executive Committee and Foundation Board meetings, the travel expenses be paid for by the individual country or sport and, in addition to that, that there be an increase in the budget of 1%, which amounted to an additional 132,000 dollars for each of the partners, and that was a fairly minuscule increase by anybody's calculations. What was the feeling? Sport had proposed 2%, but was prepared to come back with 1% plus the assurance of Mr Reddie that he would go back to the IOC to ask if it would match the voluntary contributions for the following year, but that would be for 2015 going forward. Was there some room from governments/public authorities to contribute 1% plus airfares?

MR GODKIN said that he would be happy go along with that but would need to take into account the rest of his colleagues from the public authorities side.

MS FOURNEYRON stated that it was not the mandate that had been given to her by Europe, but she would be ready to defend the resolution. Bearing in mind the concern and Mr Reddie's approach as to the voluntary contributions and the increase of 1%, travel expenditures, and this was important for everybody, the financial consequences of the new World Anti-Doping Code, which would be more important in 2015 than for 2014, but for all countries it was about the same

thing: they could not have means that were increased for everybody, agencies, laboratories and WADA; it would be difficult. Therefore, it was important to have a global vision of the situation, but she was ready to defend this position with the Foundation Board and European representatives.

THE CHAIRMAN thanked the members.

MR MOEMI said that he would most certainly support what Ms Fourneyron had just said. Obviously, for South Africa, it would mean a much higher contribution for the many other countries in Africa which could not afford to pay and for which it paid, but it was an issue that would be discussed at the African Union Sports Commission. He thought that it should be supported, obviously with an emphasis that the sport movement really seriously consider the matter of supporting the governments' proposal regarding voluntary contributions and making a positive gesture in that direction.

THE CHAIRMAN said that the Executive Committee had Mr Reedie's assurance on that. He was getting the feeling that a consensus of airfares plus 1% could be reached but, on the issue of talking to sport about the voluntary contributions, it ought to be the prerogative of the President and Director General to ensure that nobody missed out on coming to the table because they were not able to afford to travel. In that case, the President and the Director General ought to be able to make an executive decision there and then to ensure that the seat at the table was occupied. Could that be added? The resolution was that the recommendation of the Executive Committee to the Foundation Board on the budget on Friday be approved, including the airfares being met by each of the individual representatives of the Executive Committee and the Foundation Board, and a 1% increase. It might be necessary to get some work done to be able to say exactly what the figure would be for each of the parties, along with the two riders, one about voluntary contributions and the second about ensuring that no seat at the table was left unfilled for want of an airfare.

He appreciated that there was a defensive position that had to be put up by those who had come with some clear instructions, but also thanked the members very much for the goodwill they had expressed by putting in place what he believed was a most important step, because the day of reckoning had been getting closer and closer and the issue had been put off each time. At long last, the members had not put it off any longer, even though a modest increase had been agreed to for submission to the Foundation Board on Friday.

DECISION

Budget 2014 as approved by the Executive Committee (1% increase and individual payment of airfares) to be put to the Foundation Board for approval.

6. World Anti-Doping Code – Compliance

THE CHAIRMAN informed the members that, before dealing with the one-page compliance update, he thought it was probably more appropriate to deal with the World Anti-Doping Code and the draft circulated after the meeting in Buenos Aires, which was version 4.0. Some submissions had been made on that, and the Code Drafting Team had looked at them and had suggestions to put to the members, and he would ask Mr Young to immediately get into those matters, bearing in mind that the Executive Committee was the decision-making committee that needed to put a recommendation forward to the Foundation Board come Friday.

MR YOUNG said that there were two papers on the table dealing with the Code: the first was number 2.0 and the second was 6.1, Executive Committee agenda and 2.0 Foundation Board agenda. Dealing first with 2.0, this was something on which the Executive Committee would vote on Friday, but he had thought it appropriate to mention it to the members then, because the Executive Committee was the steering committee for the Code drafting. He had given the members a draft Code, which they had approved in Buenos Aires. After that meeting, there had been two types of input that had caused the Code Drafting Team to make changes to what had actually been published as 4.0. He was happy to tell the members that none of the things about which he would talk had any additional financial cost to WADA. Those two changes were as followed. The Code Drafting Team had found out from ANOC that it would be willing to continue the practice in the 2009 Code whereby a government had not appointed a NADO and the fallback position was the NOC. There had been some resistance to that, but the resistance had gone away, so it would stay as it was. That was a good thing. The second change was something that had been foreshadowed in Buenos Aires, which was that, after version 3.0, the Code Drafting Team had made some changes to toughen up an athlete getting four years instead of two years for intentional doping, toughening up the definition of intent in terms of that consequence. He had said that the Code Drafting Team had to run those through the legal opinion writer, Judge Jean-Paul Costa, the former chief judge of the European Court of Human Rights, who had been sceptical about one of those

changes, so the team had gone back to where it had been with version 3.0 rather than go against the grain of the opinion of a judge WADA had asked for an opinion on human rights and natural justice. Those were the comments on document 2.0.

On the second document, what had happened was that, following version 4.0, WADA had continued to get a lot of feedback from stakeholders, and it had not been in a formal consultation process, but the view had been that, if people had good ideas, the Code Drafting Team ought to listen to them, and in fact a number of good ideas had been expressed in that period. He was asking in that paper for two different things to be approved by the Executive Committee: first, that the Code Drafting Team be given the same authority as it had been given in Madrid to make housekeeping changes, because a number of the suggestions had been purely of a housekeeping nature; and second, he would raise three different points that were really just clarifications but did have some substance and so, because the Executive Committee was the steering body, he had thought it appropriate to put them before the committee that day. In the scheme of things, none was particularly consequential, but the Code Drafting Team had not wanted to go ahead and make those changes without the Executive Committee knowing. The first involved the article that talked about the potential reduction of a sanction for prompt admission. The background was that it had been in the Code since 2009. When WADA had created the four years for intentional doping for a positive test or use, it had then gone and made it four years for evading sample collection or tampering with the sample. That made sense, as one would not want an athlete who would be given four years for intentional doping to get only two years for tampering with a sample or evading getting tested. That made sense. WADA had not added evading and tampering to the corresponding article that said that, in addition, when there was prompt admission, it would not apply only to a positive test and use, it would also apply to evading and tampering. That was the suggestion on article 10.6.3.

The second clarification in language had to do with the following unique situation: an athlete was out of competition, used a substance that was not prohibited out of competition, so was not doing anything wrong, it was a specified substance and, lo and behold, the athlete tested positive in a later competition. The athlete could still get four years if it had been intentional, but the team had made it clear in the modified drafting that, under such circumstances, it was presumed to be a two-year violation. If it turned out that the facts were such that it would justify four years, because one could establish intent, then it could be four years but, in that unique situation whereby the athlete had been taking something at a time when it had actually been permitted, the feedback from the stakeholders had been that it would be better and fairer to create a presumption in favour of the two years that the ADO could rebut.

The third suggestion had to do with the definition of no significant fault and related to the definition of specified substances as well. In the old days, an athlete could get a warning to two years for a specified substance, and there had been no requirement to show no significant fault. That had changed in the new Code and, in most cases, it would make no difference. There was one case in which it made a big difference and that was marijuana. The team had tried really hard to avoid a direct reference to marijuana in the Code but, every time the team had tried to do it generically, it had just messed up the definition of no significant fault, which had really worked quite well in terms of the writing of the Code and the CAS interpretations. Marijuana was unique because, in most cases, it was something that somebody took intentionally, so how could one get no significant fault for something that one did intentionally? That would result in an automatic two-year ban for marijuana, and the status quo was typically six to nine months. Did WADA really want to create the automatic ban for marijuana to change the existing system or did it make sense to make an interpretation of the definition of no significant fault to say that, if there was a positive test for cannabinoids, an athlete could establish no significant fault by clearly demonstrating that the context of the use had been unrelated to sport performance? Marijuana was a pretty unique substance that way, as it was used intentionally and there would be circumstances whereby the athlete could establish that it had been unrelated to sport performance. That was the third change.

The Executive Committee also approved the International Standard for Laboratories and, since the last draft of the ISL had gone out, there had been some very useful feedback from the IOC and other major games organisations that pointed out the practical problems of long-term storage and analysis of high volumes of samples from games, so the team had made some clarifications and changes to the ISL to deal with that. That was something that would be voted on by the members on Friday when they got the entire ISL for approval.

THE CHAIRMAN asked if there was any question or comment on the clarifications.

PROFESSOR LJUNGOVIST said that he had a question related to the second item, the out- and in-competition issue. How was the borderline defined? When was something considered to have been taken out of competition and when was something considered to have been taken in competition? What was out of competition?

MR YOUNG responded that out of competition was defined by the rules of the event organisation or, in the IAAF's case, the IAAF. So, in tennis, in competition was defined as the first ball hit in the tournament; in athletics, it could be the week before the start of the world championships; in the IOC, it was the opening of the Olympic village. The IF or the organiser was allowed to define its in-competition period.

THE CHAIRMAN noted that there were many variables in the definition, but that had always been the way.

MS SCOTT said that her question was related to the same point. She assumed it would be dealt with on a case-by-case basis as the cases came forward. The example given was a bit confusing: the use of a powerful stimulant out of competition immediately before the start of a competition resulting in a four-year ban. She understood that, but she wondered whether there was room for flexibility with regard to the automatic two-year ban, when one knew that an athlete had taken something out of competition and the effects still lasted while in competition. Was there flexibility to go under two years?

MR YOUNG replied that that was what the change did. In the old Code, there had always been that flexibility, depending on degree of fault, depending on whether it looked like the athlete was just being stupid or had not realised that the marijuana would still be in their system later. That was why there were sanctions in the six- to nine-month range for marijuana. For a stimulant, if an athlete took a cold medicine, and they were perfectly allowed to take it, and if they did not compete three days later, there would be no violation at all. However, when they just happened to compete, athletes certainly should not get four years; the presumption was two years and then, if there was no significant fault, it could be less than two years.

MR GOTTLIEB said that the USA was fine with the note and the specific reference to marijuana, but he wanted to be sure that he had understood it sufficiently. The intent of the inclusion and what he believed to be the consequence of that inclusion would be to keep the status quo; in other words, six to nine months. He did not think that there was an appetite in that room or in the broader community to go to the two years, and that was perfectly acceptable, but he did not think that adding the note would take it down below the six to nine months; this was simply making a grammatical change or inclusion to keep the status quo.

MR YOUNG said that Mr Gottlieb was correct.

MS SCOTT asked how one would then prove no significant fault. Was there some kind of framework?

MR YOUNG replied that no significant fault was defined in the Code and the definitions, and it was a reasonable care standard, and then one looked at the CAS cases and they asked whether the athlete had taken all the precautions that they could reasonably have taken to avoid a positive test. If they had been stupid about it and had not taken precautions, then they would probably not get no significant fault. If, on the other hand they had taken reasonable precautions and still tested positive, it could be reduced.

THE CHAIRMAN took the members to the decision required on the paper before them, that the Executive Committee approve and recommend to the Foundation Board that it adopt the amendments to article 10.6.3 and article 10.2.3 and the comment to the definition of no significant fault or negligence as outlined in the paper. Did everybody agree?

The second part, which was something that had been done on each of the Code versions, was to give the Code Drafting Team the mandate to make additional housekeeping changes without significant substance to the Code version 4.0, with amendments to the international standards. It was amazing how people sometimes picked up minor things. A lawyer had written to WADA recently to make a recommendation regarding a colon or a semi-colon.

MR YOUNG clarified that it had been worse than that: a semi-colon that had been in italics when it should have been in Roman.

THE CHAIRMAN said that the Executive Committee gave authority to the Code Drafting Team to respond to those things and make changes as and where necessary, and that was the second part of the decision required.

MR ANDERSEN informed the members that World Anti-Doping Code compliance had been an ongoing issue at all Executive Committee and Foundation Board meetings and he assumed it would continue to be so. The latest official compliance report had been delivered two years previously in 2011. He had a number of ideas as to ways in which the implementation and monitoring process could be conducted and there had been valuable input from the Executive Committee and a number of stakeholders in that regard. Now that the international standards were about to be endorsed, there would be appropriate tools for ADOs to implement effective and efficient

programmes across nations and across sports. WADA would be given the tools necessary to monitor compliance of the Code and international standards. Also, WADA had strong means to measure activities in NADOs and IFs through the ADAMS statistics. This, in addition to an independent approach when assessing the signatories, gave WADA an opportunity to create a strong policy. The policy and strategy would be expanded upon and fully outlined at the May meeting, so he was working on the strategy and he thought that the tools would be available when the documents were approved at the Friday morning meeting, and he would outline the full strategy at the May meetings of the Executive Committee and the Foundation Board.

THE CHAIRMAN concluded that that would also go to the Foundation Board on Friday. It was noted.

A matter had recently emerged and he believed that many would have seen it in the media. It had been suggested that, in addressing the Code by way of the revision process, WADA had stepped outside its own governance and rules.

MR NIGGLI informed the members that, on 25 October, the PPF, the Professional Players' Federation, a UK-based union, had filed a complaint before the Swiss supervisory authority for the foundation, followed by a press release made on 5 November saying that the PPF had filed a legal case in the Swiss courts against the WADA Code review. For the record, it was important to clarify what was going on there. First, there was no case before the Swiss court. The supervisory authority in Switzerland was an administrative body whose role was to make sure that foundations incorporated under Swiss law were respecting their own constitutions in the way in which they performed their activities. The organisation ensured good governance and respect of the constitution. The PPF had filed and asked for interim measures, or urgent measures, to suspend WADA's ongoing review of the World Anti-Doping Code, and had asked for the reintroduction in the Code of the provision dealing with substances of abuse. That matter had been fully discussed by the Executive Committee in Buenos Aires and a decision had been taken at the time that the provision would not come back into the Code. To cut a long story short, WADA had provided the authorities with the minutes of the various meetings and, as a result, no interim measure had been granted. There would be no final decision on the complaint for a number of weeks, as that was the usual process, but he would be very surprised if it were anything other than a dismissal of the complaints because, in his view, there were absolutely no merits. The PPF had tried to make it a confusing issue, but there was no legal action being taken against WADA and the Executive Committee members needed to be informed of that.

THE CHAIRMAN concluded that there was nothing to worry about and it was a comment of no consequence by the look of things.

DECISIONS

1. Proposal that the Executive Committee approve and recommend to the Foundation Board that it adopt the amendments to article 10.6.3 and article 10.2.3 and the comment to the definition of no significant fault or negligence as outlined in the paper approved.
2. Proposal to give the Code Drafting Team the mandate to make additional changes without significant substance to Code version 4.0, with amendments to the international standards, approved
3. Compliance report noted.

7. Social science research projects 2014

MR KOEHLER informed the members that the report and recommendations were in the members' papers. He wanted to point out that 42 projects had been submitted that year from 20 different countries, and all of them had been submitted for review to the Social Science Research Working Group and the Education Committee, which were recommending to the Executive Committee the funding of four research projects with one targeted research project. He would touch briefly on each of the projects to provide information on what would be funded and the expected outcomes.

For the first project, the Boardley project, funding was being sought for a total of 34,000 dollars, which was a reduction from 66,000 dollars, as WADA would be limiting the scope of the research. This was research that would help learn more about moral values. It was known that moral values were a deterrent, but this would help WADA build its prevention and education programmes, building in moral value exercises.

The second project recommended was the Mudrak project, from the Czech Republic, which was a very underfunded and under-researched area, and WADA wanted further information to learn more about the elite athlete population in comparison to the recreational athlete population, and really gain an understanding of the baseline attitudes towards doping in the country, and this would help tailor education programmes within the Czech Republic and hopefully the region.

The next project was the Nicholls project, looking at adolescents. There was currently a research gap when it came to adolescents' attitudes. This was an interesting project because it was multicultural, encompassing the USA, the UK and Hong Kong, and would do a comparative study on the type of education required and how to help further tailor prevention programmes to adolescents.

The next project (Ntoumanis) was from a Greek researcher in the UK, looking at coach education, not necessarily directly related to anti-doping, but to really evaluate how coaches dealt with athletes and whether the coaches' style was results-driven or sought better performances, and that would help WADA tailor its education programmes and really dig deeper into coach education and ensuring that coaches had the right attitudes towards athletes. This was also a multicultural study covering Greece and England.

Many requests had been received from ADOs indicating that they really did not know the attitudes and values of their population, and an effective education programme really understood the baseline, the attitudes and values of athletes so as to tailor education programmes in a very effective way. The recommendation was for WADA to target a researcher to develop a standardised model for NADOs and IFs to use a baseline assessment to better inform them of what was happening in their country and sport. The recommendation was that this would cost about 20,000 dollars and it would also be a guide to help in the delivery of such research projects.

The total funding sought was under budget: 210,774.91 dollars for funding of the 2014 social science research projects.

MS SCOTT said that one of the comments and some of the feedback and complaints heard consistently over the years from athletes in registered testing pools was about whereabouts and out-of-competition no-notice testing. There was a group at the World Conference on Doping in Sport whose sole aim was to contest and challenge whereabouts programmes, and it was working on behalf of the players' unions. Clean athletes knew that whereabouts was critical; clean athletes were generally not against it, but she thought that some kind of proof or evidence that it worked was necessary, to show the group that WADA had some defensible position to say that whereabouts and out-of-competition testing worked, not only in terms of how many cheats had been caught but also in terms of the deterrence factor. She wondered whether that was a project that might fall under the social science research projects, to give WADA a little more fuel to support the out-of-competition and whereabouts programmes.

MS FOURNEYRON said that of course she would approve the recommendations, but wondered whether the national organisations or governments might be informed of requests for financing from their own countries so that the scientists could benefit from such support. Perhaps WADA could inform the governments that requests for financing had come from their own territories to ensure better coordination.

MR KOEHLER responded that he would be happy to take Ms Scott's suggestion to the Education Committee meeting in May. It would fall under social science research because the Executive Committee had broadened the social science research scope one-and-a-half years previously. He would be happy to take that to the Education Committee. A study had been done in Norway, and part of it had looked at the attitudes of athletes regarding whereabouts. There had been some complaints about filing, but they had been more technical in nature and not an issue about whether or not it was helpful for the fight against doping in sport, so he would be happy to take it to the committee.

He told Ms Fourneyron that he would ensure coordination of all the research, which was on the website, and WADA would look at cooperating closely.

THE CHAIRMAN said that the decision required was that the Executive Committee approve the recommendations. It was the recommendation of the Education Committee for grants totalling 210,774.91 dollars to be allocated for those social science research projects under the 2014 research grant programme. He thanked the members for their support.

DECISION

Proposed social science research projects
approved.

8. Copenhagen Laboratory (for ABP blood analyses)

THE CHAIRMAN informed the members that an approval was required for the laboratory to undertake blood analysis in support of the ABP.

DR RABIN said that WADA had been approached in mid-2012 by the Bispebjerg and Frederiksberg hospitals for an approved laboratory for the conduct of blood analysis in support of the haematological module of the ABP. WADA had guided the laboratory through the requirements established by WADA, to make sure that it could understand and cover the requirements, and the members could refer to the document in their files for more details. All the answers and process had been carefully followed by the Laboratory Expert Group and, at the latest meeting of the group, the experts had been satisfied that all of the requirements had been met and therefore recommended that the Executive Committee approve the laboratory for blood analysis in support of the ABP.

THE CHAIRMAN said that he was delighted to see the paper. He knew that it had been agreed four years previously that WADA could approve laboratories for blood testing in connection with the ABP and he thought that it was the first one.

DR RABIN pointed out that there was the mobile unit in Japan. This was the first laboratory in a hospital. The main issue had been a security one, to ensure that there was no risk of anybody tampering with the samples.

THE CHAIRMAN said that it nevertheless gave greater depth to the programme WADA sought to achieve and he hoped that there would be others, but understood that there must be strict accreditation before it could occur. The decision required was to grant the Department of Clinical Biochemistry of the Bispebjerg and Frederiksberg hospitals in Copenhagen approval to conduct blood analysis in support of the ABP.

DECISION

Proposal to grant the Department of Clinical
Biochemistry of the Bispebjerg and
Frederiksberg hospitals in Copenhagen approval
to conduct blood analysis in support of the ABP
approved.

9. Athlete Biological Passport technical documents

DR VERNEC informed the members that the ABP operating guidelines and related technical documents had been revised recently to include the steroid module, to become operational on 1 January 2014. There were four technical documents presented for approval that afternoon, and the members would see under agenda item 9 a clean-line version and a red-line version going back to 2011. A newer version that had some recent formatting and minor editorial changes, mostly housekeeping issues, had also been tabled. Flipping through the one on the table entitled Appendix A, the members would note an appendix E, which was not a fifth appendix, but nothing more than the previously noted Appendix D, which was result management. He had simply slipped in the technical document on anabolic steroids, which was now Appendix D, so it was a reordering of the documents. He emphasised that there was no change of any substance between the two versions in question. Pending approval by the Executive Committee, the ABP operating guidelines and the technical documents, as well as some questions and answers on the steroid module, would be published on the WADA website that day. He put it to the Executive Committee for approval.

THE CHAIRMAN presumed that there were no questions or comment. The decision therefore required was that the Executive Committee approve the revised version of the technical documents related to the ABP which would come into effect on 1 January 2014.

MR REEDIE said that he thought that the documentation was really important; if he understood it properly, there was a move towards passport use, making the whole anti-doping world better and cheaper, and this coming into force on 1 January was seriously good news, and he congratulated all those concerned. He had not read the papers in great detail, but he thought that the principle was first-class.

MR RICCI BITTI seconded what Mr Reddie had said. All those in the sport movement welcomed the document and would implement and apply it and perhaps make comments and contributions.

He would not be present on Friday and wanted to ask the European authorities if they had some news about data protection, which was vital for the progress of ADAMS, and also whether the Quebec data protection law had been adopted or not. If the minister or somebody had some news on that, he would appreciate it. He had heard about some progress in Italy, and he had been told that the interpretation was fine for the whereabouts but not the TUE, which he thought was rather strange, but perhaps Mr Niggli had some more information on that. It was a very important point for all the sport organisations.

MR NIGGLI said that his understanding of the situation was that, on the question of recognising Quebec law as being adequate, there had been no movement, and there was nothing new from Brussels. On the draft new legislation, the work was ongoing; the European Parliament had been unable to finish its work before the summer, so work had started again, and the process was as he had described it previously, the Parliament was still discussing amendments and, once all of that was in place, there would be a tripartite discussion among the Commission the Council and the Parliament to try to agree on a final text. Whether or not they would finish it before the parliamentary elections towards the middle of the following year was debatable. Some of the provisions about which WADA had been worried had moved from the main text to the recitals with some changes, so there had been some progress but he was not yet satisfied that they would address all of WADA's concerns. As far as Italy was concerned, he had not heard about it, but even if it were only for whereabouts, that would be good news.

MR RICCI BITTI said that that NADO had told him that it was satisfied about whereabouts and not yet about TUEs, which were sensitive data.

MR NIGGLI agreed that these were different categories of data.

DECISION

Revised version of the technical documents related to the ABP, to come into effect on 1 January 2014, approved.

10. Any other business/future meetings

MR GODKIN said, in relation to the ABP, that he understood that new research had come out which could have an impact on the storage times for blood samples, and it might be useful to flag that for review in the technical document at the next Executive Committee meeting.

THE CHAIRMAN said that this was a question on which the experts had always been consulted. The technical document mentioned an increase from 36 to 48 hours, and he gathered that Mr Godkin was saying that the research that he had seen in Australia suggested that it might be significantly longer, but clearly that needed the scientific backup first.

PROFESSOR LJUNGOVIST said that the ABP was quite a complicated issue in terms of science and practicality, and WADA was moving slowly, but it was moving and he agreed that there were strong supporters of the project. One word of warning: it was complicated and expensive, and it had not yet been implemented extensively in sport. Only a few IFs had it, and he did not know of any NADO working on the ABP project. Could clarification be given as to the extent it was actually in use in sport in terms of IFs and NADOs?

DR VERNEC responded that there were quite a lot of NADOs that had started with the ABP haematological module. He was not sure of the number, but it was in the order of 20 NADOs. They worked with the IFs, and the whole concept of the ABP, because it was longitudinal information, was that WADA liked to have sharing agreements between IFs and NADOs. That was for the haematological module. For the steroid module, which used a urine matrix, which was being tested all the time, the expenses were no higher than for any type of urine doping test. Come 2014, all the urine tests would be analysed for different steroid profiles and then an intelligent model would be used to decide when an IRMS should be performed, based on individual variation rather than on population-based references, which was how it was currently done for the most part.

THE CHAIRMAN indicated that he had announced the steroid passport to the media that day and, particularly with those that were on ADAMS (and quite frankly he wished that everybody were on ADAMS), it would automatically kick in the following year. He thought that it would become a powerful weapon, and it would simply highlight variables, which would lead to other things occurring in respect of the steroid area, which included things such as testosterone. That was one more weapon, which was terrific. He thanked Dr Vernece for his hard work.

He wanted to refer to a programme that had been in the pipeline for some time. WADA had realised some time ago that it would be almost impossible to get to every school with a module

that would educate the students around the world about the dangers of doping associated with sport, dangers to the health of the young people and to their quality of life. He used the example in his own state of New South Wales in Australia: there were some 3,000 schools and only about eight universities, so WADA had focused on the teachers, those doing sport science degrees and similar, and taken the view that, if they could be educated, they in turn would educate those in their charge as they went out from universities and taught in schools and worked with athletes in sport organisations and the like. So, with the support of FISU and one of the universities in China, Mr Koehler and his team had worked out a textbook module that would go into operation in five universities the following year, and he was hoping that, shortly after, WADA would be able to provide the resource to the universities of the world, to bring it from the top down, knowing that it was difficult to get to the bottom, although Japan had succeeded. Those were two very good announcements, which indicated that WADA continually sought to be innovative.

He reminded the members that they should meet in the foyer of the Intercontinental Hotel at 8.30 a.m. to be taken quickly through security and be in place before the official ceremony and formalities commenced at 9.00 a.m. The official opening would take place that evening in the convention centre.

He thanked the members for their assistance. The Executive Committee would meet again on Friday morning for about 30 minutes at 9 a.m. He wished the members well in their deliberations and trusted that all would benefit from the experience of the stakeholders. It was quite intense and it required the Executive Committee to be present during the plenary sessions, but he was sure that the members would do so willingly. The Executive Committee would be back as a group at 9 a.m. on Friday morning. He also noted his appreciation of the assistance provided by the staff and interpreters.

DECISION

Executive Committee - 17 May 2014, Montreal;
Foundation Board - 18 May 2014, Montreal;
Executive Committee – 20 September 2014, location
to be confirmed;
Executive Committee – 15 November 2014, location
to be confirmed;
Foundation Board – 16 November 2014, location to
be confirmed.

The meeting adjourned at 4.30 p.m.

FOR APPROVAL

JOHN FAHEY, AC
PRESIDENT AND CHAIRMAN OF WADA