



Minutes of the WADA Foundation Board Meeting 7 November 2019, Katowice, Poland

The meeting began at 2.00 p.m.

1. Welcome, roll call and observers

THE CHAIRMAN welcomed the Members to the WADA Foundation Board meeting, which was the last meeting in 2019. Having had a previous Foundation Board meeting that morning, he would not go through the new Members and deputies, but was delighted to recognise that the South African representative was present and congratulated him on the World Rugby Cup win in Tokyo.

The following Members (or their designated deputies) attended the meeting: Sir Craig Reedie, President and Chairman of WADA; Ms Linda Hofstad Helleland, Vice-Chairman of WADA, Member of Parliament, Norway; Mr James Sclater, representing Mr Andrew Parsons, IPC President; Mr Nenad Lalovic, Member of the IOC, President, United World Wrestling; Mr Richard Pound, IOC Member; Mr Jiri Kejval, President, NOC, Czech Republic; Ms Rania Elwani, representing ANOC; Mr Fabio Pigozzi, President, International Federation of Sports Medicine; Mr Andrey Kryukov, Vice-President, Kazakhstan National Olympic Committee; Mr Zlatko Matesa, President, Croatian Olympic Committee; Professor Ugur Erdener, Vice-President of the IOC, President, World Archery; Mr David Lappartient, President, UCI; Mr Jean-Christophe Rolland, President, FISA, IOC Member; Mr Francesco Ricci Bitti, President of ASOIF; Mr Ingmar De Vos, Executive Member, GAISF Council, President, FEI, IOC Member; Mr Jan Dijkema, President, International Skating Union; Ms Danka Barteková, IOC Member and IOC Athletes' Commission Member; Ms Kirsty Coventry, IOC Member and IOC Athletes' Commission Member; Mr Seung-Min Ryu, IOC Member and IOC Athletes' Commission Member; Ms Emma Terho, IOC Member and IOC Athletes' Commission Member; Mr Cristian Balaj, representing Mr Ionut Stroe, Minister of Youth and Sports, Romania; Mr Joao Paulo Rebelo, representing Mr Tiago Brandão Rodrigues, Minister of Education, Portugal; Mr Philippe Muyters, representing the EU, Belgium; Mrs Gabriella Battaini-Dragoni, Deputy Secretary General, Council of Europe; Mr Iskender Okyay, representing Mr Akif Çagatay Kiliç, Member of Parliament, Turkey; Ms Amina Mohamed, Cabinet Secretary, Ministry of Sports, Culture and Heritage, Kenya; Ms Macsuzy Mondon, Ministry of Home Affairs, Local Government, Youth, Sports, Culture, Risk and Disaster Management, Seychelles; Mr Walter Mokoena, representing Mr Nathi Mthetwa, Minister of Arts, Culture, Sports and Recreation, South Africa; Mr Marcos Díaz, representing Ms Andrea Sotomayor, CADE President, Ecuador; Ms Kendel Ehrlich, Deputy Director, White House Office of National Drug Control Policy, USA; ~~Ms~~ Mr Mohammed Saleh Al Konbaz, President, Saudi Arabian Anti-Doping Committee, Saudi Arabia; Mr Kameoka Yoshitami, State Minister of Education, Culture, Sports, Science and Technology, Japan; Mr Roh Taekang, Vice-Minister, Ministry of Culture, Sports and Tourism, Republic of Korea; Mr Li Yingchuan, Vice-Minister, General Administration of Sport, China; Mr Andrew Godkin, representing Mr Richard Colbeck, Minister for Sport, Australia; Mr Clayton Cosgrove, representing Mr Grant Robertson, Minister for Sport and Recreation, New Zealand.

The following Standing Committee Chairs (not also Executive Committee members) attended the meeting: Mr Edwin Moses, Education Committee Chairman, Chairman of the Board of Directors, USADA; Ms Beckie Scott, WADA Athlete Committee Chairman; Mr Jonathan Taylor, Compliance Review Committee Chairman, Bird & Bird LLP.

The following representatives of WADA Management attended the meeting: Mr Olivier Niggli, Director General, WADA; Ms Dao Chung, Chief Financial Officer, WADA; Ms Amanda Hudson, Education Director, WADA; Mr Tim Ricketts, Standards and Harmonisation Director, WADA; Ms Catherine MacLean, Communications Director, WADA; Mr Tom May, Programme Development and NADO/RADO Relations Director, WADA; Dr Olivier Rabin, Science and International Partnerships Director, WADA; Dr Alan Verneq, Medical Director, WADA; Mr Julien Sieveking, Legal Affairs Director, WADA; Mr Gunter Younger, Intelligence and Investigations Director, WADA; Mr René Bouchard, Government Relations Director, WADA; Mr Frédéric Donzé, Chief Operating Officer, WADA; Mr Sébastien Gillot, European Office and IF

Relations Director, WADA; Ms Maria José Pesce Cutri, Latin American Regional Office Director, WADA; Mr Rodney Swigelaar, African Regional Office Director, WADA; and Mr Kazuhiro Hayashi, Asian/Oceanian Regional Office Director, WADA.

The following observers signed the roll call: Pedro Carvalho, Turker Arsian, Gabriel Warigi, Arjan van Drielen, Hannah Grossenbacher, Michael Vesper, Rune Andersen, Eva Bruusgaard, Teemu Japissou, Satu Heikkinen, Michael Ask, Elizabeth Gimenez, Santiago Del Pino, Alexis Weber, Japhter Rugut, Rose Wachuka Macharia, Amina Lanaya, Jean Larue, Bram van Houten, Khalid Galant, Hirokazu Kumekawa, Ichiro Kono, Zhiyu Chen, Yewu Li, Wang Yu, Fujie Yoko, Sergey Khrychikov, Liene Koslovska, Joe Van Ryn, Hitesh Patel, Sangmin Lee, Taera Choi, Young-Hee Lee, Olivier Fontaine, Leonah Smith, François Allaire, Rob Koehler, Yassen Gyurov, Maria-Ioana Saragea, David Howman, David Gerrard, Warwick Gendall, Bill Bock, Richard Budgett, Rafal Piechota, An Vermeersch, Cheng Qian, Mehmet Yogurtcuoglu, Rustu Guner, Benjamin Cohen, Witold Bańka, François Kaiser, Shin Asakawa and Yang Yang.

– 1.1 Disclosures of conflicts of interest

THE CHAIRMAN asked the members if they had a conflict of interest in relation to any of the items on the agenda. In the absence of any such declaration, he would continue.

2. Minutes of the previous meeting on 16 May 2019

THE CHAIRMAN drew the Members' attention to the minutes of the previous Foundation Board meeting which had been sent to them. There had been two changes. Mr Cosgrove had sent an amendment to things that he had said at that meeting. Every suggestion that he had made had been included in the minutes of the meeting and a copy was available to anybody who wished to see it. Apparently, there had been a couple of date errors on page 43 and they had been corrected as well. If the members agreed, he would sign them at the appropriate time.

DECISION

Minutes of the meeting of the Foundation Board on 16 May 2019 approved and duly signed.

3. Director General's report

THE DIRECTOR GENERAL said that, after a long week and many important decisions already taken, he would try to be as brief as possible. He would start with a summary of Monday's Executive Committee meeting and the decisions taken before moving on to the recommendations.

The Executive Committee had decided on an amendment to the ISTI in relation to specific gravity which would make it possible to avoid the need to collect more samples when the specific gravity was not sufficient or was lower than the limit by having a bigger volume. The calculation was that that would save up to 5,000 samples per year, so it had been deemed sufficiently important to amend immediately rather than wait for the entry into force of the new standard in 2021.

Eight social science research projects covering the five continents had been approved for a total amount of 330,000 US dollars.

Six new APMUs had been approved. The Panama laboratory had been approved as a candidate laboratory for EPO analysis. Technical documents for laboratory packages had been approved and a technical letter to be sent to all the laboratories had also been approved.

There was a number of recommendations by the Executive Committee to the Foundation Board. The Executive Committee recommended the approval of the Executive Committee composition and the Members would see that in their files; it had approved the endorsement of the composition of the Foundation Board as required by the Swiss authorities; it recommended the adoption of the proposed statutes and by-laws; proposed the acceptance and election of a new president and vice-president, having looked at their candidacies and the documents received, bearing in mind that the Executive Committee had performed the role of nominations committee for that election; and recommended the adoption of the 2020 budget as well as the auditors for the following year.

He drew the Members' attention to a few matters. In relation to the recommendation to adopt the governance document, he emphasised that, since the Foundation Board meeting one year previously and the decision on governance reforms, there had been a process of drawing up the legal document

reflecting the decision taken, and adopting the document that day would represent an important step forward.

As to the strategic plan, the process had been started with the help of PricewaterhouseCoopers. The work was ongoing and WADA was on track. The idea was to get an initial draft for consideration at the Executive Committee meeting in January, and then a document for approval by the Foundation Board would be presented in May 2020.

Later on, there would be an update from the Chairman of the Compliance Review Committee on Russia, and he highlighted once again that that was taking up a lot of financial and human resources from a management point of view. The Intelligence and Investigations Department was working at almost full capacity on that matter alone and it had been going on for a long time. WADA was packaging cases to send to IFs for prosecution and dealing with forensic matters in terms of analysis of data.

The final item he wished to raise had been the subject of a number of discussions by the Executive Committee and also that morning at the public authorities' meeting, and it had been in the media with some documents leaked from the meeting, including the budget, and that was the Rodchenkov Act. For the third time in a row, he set the record straight on that issue. Concern had been expressed about some aspects of the Act by at least 50% of the stakeholders of the Agency, dating back to previous Foundation Board meetings. That had been done in a very transparent and open fashion throughout, and he had reported on it at every meeting since then. WADA had asked for a legal opinion, which the Members had been given in their meeting documents previously, so he thought that the whole process had been transparent. When he read that WADA was lobbying against that Act, he did not think that that had been the case at all. In fairness, WADA had published a legal opinion that was rather positive in terms of the work being done, but there had been questions raised that WADA could not simply ignore. The concerns expressed were limited to a very specific provision in the Act, which was the extraterritoriality provided for. In other words, the support for criminal sanctions, the support for exchange of information between law enforcement bodies and USADA and the support for the protection of whistleblowers had always been expressed, but the particular issue of extraterritoriality had raised questions, in particular when it came to understanding the impact on the system, and it was no longer just a U.S. matter when potentially it concerned all countries and all sports around the world except (he had learned at the Executive Committee meeting) the US professional leagues. What had WADA done to date? It had raised the matters with a number of people in the U.S. because it had been deemed that that would be prudent to avoid unintended consequences and, before anything was decided, there would be an understanding from everybody on the various components. That was not acting against anything: it was more trying to ensure that everybody would not wake up suddenly and realise that perhaps the way it would work was not the way everybody had expected it to work. That was what WADA had done. WADA was willing to continue that dialogue, and had actually had a dialogue and had received questions from the people met on the matter, had proposed different things, and everything had been done in a very transparent and open fashion and had always been reported on. He objected to the insinuation that WADA was lobbying. WADA was simply trying to avoid that the process and the consequences of some legislation might affect the entire system in a way that would not be correct. That was nothing new. That had been done in the past and it had not seemed to concern anybody when WADA had lobbied in Europe for many years on data protection to ensure that the new law would not affect the anti-doping system. He had wanted to clarify the situation given what had been seen in the media that morning.

MS EHRlich had a few comments based on the Director General's intervention. The Rodchenkov Act issue had really come to light again because, overnight, in the AP report, which had been reported in many outlets, there had been an indication that documents showed that 250,000 dollars had been allotted by WADA to lobby in relation to the Rodchenkov Act. If that was the case, that was really in direct conflict with what had been told to her and USADA. The purpose of the legislation was to help prosecute dopers in the world of sport and she knew that that was WADA's mission as well. The Director General had indicated that he had in fact made contact with people in the U.S. and she did wish that he had taken advantage of the fact that WADA had a political authority there in the U.S. They were friendly people and liked to join WADA in its questions and issues, and WADA also had USADA, and neither had been contacted in relation to those meetings. She also understood that the WADA attorney, Professor Haas, had indicated to USADA that the Act was well within the spirit of the WADA Code, thus satisfying WADA's jurisdiction, and it was consistent with the UNESCO anti-doping convention. At the public authorities' meeting that morning, a group of countries had been concerned, as they embarked on their legislation, a mission that WADA encouraged, that WADA might lobby against them as well. WADA

certainly had jurisdiction for compliance with the Code, and of course there were valid legal questions as countries developed their legislation; however, there were other ways to contact and to tweak those differences: meetings with lawyers, phone calls and regular business means that should be able to work out those differences. If lobbying, in the sense that it sought to influence a public official on an issue, had to be done, the public authorities and the NADOs should be notified and there should be a process of approval. Without that, the situation in which WADA currently found itself arose: there was an air of suspicion, and it completely undermined the mission of WADA and the public authorities and the need for cooperation to fight anti-doping together. The U.S., as the largest contributor to WADA, regarded the use of such lobbying funds and resources against its own legislation or any legislation inappropriate and beyond the scope of Code compliance in the jurisdiction of WADA, so what she really wanted and asked the Executive Committee to do was to stop any such efforts. She asked the Executive Committee to stop any such efforts to use those funds. It was just common sense that, if the U.S. saw that WADA might be using those funds to undermine U.S. legislation, that would not be a very cooperative and effective way of going forward. That was why the issue had come up again.

PROFESSOR ERDENER said that everybody in the room fully supported all kinds of fight against doping activity; there was no doubt about that. The sport movement wondered what kind of implications there might be for WADA, the Code and UNESCO, and what kind of effects might be felt nationally and internationally. There was some clarification needed. The Olympic Movement fully supported WADA's dialogue process in relation to the Act and of course good cooperation between the sport movement and the public authorities was necessary.

MR POUND wondered whether there was a timeline established for the final report or disposition in relation to the Romanian laboratory.

MR DÍAZ thanked the Director General for raising the public authorities' concern about the U.S. law. What had been expressed by the U.S. representative was the public authorities' official position: they were concerned about WADA's role and sought more details about where to go with that.

MS HOFSTAD HELLELAND said that there were several issues related to the matter of strengthening government/national legislation in the fight against doping in sport. One was on what basis and what mandate WADA, its staff and collaborators, were working in Washington to alter U.S. national legislation. She could not remember when and where WADA had agreed on that mandate and she asked the President and Director General to respond on that. In her view, organisations such as WADA could not intervene in sovereign states' rights to pass laws. It was clear that states had to abide by the international conventions and agreements they had signed, but WADA could not lobby against national legislation simply because it did not like it. Governments made up 50% of WADA and simply could not accept that government money was being used to lobby against their sovereign right to pass laws, in particular legislation with the aim to fight corruption and fraud and the people behind that who benefited. Second, the issue of assisting countries with their legislation in order to be in line and compliant with the Code and standards was one issue and one that was of course endorsed through the work WADA did to assist countries to become Code-compliant, but when a sovereign state wanted to introduce and adopt a bill that was meant to advance the fight against doping in sport by penalising the people who made money through doping, that was an entirely different issue. The Norwegian Parliament was currently working on legislation similar to the Rodchenkov Act and there was no chance that WADA or any other sport organisation would be able to lobby against Norway or that legislation, which would give the fight against doping in sport better tools, thus assisting police and anti-doping agencies. WADA should support any measures to fight against doping in sport and she would support a call for a full overview of what had been done in that case, how much money had been spent and the plan moving forward.

MR MUYTERS congratulated WADA and Katowice and Mr Bańka and his team on the excellent organisation of the fifth World Conference on Doping in Sport, but noted that, during the welcome speeches on Tuesday, the IOC President, Mr Bach, had said that the IOC was willing to give an additional financial contribution for the fight against doping in sport. The public authorities welcomed the announcement and hoped that, when it was further elaborated, the IOC contribution, like the voluntary contributions of some governments in the past, would be without any conditions.

MR LAPPARTIENT said that everybody around the table shared the same goal: to fight against doping in sport, as mentioned by Professor Erdener. That was why the governments and Olympic Movement had created WADA, and an excellent job had been done. He gave his full support to WADA and what it was doing, but the Rodchenkov Act was a concern for the Olympic Movement. It appeared to be a

challenge to WADA, and he believed that a body had been created collectively to regulate and govern the fight against doping and it was necessary to support the governments and help and assist them, but creating world jurisdiction for a single country was probably not the best way of giving full support to WADA. He wanted to raise the concerns of the Olympic Movement and sport movement and reassure WADA of their full support. It was necessary to be united when it came to anti-doping governance.

MR COSGROVE said that he had some financial questions. The Director General had alluded to the fact that the Covington report had cost to date 1.7 million dollars. What, if any, financial parameters, budget constraints and fiscal monitoring instruments had been used in relation to the management of that expenditure? Who had signed it off? He assumed that the Director General's authorisation level was less than 1.7 million dollars, but he could be wrong. If there had been no such budgetary or fiscal monitoring parameters put in place, could the Director General explain why? Mr Cosgrove supported the U.S. friends and the friend from Norway in respect of the Rodchenkov issue. There was an old saying in politics that perception was the truth, and he was surprised that WADA's so-called lobbying efforts (and he did have some experience of this, being a former cabinet minister) had engaged with stakeholders in the U.S. but, in doing so, had walked around public authority representatives and the NADO. In doing that, it might be fair that, if it was the case, as the Director General had said, that WADA was not actively lobbying against the Act (which he thought was a stretch), that perception might have been of WADA's own making given that it did not appear to have engaged with the appropriate stakeholders. Secondly, as he understood it, the only remit WADA had in respect of sovereign legislation of countries was to ensure that that legislation was compliant with the Code. At that point, those responsibilities or any responsibilities WADA had ended. It was not good enough to, on the one hand, equate assisting governments to be Code-compliant with lobbying and actively asking a sovereign state to change its position, especially on a piece of legislation which, to his reading, provided greater powers to hunt down the bad guys. The U.S. had utilised similar legislation, as he understood it, when it had broken down a few doors in relation to FIFA malfeasance, and to any notion that that would somehow divide the international community of sovereign states' attempt to provide greater tools to hunt down bad guys, it was necessary to be very careful. At the end of the day, states were sovereign. Norway had indicated that it was exploring its options. Australia had previously had interaction in respect of lobbying in terms of its legislation. As he understood it, WADA had spent 250,000 dollars (maybe he was wrong), and there was an earmark of 200,000 dollars for the future for some sort of interaction with the U.S. Whether that interaction was in relation to lobbying to ensure that the friends from the U.S. continued with their fiscal generosity, that might be appropriate, but if it was to continue a battle, and that was the perception of many a parliament around the globe, to change what on the face of it strengthened the mission, WADA had to be very careful. WADA was not a sovereign state. WADA had no authority to intervene at all, apart from on Code compliance, in any sovereign state. It was necessary to be very careful in terms of how WADA proceeded with its so-called lobbying or interaction. If WADA wanted to talk to countries, WADA should go through the correct channels.

MR RICCI BITTI said that nobody wanted to interfere in the sovereignty of any country. In his opinion, that was an exaggeration of the interpretation of the problem. He reiterated that the Olympic Movement was very worried about the implications that the Rodchenkov Act might have on the system of the fight against doping in sport. The Rodchenkov Act had some positive aspects; but, when one passed a law that included extraterritorial jurisdiction, there would always be some implications, the basic one being that the spirit of the cooperation between governments and sport, and he was old enough to remember, had been the harmonisation of the rules, and that was a concern. How could one believe that that was not an implication? WADA should have a position and take care of the matter. When he heard 'lobby', that was another exaggeration. What did that mean? Government relations were part of WADA's activity, and that was a more elegant way to describe what he had asked WADA to do on that particular matter. It was a little surprising that an important country such as the U.S., which was a major contributor to WADA, was including extraterritorial jurisdiction when the majority of professional sports in the U.S. were not WADA signatories. That was an unavoidable fact. He encouraged the delegates to consider the implications. That was the feeling of the sport side and he believed that harmonisation of the legislation efforts by the governments was key to the success of the activity.

MS MOHAMED thanked Mr Bańka and the government and people of Poland, as well as WADA for the excellent arrangements that had been put in place, since the Foundation Board meeting marked the end of the World Conference on Doping in Sport. The issue being discussed was obviously a very interesting one, and it was also extremely important to everybody. The participants had started the Conference learning about the history of WADA, about how everybody had been pulling in different directions, after

which, upon the establishment of WADA, they had started moving in the same direction. That was what they should continue to do. She would not question any country's sovereignty, because she also guarded hers very jealously, but she did not intend to do anything that would have implications for others who had not participated in the legislative process in her country. Therefore, she did not question anything that the U.S. was doing. There were some aspects with which she did not fully agree, having had the pleasure of reading the draft the previous evening. There were two issues with which she would have difficulties, but she was ready to engage on them to make sure that they had no adverse impact on her country, which was a sporting nation, second to the U.S. when it came to athletics, and she therefore wanted to make sure that nothing changed that position. It was therefore her considered opinion that, instead of continuing that discussion, it might be a good idea to actually wait for a full briefing from the Director General at a future meeting so as to have an in-depth discussion on that. Also, at that time, the Members would have had the pleasure of discussing on a national level to see what could be agreed with and what would need further discussion. Her proposal was therefore to wait for a full briefing, because she did not have the full picture, and she thought that many did not have the full picture, so it would be useful to have everybody on the same page.

MS COVENTRY said that her colleague from Kenya had put some of her comments eloquently, in that there were some good things and some issues with the Act, and one of the inconsistencies on which she sought more information was that, based on the information provided, the Act would give extraterritorial jurisdiction to the U.S. to intervene in doping cases taking place outside the U.S. involving non-US athletes; however, it had been made clear that, within the U.S., the Act would not make the Code equally applicable to all athletes, so athletes in the U.S. would still not be subject to the same anti-doping rules or benefit from the same protection to their health and, if WADA was fighting to protect clean athletes, because at the end of the day WADA did not wish to see athletes' health deteriorate, why would that not be the case in that Act?

MR DE VOS said that he understood that the Act was not yet legislation, and the bicameral system ensured that the right legislation was approved. He was worried only about the extraterritoriality aspect and its impact on the sport movement and events. It was the responsibility of WADA on behalf of the sport movement to look into the eventual consequences of such legislation. It was the correct way to handle the matter. It was necessary to inform the Members and try to understand the impact of such legislation on the events and the athletes, bearing in mind that the athletes should all be treated equally. He would absolutely support WADA looking into the matter further. It was not yet legislation, there was still room for improvement if necessary, and it needed to be done in a very democratic way. He supported WADA's continued investigation.

MS BATTAINI-DRAGONI observed that she was very proud that the One Voice initiative had been launched a few years previously to give the public authorities the opportunity to get together regularly to discuss and exchange information. She realised, listening to that debate, how that dimension of new legislation and innovative elements in legislation indeed constituted very much the core of the work of the public authorities, because they had a responsibility in relation to what was being drawn up, ratified in parliaments and the relationship between the texts and what the public authorities had already subscribed to, and she referred to the UNESCO Convention, but also there was an obligation to ensure that the World Anti-Doping Code was implemented in a proper manner. The debate was an important one and she was very pleased to hear that, since the CAHAMA would like to have a thorough discussion about the subject. She was delighted to extend an invitation to the U.S. colleagues to talk to the 47-member countries from Europe in the CAHAMA to dispel any misunderstandings and analyse, hand in hand, the advantages, any shortcomings and so on. She would like to have that consultation and that direct dialogue before the next meeting of the Foundation Board, and she very much supported what the Kenyan minister had said previously about taking time and making sure that whatever was done was done with a positive attitude and the view that the best possible legislation was necessary to be strong in the fight against doping in sport.

THE DIRECTOR GENERAL responded in general to the comments in relation to the Rodchenkov Act. The matter had been raised around the table about a year previously, and it was pretty clear that there was an expectation by at least 50% of the constituents that WADA would follow the matter. It did not mean that WADA was against any sovereign action by states, just that it was WADA's responsibility to understand the impact. WADA had learned about the Act through the media, as it had never been contacted by the legislators or the NADO. The issue had appeared suddenly and WADA had had to deal with it. WADA had looked at the best channel to do that and he told the U.Ss representatives that. Every

time that he had gone to Washington, he had sat down with the government representatives; however, as everybody knew, the Act did not emanate from the government, it came from the Helsinki Commission, which was a Congress commission. The only thing WADA had done was to go to the source of the legislation to have a discussion on the intention behind it and what it sought to achieve, also raising concerns about the potential unintended consequences that that clause would have. When talking about lobbying, he wished to be very clear: he was talking about getting appointments with a few people in Washington because, unfortunately, he could not pick up the phone himself and do it because he did not know those people. That was all that had been done and he would be happy to show everything that had been done. Everything was in the accounts and it was totally transparent, so there was no issue. It was not at the level mentioned. WADA had set aside a budget of 250,000 dollars for the following year. It did not concern the Rodchenkov Act per se. He would be more than happy if WADA did not have to do anything about that, and he would follow instructions, but it was more about having a presence and being able to voice concerns. A lot of WADA's activities in the U.S. focused on the professional leagues, which were a concern, and WADA had to maintain a relationship with them. WADA might spend less; hopefully it would, but it was about making sure that WADA's voice was heard in the U.S. He did not think that it would come as a surprise to anybody that, sometimes, the way in which WADA's activities were painted in the U.S. did not reflect the true nature of what it did. He would be more than happy to proceed and continue the dialogue with the U.S. authorities and the representatives there. The opinion from Professor Haas had been published transparently. For the most part, it was positive, although it still raised a few questions. There might be questions worth discussing, and that was how far WADA had come in the discussion. There were things that had to be put into perspective. It was obvious that there were different views on what WADA should do, but he was surprised that that had come as a surprise to Ms Hofstad Helleland because the issue had been reported on at previous meetings, including the fact that WADA had gone to Washington and had had discussions.

In light of the remark made by Ms Coventry, the Executive Committee had been told clearly that the Act would not apply to professional leagues. Initially, the first draft of the Act had applied to professional leagues, and that had been taken out, and perhaps WADA would be given the reasons for that at some point in the discussions. It was important to understand the thinking behind the legislative process there.

In terms of the implications, he did not think that he would go into all the details at this meeting. He had been asked about that in Tokyo and had given the example of potential issues with whistleblowers, and that had also been raised by the Intelligence and Investigations Department. For cases in which whistleblowers were implicated, and if there were different competent jurisdictions created by the Act, how did one encourage whistleblowers to come forward and strike a deal with the whistleblowers in the event of potential prosecution in four different countries? There was a question in relation to harmonisation, and other questions that were certainly worth a discussion. That could be discussed further. Perhaps it was worth having a full debate around the table, which he would be happy to do.

In response to Mr Pound's question about the Romanian laboratory, it had been suspended, the people involved were no longer there, and the laboratory had been recredited; so, as far as the laboratory was concerned, the matter was over. The NADO had also been dealt with, and there was still an investigation ongoing in Romania on other factors.

In relation to the question from Mr Cosgrove on the bullying investigation, he would not go over the whole history, as everybody was aware of it, but that had been started based on the threat of litigation, and the Executive Committee had taken a decision to proceed. The work had been given to an independent investigator who had done the work independently, so the expenses had been approved by the President and himself in accordance with the financial regulations, but they had not intervened in any way to limit the work that the investigator had done, as they had not wished to be accused of interfering in the independent investigation. That concluded his responses to the questions asked.

THE CHAIRMAN concluded that the first observation was that it seemed to him almost inevitable that, at the meeting in Montreal in May the following year, there would be a further report on what had happened with the legislation or intended legislation in the U.S., so people would be coming back to that.

He rather also took the point made by Ms Battaini-Dragoni that there had been a hope that there would be a rather more unified view from the public authorities, and that was clearly not the case, but the views of the sport movement seemed to him to be completely unanimous and, to that extent, there was a substantial number of people who were concerned about the process of the legislation, so he thought that the Foundation Board should note that concern and continue to monitor it because,

inevitably, in a public meeting like that, when it was reported, it would be monitored on an even more regular basis than was currently the case. The Foundation Board should note the debate. For those Members who had not attended previous meetings, they were recorded so that every word said was documented in the minutes, and the Members could enjoy reading them and give them mature reflection.

The Director General had dealt with the financial situation. It was a matter of regret to him that budget figures appeared in the media, but the point had been made that they were only budget figures and they might or might not involve the different types of expenditure. The issue should be noted and monitored and WADA should move on. That was certainly worth noting and discussing there, since it had been an issue at the public authorities' meeting that morning and was a matter of great concern to the Olympic Movement.

He greatly appreciated the comment about the public authorities responding to the financial offers from the president of the IOC because past history had been that, when the Olympic Movement had made an offer, many of the public authorities had invested in that and WADA had ended up with a very substantial research fund that had been of great use.

MR RICCI BITTI said that, if the Chairman wanted to clarify the intention, he could say on behalf of the IOC that one element was the pure cost, five million dollars, so there was no discussion there. The other two elements were typical invitations to match, and were not a condition. They were invitations to match, as had been the case in the past, to cooperate for better investigation.

THE CHAIRMAN stated that money was available for the ongoing storage of samples taken out of competition and then research.

PROFESSOR ERDENER said that, after matching the previous time, the remaining amount had again been used to support anti-doping projects. That was another important detail.

THE CHAIRMAN thanked the speakers for their accurate corrections.

DECISION

Director General's report noted.

– **3.1 Strategic plan 2020 update**

THE DIRECTOR GENERAL said that he thought he had dealt with the item.

DECISION

Strategic plan 2020 update noted.

– **3.2 Operational performance indicators 2019**

THE DIRECTOR GENERAL said that the same operational performance indicators were in force and they would be revised once the new strategic plan was in place.

DECISION

Operational performance indicators
2019 noted.

– **3.3 UNESCO Convention activity report/update**

MR BOUCHARD said that the seventh Conference of Parties of the UNESCO International Convention against Doping in Sport had concluded on 31 October. The three-day meeting had started on 29 October with a full pre-conference forum including four sessions on artificial intelligence and gene doping, women and youth engagement in sport, values-based education and the launch of the Sports Values in Every Classroom tool kit for teachers, and facilitating cooperation between NADOs and UNESCO. WADA had been represented on two of the panels by Dr Rabin, the Senior Executive Director of Science and International Partnerships, and by Ms Hudson, the new WADA Director of Education. The WADA Education Department had been instrumental in developing the sport values tool kit. WADA had participated in the two-day official Conference of Parties (COP). WADA had gone to the COP as the advisory body to the convention with three objectives: to make sure that it would provide the best possible advice to UNESCO's Bureau and the states parties, to ensure that progress would be made in the fight against doping in sport and to protect WADA's interest in the fight against doping in sport. WADA had also felt

that it was particularly important at that conference of parties to adopt new operational guidelines and a new framework of consequences to strengthen implementation of the convention. The WADA president-elect had been one of the keynote speakers, indicating in his speech that education and expanding the global legislative framework and strengthening the anti-doping movement's ties with the law enforcement agencies around the world would be key in the battle to clean sport. The WADA Director General had talked about WADA's strategic objective, in particular in relation to the mission of UNESCO, talking about the implementation of the new Code and Standards, reiterating the importance of monitoring compliance, building capacity and conducting investigations. He had then briefed the delegates on the ongoing management of the Russian doping issue, and finally outlined a number of measures that governments might implement to increase their support in the fight against doping in sport.

He made a few brief general observations. WADA had noted strong participation at the event and in particular by a number of countries where there were members of the WADA Foundation Board or had been members in the past. Those delegates had shown a strong desire to strengthen the implementation of the convention and they should be thanked for that. He had noted with disappointment that the new proposed operational guidelines and framework of consequences had not been approved by the COP. There had been a very divided group of states parties that had decided, after much debate, that more work was required on the two documents that had been submitted for approval. WADA had invested a lot of time and resources in working with UNESCO to make the COPa and the work of the Bureau as successful as possible. In the weeks to come, WADA would determine how that collaboration would continue with the newly elected Bureau of the convention. The new chairman of the Bureau is from the Dominican Republic: Mr Díaz. The rapporteur from the UK, Mr Patel, had been re-elected. The vice-chairmen came from China, Saudi Arabia, Senegal and Zambia. He congratulated the new members and thanked those members from Togo, Romania and the Republic of Korea with whom WADA had been working over the past few years and whose terms had ended. That concluded his brief summary of the work conducted at UNESCO, and he had given the WADA perspective. He invited the new chairman of the Bureau to say a few words.

MR DÍAZ appreciated the UNESCO report. He strongly supported WADA's presence at UNESCO and he hoped that it would continue to strengthen the relationship with UNESCO; that would be much appreciated. Many shared the disappointment of WADA in relation to the outcomes in Paris. In that case, it had been impossible to achieve consensus among the 188 countries, although there had been a commitment to ensure good results the next time. WADA played a big role in UNESCO and the public authorities would make sure that it continued to improve and became stronger in the future.

THE CHAIRMAN thanked Mr Díaz for his admirably brief intervention.

MR DE VOS said on behalf of the sport movement that he regretted that, at the UNESCO Conference, the proposed guidelines and framework of consequences had not been adopted. He underlined that the convention was the only legal framework to hold governments accountable to their commitment towards clean athletes, so he encouraged the states parties to accept those at their next meeting.

MR GODKIN noted the comments from his colleagues and reassured the members that enormous effort had been put in by many public authorities representatives to have the framework of consequences adopted and the operational guidelines accepted. He would not want anybody at the Foundation Board meeting to be under any misapprehension that a very solid attempt had not been made to do that by many members of the Foundation Board.

MR COSGROVE said that he had attended the meeting and noted for the record the immense contribution made by the previous chairman of the bureau, Mr Saleh Al Konbaz. He believed that he had toiled away for six years, and the Foundation Board should note his immense contribution and commitment to WADA and to trying to make progress on those essential issues.

THE CHAIRMAN thanked Mr Cosgrove. He absolutely accepted that and it would be so minuted. WADA knew what needed to be done and it was important. It was not easy, he knew, but it was important, so he wished Mr Díaz every success in his deliberations.

DECISION

UNESCO Convention activity report/update noted.

– **3.4 International Testing Agency activity report**

THE CHAIRMAN gave the floor to Ms Fourneyron, who chaired the board of the ITA.

MS FOURNEYRON informed the members that, two years previously, the WADA Foundation Board had validated the statutory framework of the ITA as a new actor in the anti-doping landscape, and WADA's Executive Committee had approved the membership of its board together with her appointment as its chairman. In July 2018, the ITA had become fully operational, working from its headquarter offices in Lausanne, set up with the primary mission to deliver independent and professional management of anti-doping programmes. The ITA had since experienced rapid growth and development. Truly dedicated to the promotion of WADA's objectives and the global efforts for clean sport, the ITA worked towards the elimination of real or perceived conflicts of interest and the delivery of quality anti-doping programmes in cooperation with all stakeholders involved in the fight against doping in sport. After almost one-and-a-half years of a dynamic phase of operation, she was pleased to provide the members with a short report on the development and activities of the ITA.

To date, 41 IFs were partnered with the ITA, some outsourcing their complete anti-doping programmes, some using specific services from the ITA menu. In terms of event organisers, even over the past 12 months, the ITA had coordinated the programmes of the Summer Youth Olympic Games, the Winter Universiade, and was actively preparing for the 2020 Winter Youth Olympic Games and the Tokyo Olympic Summer Games. The ITA had recently reached an agreement with GAISF to further promote anti-doping efforts within the sport movement and offer support to all IFs of GAISF with the alignment of their anti-doping rules to the 2021 Code, and the focus was obviously on the smaller federations that might not have the internal resources to conduct that work. The many partnerships of the ITA gave it a transversal view across different sports and made it possible to explore synergies and economies of scale. More importantly, fighting doping across various sports enabled the ITA to identify common issues and also common solutions.

With more than 100 positive cases prosecuted that year and 300 TUEs issued, the volume of activities conducted under WADA's strict supervision truly supported the development of dedicated sport expertise. The ITA currently operated with the work of more than 14 employees and dozens of external experts recruited from all over the world, and from all stakeholder groups, with an emphasis on their specific anti-doping experience. Collaboration among all stakeholders was deemed crucial for the fight, and so the ITA actively sought to cooperate with NADOs and RADOs worldwide. Their work at national level had been truly complementary to the ITA's work, and they had therefore been working closely together and continued to do so even more, in particular in the areas of sample collection, intelligence sharing and delivery of education. Fruitful synergies had been found, and the benefits of uniting efforts and expertise were endless.

Another important project was the development of a global IT accreditation programme for international doping control officers and the anti-doping workforce. That initiative would provide more guarantees to athletes and ensure that whoever collected samples on the ITA's behalf had gone through a robust training, vetting and accreditation process. She was extremely pleased that a number of NADOs had shown an interest in cooperating on that project, as it would undoubtedly raise the standards of sample collection globally and better protect the athletes.

The ITA was also honoured to take part in an important project led by WADA on dried blood spot testing, as it could forever change the procedure of sample collection, testing and storage and bring more comfort to those athletes tested.

The ITA was finalising the reanalysis of samples collected during the 2012 Olympic Games in London. 1,800 samples had been reanalysed over 2019 with the ITA prosecuting all positive cases before the CAS.

The ITA was also setting up policies for the long-term storage of samples under the testing authority of IFs and major event organisers and expected the area to intensify in the future given the importance of allocating medals to their rightful owners.

Finally, education and prevention were crucial components for all stakeholders involved in the fight against doping in sport as underlined by the new International Standard on Education approved that morning. In that regard, the ITA had signed a memorandum of understanding with UNESCO during the COP the previous week to further promote preventative education, and the ITA had been asked to deliver

the following year for IFs and event organisers outreach projects at 32 international events. The ITA intended to deliver that work in close cooperation with the NADOs, RADOS and WADA. The ITA would also deliver the IOC education programme to the Olympic refugee team that would be going to Tokyo the following year.

The ITA services worked with WADA on a daily basis, and an overview of the cooperation of the two organisations showed complementary work in various fields, the most important being the important support to IFs and major event organisers to achieve full compliance with the World Anti-Doping Code. Since its creation, the ITA had supported more than 20 organisations with their obligations in the framework of the WADA compliance monitoring programme, including the provision of information through the Code compliance questionnaire, the subsequent implementation of any corrective actions issued by WADA and the provision of support and guidance during WADA audits. Whilst supporting its partners with their compliance activities, the ITA worked closely with the WADA Standards and Harmonisation Department to ensure that the level of standards expected by WADA was constantly met. Collaboration also took place in the exchange of intelligence to support the drawing up of risk assessments and thus deliver more relevant testing programmes. Furthermore, with the introduction of the Code compliance process for major event organisers, the ITA was currently handling the work on behalf of the IOC for the anti-doping programme at the 2020 Olympic Games in Tokyo. It was the first time that the anti-doping programme of such a major event had undergone compliance scrutiny ahead of the event and she was glad to report that all corrective actions had been addressed immediately and would be resolved shortly.

On the progress of the programme for the Tokyo Olympic Games, the ITA was cooperating with the Tokyo 2020 organising committee and JADA on a daily basis to ensure the preparation for a well-functioning anti-doping programme and all of its aspects concerning logistics, security and operations. To minimise the risk on-site and ensure proper coordination before and during the Olympic Games, the ITA was finalising a partnership with the Japanese police, customs and justice authorities. The ITA had attended a number of seminars for NOCs to inform them about the Tokyo anti-doping programme together with the key information to deliver to their athletes and athlete support personnel.

The ITA pre-games expert group had officially started its work. The group consisted of five NADO delegates nominated by iNADO, and five IF delegates nominated by ASOIF. The expert group supported by the ITA in-house experts formed a diverse and independent body spanning five continents with dedicated knowledge on individual and team sports. The group had met for the third time in Katowice, and would soon start issuing testing recommendations ahead of the Olympic Games to all ADOs.

As the members could see, the ITA was working very hard to support WADA's mission for clean sports and remained by the athletes' side. She thanked the President and WADA staff for their hard work and support. The ITA would continue to work tirelessly and always in a spirit of transparency and cooperation. She thanked Mr Baňka for his warm hospitality and wished him a lot of success with his new challenge. He could count on the full support of the ITA.

MR DE VOS thanked Ms Fourneyron for the report and congratulated the ITA on what it had done in such a short period of time. It was great work and was very important for the IFs and the Olympic Movement. Also, as a replacement of the Doping Free Sport Unit, the ITA had taken over its responsibilities and he underlined the importance of good cooperation with WADA, especially in view of the pre-games testing programme that the IOC wished to roll out. Cooperation with WADA needed to be not only good but excellent, and all access needed to be granted.

MS MONDON commended the ITA on the hard work and achievements since its inception. Africa could potentially engage the ITA to ensure that it agreed to use the capacity, expertise and resources where available within the region in the implementation of programmes. For example, NADOs and RADOS might assist with sample collection within the region.

MS MOHAMED thanked Ms Fourneyron for her comprehensive report. She referred to what her colleague from the Seychelles had said about the use of locally available expertise on the continent to help build capacity where it did not exist but also to strengthen what was in place, especially for pre- and post-testing processes. She had noted in the report that there was already some level of cooperation. Her request was to enhance that cooperation so that it was felt on the ground.

MR OKYAY asked on behalf of the European group how the external speakers were invited to address the Foundation Board meetings and how they were identified.

THE CHAIRMAN understood that that was a question to him rather than Ms Fourneyron.

THE DIRECTOR GENERAL responded that the Executive Committee had nominated the ITA board and it had been understood that it would come and report to the Foundation Board on a regular basis. Normally, in a more general fashion, if there were requests from UNESCO or another organisation, they could be accommodated and reports could be made to the Foundation Board if they were of interest.

MS BATTAINI-DRAGONI said that the CAHAMA had a very clear position on the question. She appreciated what had been presented and the important steps taken by the ITA. There were no doubts about the efficiency and the way in which the structure was led. At the same time, the CAHAMA believed that it was important to suggest that, at the next meeting of the Foundation Board in 2020, there be a full presentation by iNADO to present the activities of the NADOs in preparation for the Olympic Games and Paralympic Games. That was a very clear request and she asked that it be noted. She was sure that, with that initial presentation that day and the next, the Members would have a very good overall idea of the current capacity to ensure good systems of doping control.

MR RICCI BITTI made another historical contribution. There were some perceptions he thought were wrong. When WADA had been founded, the first two or three versions of the Code had been very clear. There had been a clear separation. At the political level, the two entities had been the public authorities and the sport movement. At the operational level, the two groups had been the NADOs, for geographical and domestic sport, and the IFs, responsible for international activities, high-performance activities and so on. The ITA simply replaced that function, and that had to be said. There were some mistaken perceptions. The ITA was working with many NADOs in those countries that believed that the ITA was more efficient. The creation of the ITA, inspired by the IOC president, Mr Bach, had been to have greater independence from the sport organisations and to have an economy of scale to favour the medium-sized and small IFs. There had been two entities: the NADOs and the IFs. The ITA supplemented or replaced the function of the IFs.

MS FOURNEYRON thanked the members for their words of support. The ITA buzzword was cooperation with all IFs, the countries, RADOs and NADOs. There was expertise, so the ITA could go forward with the expertise of each sport for the IFs and each country. It was very important to grow with the expertise that existed around the world. The ITA was not in place of, it was working with the existing expertise.

THE CHAIRMAN said that there was a WADA iNADO working group, but he was quite sure that, by May the following year, there would be a clear idea about the pre-games testing situation and WADA would happily cooperate on that if asked. He thanked Ms Fourneyron and gave her an absolute assurance that she would have collaboration with WADA, and most of it would come from the splendid office in Lausanne.

There was one pretty depressing element in the presentation, and that was the reanalysis of 1,800 samples from the London Olympic Games. He had spent 19-and-a-half years of his life planning, bidding for and organising the London Olympic Games, and it was really depressing that that retesting was necessary and that the problems had arisen. That was a very personal point of view.

DECISION

International Testing Agency activity report noted.

4. Governance

– 4.1 Executive Committee appointments 2020 – stakeholder seats

THE CHAIRMAN told the Members that they had the paper before them and noted that it was their decision that that be accepted.

DECISION

Executive Committee appointments 2020 approved.

– **4.2 Foundation Board**

4.2.1 Memberships 2020

4.2.2 Endorsement of composition for the Swiss authorities

THE CHAIRMAN referred to the tabled document that gave the whole history of membership. The details had to be submitted under WADA's statutes to the Swiss authorities because WADA was an agency under their control. Were the members happy with that as well?

DECISION

Foundation Board composition endorsed for the Swiss authorities.

– **4.3 General governance reforms update**

DECISION

General governance reforms update noted.

– **4.4 Statutes and associated regulations/documents**

THE CHAIRMAN noted that the statutes and associated regulations were the culmination of almost two-and-a-half years' work by the Working Group on WADA Governance Matters and he asked Mr Kaiser to make a short presentation, after which the Members would be asked to accept them.

MR KAISER reminded the Members that the project had gone through various stages from the time of the previous meeting in Montreal in May earlier this year. One request made by both stakeholder groups had been to have one document consolidating all the regulations, and that had been done and was in attachment 4 in its final form. Attachment 3 was the consolidated version of the draft submitted to the Foundation Board in May in Montreal for comparison and attachment 5 was a comparison version with the draft submitted in May. The statutes were a self-standing document, which was not part of the regulations per se because it was the constitution of WADA after all and had to be dealt with separately.

He made a few comments on the process followed after the meeting of the Foundation Board in May in Montreal. There had been a consultation process, which had lasted until 30 June 2019. During that process, WADA had collected very constructive comments and suggestions from Members. The drafts had been revised and had been submitted to the Executive Committee in Tokyo on 23 September. Then, discussion had taken place in Tokyo with a very good suggestion, and the drafts had been revised and submitted to the Executive Committee Members for a brief final consultation until 7 October 2019. The last few points still open arising from suggestions made in the drafting had been solved and settled at a small conference call on 9 October with representatives of both stakeholder groups, then the final version had been amended to reflect the final consultations and had been consolidated in one document, the WADA governance regulations pursuant to Swiss governance law.

Going through the statutes in attachment 2, the main amendments made since the previous meeting in May related to the terms of office. For Foundation Board Members and their deputies, the system had been maintained, with a maximum period of nine years of office and a maximum aggregate period of 12 years of presence as Foundation Board or Executive Committee Members. That had in fact been a working group recommendation; however, it had been felt that a transition period would be appropriate to maintain and keep expertise within the Foundation Board and therefore the statutes stated that Foundation Board members who had reached nine years but not 12 years of presence in WADA when they were up for re-election might be re-elected, but only for a term up to the aggregate 12-year-period as an Executive Committee or Foundation Board Member.

Regarding Executive Committee Members, there was a maximum of nine years with a maximum period of 12 years of presence, and that was nothing new, but there again, a transition period had been requested and therefore implemented in the revised documents, and the Foundation Board could decide until the end of December 2023 to reappoint to the Executive Committee for a period of one to three years maximum an Executive Committee Member having served nine years on the Executive Committee or having reached a maximum aggregate period of 12 years of presence as an Executive Committee and Foundation Board Member. That was to simplify the rotation, but it was a one-shot system and would end at the end of December 2023.

In relation to standing committee members, the working group recommendation of a maximum term of nine years in the same committee had been maintained, and that did not prevent a member from being a member of another committee; but, again, it had been felt that it would be useful to keep a transition period to maintain the skills and experience acquired by committee members, so a member of a standing committee having served for less than nine years at the time of their re-election or reappointment might be reappointed, but only for one more term of three years, so they might be there for more than nine years in total.

On the regulations, which were in attachment 4 in the folders, as the members might remember, the issue of having an independent ethics board had been discussed in May in Montreal. It was a work in progress. There was no such board in place or regulation to that effect. The statutes included the principle of the Foundation Board having the possibility to appoint an independent ethics board, which was why all reference to the independent ethics board in the regulations had been deleted and competence had been transferred to the Foundation Board or the Executive Committee where appropriate.

On the Foundation Board, the main amendments since May dealt with deputies of Foundation Board members. In principle, the system of having two deputies had been maintained, but it had been felt that it would be useful to allow the president to grant exceptions if circumstances so required to maintain equality among stakeholders, and therefore to allow additional deputies.

The sharing of information with stakeholders was a comment that had been received from both sides. A Foundation Board Member might share information with a stakeholder they represented to the Foundation Board to the extent that they were fulfilling their duty; but, under Swiss law, a Foundation Board Member first had a duty to protect the interest of WADA.

On the Executive Committee independent members, it had been felt important that the final decision on the appointment be taken by the Foundation Board. The Foundation Board would receive recommendations from the Nominations Committee, but might deviate if it felt it necessary to do so; however, if it decided to deviate, it would have to provide reasons.

The indemnity for the president of WADA acting as the chairman of the Executive Committee, with the amount of work required, had been maintained at a maximum of 100,000 Swiss francs per year.

On the reimbursement of expenses and per diem allowances, there was no change from the current practice. The only modifications that had been made had been to avoid misunderstanding.

Regarding the Executive Committee regulations, a request had been made to have greater transparency, so it had been agreed that the meeting minutes would be published on the WADA website, unless decided otherwise by the president for data protection reasons or other circumstances that would in fact require that those documents not be made public.

On the regulations for the Nominations Committee, the matter had been discussed in Montreal in May and also in Tokyo, and it had been agreed that the Nominations Committee would not recruit candidates for the election of the president and vice-president but would only review and vet candidates who applied.

The other concern from both stakeholder groups had been that the members of the Nominations Committee should reflect a balanced diversity. It had been said that regional, gender and cultural diversity were examples and not a closed list, because everybody knew that society would probably have new things coming up in the following years which would therefore also require a balanced diversity. The members of the Nominations Committee would be appointed by the Executive Committee. As to the decisions of such committee, the working group had suggested unanimity, which was a very difficult issue under Swiss law and not really in line with the principle of governance. Therefore, it had been decided that unanimity should be sought whenever possible and, if it was not possible, a two-thirds majority vote would prevail. That would prevent a veto by one member on any decision of the committee.

On the by-laws on independence, the Foundation Board Members would be subject only to the general standard of independence, and it had been felt that a clarification should be made that membership of a sport organisation or a public authority body was not contrary to the general standard of independence. In his view, that was obvious, but it was better to state it to allay any concerns.

In relation to disclosure of lack of independence or circumstances that might imply a lack of independence, or assessment of such circumstances deviating from the criteria, that would be the remit of the president for the Foundation Board and the Director General for Executive Committee Members.

In relation to stricter independence criteria, it had also been felt that it should be clearly specified that pensions or other indemnities paid to the president or vice-president for their past activities before being elected were not in breach of the stricter independence criteria.

Regarding the by-laws for the election of the president or the vice-president, the candidates' applications would be endorsed by two Foundation Board Members, which was nothing new. On the cooling-off period, there had been a very good proposal made in Tokyo by one of the Members which was that it was difficult for a candidate to comply with the obligation of independence six months prior to being elected because, in fact, there was no guarantee that such candidate would be elected, and they would be asked to resign from their position in a sport organisation or a public authority position. Therefore, it had been decided that the six-month cooling-off period would take place before taking office, meaning a different timing for the election. The filing of candidacies would take place on 30 November, then the election in the election year, the following year, would be in May, and the taking of office would be on 1 January of the year after. In that way, after being elected, the president and vice-president would have at least six months of cooling-off time from June until the end of the year.

In relation to the re-election of the president and vice-president, they would be subject to limited vetting only by the Nominations Committee to identify any possible changes that might have occurred in relation to the information received at the time of the candidacy.

As to the by-laws on the standing committees, the chairmen and the members were appointed by the Executive Committee. The chairmen's candidacies would have to be endorsed by two Foundation Board Members and the committee members' candidacies would be endorsed by a Foundation Board Member or a recognised WADA stakeholder group. On chairmen and members, there had been a request from both stakeholder groups that WADA should aim to represent balanced diversity, and regional, gender and cultural had been given as examples. It had also been felt that a nation should be represented only once on a committee.

On the Athlete Committee and the Compliance Review Committee, there were different provisions. They had been reorganised, although no major changes had been made. For the Athlete Committee, the matter had been discussed in Tokyo with the Athlete Committee at the time to allow for the vetting of applicants by the Nominations Committee before submission to the Executive Committee, and it had been agreed that up to five applicants for the position of chairman would be vetted first by the Nominations Committee after being ranked by the Athlete Committee for appointment by the Executive Committee and, if there were more than five applicants, which could be the case, the Athlete Committee would have to select five to be vetted by the Nominations Committee.

In relation to members, it had also been felt that it should be stated that they should represent a cross-section from the sport movement but one sport should be represented only once on each committee.

In relation to the Compliance Review Committee, the chairman and the members would be vetted by the Nominations Committee and a dossier sent to the Executive Committee in advance of the meeting so as to have a full dossier early enough before having to decide on the appointment.

For the Director General, it had been felt that the composition of the selection panel should be different, and it had been agreed that it would comprise the WADA president, the vice-president and two ordinary members, one from the public authorities and one from the Olympic Movement. The appointment itself would, of course, be an Executive Committee decision.

The Members had the final form of the WADA governance regulations for approval. They complied with Swiss law, but were a work in progress, and would be subject to scrutiny in terms of how they were applied, and the Executive Committee and the Director General would be responsible for monitoring implementation and suggesting possible amendments in the future.

THE CHAIRMAN said that governance involved a lot of details and it was very difficult to do it in a big meeting like that, but the regulations represented two-and-a-half years of work and, unless there were any violent objections, he wanted to get them approved as soon as possible. Nevertheless, were there any questions on the large number of papers sent to the Members? He thanked Mr Kaiser very

much. The Foundation Board had to approve them so as to enable WADA to enter another term of its existence with a much better set of regulations.

DECISION

Statutes and associated regulations/
documents approved.

– **4.5 Election of WADA president and vice-president 2020-2022**

THE CHAIRMAN said that he had been asked to allow the media to witness item 4.5. He thought that that could be done fairly quickly. He asked Mr Bańka and Ms Yang to join him.

The item was for the election of the president and vice-president of WADA for the term from 1 January 2020 to 31 December 2022, and it was his privilege to make the first proposal, which was that the Foundation Board elect Mr Witold Bańka of Poland as the president of WADA. Was that agreed? Representing the sport movement, he proposed Ms Yang Yang of China as the vice-president.

MR BAŃKA remarked that it was such an important moment of his life and he thanked the Members for their trust and their decision. It was very important and symbolic for him that they had taken the decision in Katowice, his home region, right after the World Conference on Doping in Sport. Humility and work: those values had always guided him as the minister responsible for sport and tourism in Poland, and he promised that those values would guide him as the next WADA president. The members all had the same objective in their minds and hearts: to clean up sport and create a fair environment for clean athletes, and to build a strong anti-doping system, and he promised that he would always try to build a bridge between all of the stakeholders. He would be open to discuss with them and he was sure that, together, they would make the anti-doping system stronger and enhance WADA and create a better sport world.

MS YANG thanked everybody for their support. It was a great honour to be there with her passion and beliefs to fight against doping in sport and to protect the rights of the clean athletes and, together with Mr Bańka, she was very confident and looked forward to the important work ahead. She thanked the Members for their support.

THE CHAIRMAN congratulated Mr Bańka and Ms Yang. Everybody in that room wished them every possible success.

DECISION

Proposal to elect Mr Bańka WADA President
and Ms Yang WADA Vice-President approved.

5. World Anti-Doping Code

– **5.1 Code compliance**

5.1.1 Compliance Review Committee Chair report

5.1.2 Compliance monitoring update

5.1.3 Russia update

5.1.4 Recommendations of non-compliance

MR TAYLOR took the four different items under 5.1 together. The Members had a paper from him under 5.1.1 referring to the general activities of the Compliance Review Committee and two matters on which there were different agenda items, and a paper from Mr Donzé on the compliance monitoring programme. He hoped that those spoke for themselves.

As to the two separate agenda items, one had been going to be a recommendation of non-compliance, but that had been taken off the agenda because the signatory had complied with the outstanding requirements.

In terms of the RUSADA situation, a non-compliance procedure had been opened against RUSADA on 17 September in which RUSADA had been asked to comment on the opinion given by the forensic data experts retained by WADA in relation to the condition imposed in the Seychelles that they provide

a complete and authentic copy of the LIMS data and the underlying raw data from the Moscow laboratory. The opinion of those experts, having looked at the data, was that there were discrepancies that meant that that condition had not been met. The data had not been complete and authentic. The analogy to draw was an Athlete Biological Passport case in which the experts said that, according to their view of the data, it looked like doping and, unless there was a medical or other explanation for the data, that was the view. Similarly, there, the forensic experts had said that, having looked at the evidence, the data were not authentic, unless there was some explanation that could be given that they were not seeing. The Russian authorities had been given some time to provide a response; they had been asked to provide an answer to specific questions and some supporting materials. They had provided answers to the questions and supporting materials, which had referred to some further data, so the Compliance Review Committee had asked the Intelligence and Investigations Department to obtain the further data so that the experts would be able to take those into account. That was what they were currently doing. They were still in that process and he could not say what their updated opinion was and whether or not anything provided changed the provisional conclusions they had made that had prompted the start of the process. He hoped to hear back from them the following week. They had a meeting planned with their Russian counterparts on 14 November. The Compliance Review Committee would convene a special in-person meeting on Sunday 17 November to consider an updated report from the experts and the Intelligence and Investigations Department. If necessary, and he said if because the outcome was not pre-judged and the Compliance Review Committee was waiting to hear what the experts had to say, but if their opinion remained the same, that the condition had not been met, the Compliance Review Committee would put together a recommendation to the Executive Committee as soon as it could after the meeting on 17 November and the discussion and agreement at the Executive Committee meeting on Monday had been that there would be a specially convened Executive Committee meeting if necessary, if the recommendation was made. That recommendation would be considered at a special meeting of the Executive Committee on 9 December. He could not remember where the venue would be, but the Director General would tell the Members. That was an overview and an update on the situation. He would be very happy to answer any questions that might arise.

THE CHAIRMAN thanked Mr Taylor. The Members were aware of the information they were waiting for, and they were aware of the mechanics that had to be gone through with the process to deal with it, and he gave the Members an undertaking that that would happen over the next few weeks.

DECISION

Code compliance update noted.

6. Athletes

– 6.1 Athlete anti-doping rights document – name and legal status

MS SCOTT said that the Members had her report in their files. She thanked the Executive Committee for approving the Athletes' Anti-Doping Rights Act that morning. That had been a very important project for the Athlete Committee for a number of years, and the committee members had been very proud to see it finally cross the finish line.

The WADA Athlete Committee had also elected a new chairman the previous evening, and she was very pleased to inform the Members that Mr Sandford had been selected by the Athlete Committee to be the next chairman. He had been the overwhelming choice of the athletes and she had no doubt that he would be an outstanding leader of the committee.

As that was her last meeting with the members as the chairman of the Athlete Committee, and because it was her last opportunity to address the Members in that forum, she wanted to share some thoughts on the conclusion of her term. She had been the chairman of the Athlete Committee for over five years, and it had been both an honour and a real privilege to represent the committee and the athletes at the table. She had had the great pleasure of working together with an amazing, supportive and incredibly smart group of individuals, who had been of the belief that legitimacy and credibility and representation should be measured ultimately by the actions taken on behalf of those they represented and not just the means to which a position had been reached.

The WADA Athlete Committee had been the first group in 2015 to call for an expansion of the investigation into Russian athletics to other sports, and had remained active advocates for the rights of athletes, the number-one stakeholder in anti-doping for years. The committee had hosted forums,

symposiums, participated in outreach activities, driven and contributed to a myriad of projects, joined other committees and groups within the organisation and issued statements, all with the intention of strengthening and expanding the role and place of athletes within the movement and the organisation, because the committee really believed that the constituencies directly affected by an organisation should have a voice within it.

It was her hope that, going forward, work like that would be welcomed and viewed as valuable, because it was. When she had come to that position, it had been with the best of intentions and a genuine desire to contribute to a cause in which she believed, to be able to speak on behalf of those who deserved to be heard and to do her part for fairness and integrity in sport and, in spite of all the challenges that had seemed to present, she had stayed, and she had continued to come back to the table because she believed it was a cause that was still worth fighting for. Her hope and her wish for the Foundation Board as a governing body as it moved on to new leadership and went forward was that decisions would be taken with integrity, transparency and accountability as a priority. Her hope was that, going forward, voices that challenged or dissented would be heard and taken into consideration, rather than undermined or dismissed, and her hope was that, going forward, balance and independence would be restored at the table, so that all could trust that the priorities were aligned with equality of opportunity and fairness, rather than the business of sport.

The Members of the Foundation Board were the decision-making body of WADA and had a mission, a mandate and a set of values to protect and uphold. She reminded the Members for one last time: they had thousands upon thousands of athletes counting on them to do right by them, not by any other stakeholder, but by them. She wished the incoming president, Mr Baňka, all the very best. She knew that the road ahead was not going to be smooth; but, as she prepared to leave the organisation and step away from the table, her hope was that he would take the responsibility ahead of him very seriously and with the utmost of care, and she wished him all the very best.

THE CHAIRMAN thanked Ms Scott.

MR COSGROVE responded to Ms Scott and thanked her personally and professionally for more than a decade's service in the organisation in various guises. It was obvious that she had demonstrated time and again her grace, diplomacy and utter single-minded commitment to the athletes she had represented. It was evident that she had taken the strength, resilience and determination gained on the ski slopes and had applied that to her work in WADA and her professional work and charitable causes. She had never wavered, had never taken a back step, and he admired her for that. Even in the most trying and testing circumstances, she had stood up for those she had represented. New Zealand hoped to get her to its shores once again to continue to learn from her experience and hoped that she would continue to share it with stakeholders and athletes, because she had huge global respect. Certainly in his country, and he knew from his counterparts around the world, people looked to her and were extremely grateful to her for her contribution. He was full of admiration for Ms Scott and wished her well.

MS BARTEKOVÁ thanked Ms Scott for her hard work and her commitment to protect clean athletes and fight against doping. She believed that Ms Scott had done a lot of work to protect clean athletes, and Ms Scott had her respect for that. She thanked Ms Scott and wished her all the very best on behalf of the athletes on the WADA Athlete Committee.

MS HOFSTAD HELLELAND thanked Ms Scott for her cooperation over the past few years. As the WADA Vice-President, she had always tried to take principled decisions in the interests of clean sport and athletes and was proud to leave the organisation having stayed true to the athletes. She thanked the two athletes who had always stood strong. She thanked Mr Moses for chairing the Education Committee and seeing through the International Standard for Education; he had been a strong advocate for athletes and, when she spoke, she spoke for every athlete: Ms Scott had been principled and strong, always standing by athletes and always supporting their voice. She also wanted to apologise for the way in which WADA had treated her. Ms Scott had been a pioneer in terms of how athlete committees should operate. Her actions had empowered millions of athletes to speak up with courage. She was proud to call Beckie Scott a true friend. As WADA brought in new leadership, she encouraged giving athletes an unrestricted and free voice and encouraged WADA to move forward with more athlete representation, to make decisions that were athlete-focused and placed principles over politics. She wished the new president and vice-president good luck.

THE CHAIRMAN thanked Ms Helleland.

DECISION

Athletes update noted.

7. Finance

– **7.1 Government/IOC contributions update**

MR RICCI BITTI informed the Members about the contributions. They did not have the latest report tabled but, at that date in time, 97.23% had been received compared to 98.52% the previous year. The outstanding contributions were concentrated in the Americas (Argentina and Venezuela were two important contributors) and, in Asia, in the Middle East.

Moving on to the additional contributions, which were always welcome, as his friend from Belgium (who had left) was always keen to have from the IOC, from the governments, WADA had received 628,000 dollars, which was obviously much less than the previous year, when there had been a very special contribution from China of one million dollars. That was the summary and would obviously be reflected in the company accounts.

The two figures he had mentioned were not bad. He thanked Poland, which had been the major contributor that year. Not only had Poland given WADA its new president; it had also made a substantial contribution.

DECISION

Government/IOC contributions update noted.

– **7.2 2019 quarterly accounts (quarter 3)**

MR RICCI BITTI observed that the accounts were only relatively meaningful, because the WADA accounts were very seasonal. WADA received the majority of its contributions at the beginning of the year and obviously spent during the year, so the situation always looked much better than it was. The reality was somewhat different and, looking at annex 7.2, he asked the Members to focus on the items that were a little outside the standard, which should be at 75% in the third quarter in general. Although the global expenditure was okay, the total expenditure amounted to around 70%, there were some items that should be pointed out. There had been significant unexpected legal expenses, and the Members would see that the expenses at that time were already at 97% of the revised budget for 2019, and would be a little bit more. The second item, which perhaps did not attract attention, but was worth pointing out, was the intelligence and investigations item. The paper said that the amount was only 59%, but a lot of the expenses had been offset by the Russian contribution or the fine for the expenses. The rest were more or less under control, and WADA was very carefully controlling the expenses from then until the end of the year. He was very confident that the results would not be positive but better than the budget. The revised budget had been approved in May, but he hoped to do better.

DECISION

2019 quarterly accounts noted.

– **7.3 Confirmation of auditors for 2020-2022**

MR RICCI BITTI referred to the confirmation of the auditors. A public request for proposals had been made. Many companies had answered but, in the end, the only company really interested had been PricewaterhouseCoopers and, since it had been a WADA audit partner for a long time, to ensure rotation and independence, WADA had had to request a change in partners, and Ms Emery would be replacing the previous partner, Ms Beauparlant. He asked the Chairman to request approval of PricewaterhouseCoopers as the auditor for the following year.

THE CHAIRMAN asked the Members if they would appoint PricewaterhouseCoopers, having noted the change in the name of the Montreal partner to audit WADA for the following year.

DECISION

Proposal to confirm PricewaterhouseCoopers as WADA auditors for 2020-2022 approved.

– 7.4 Draft budget 2020

MR RICCI BITTI noted that it was the second year of suffering in spite of the much appreciated 8% contribution increase from both partners. There had been two very good years, 2017 and 2018, with a profit of about three million dollars, enabling WADA to replace some reserves. Mostly for unexpected reasons, but also because of an increase in activity, WADA would suffer in 2019 and 2020. In terms of spending of special significance, Russia had absorbed a lot of resources and work due to the reinstatement decision and also because the investigations team was working very hard and delivering some results. The second unexpected item had been the Covington investigation. Enough had been said about the range of expenses, 1.5-1.6 million dollars, accounted in 2019 and partly in 2020. The governance reform had led to a lot of work and internal and external resources, as had the revision of the Code, the study and measures for data security and data protection and, last but not least, ADAMS was one of WADA's major problems, but it was a must. It was necessary to have an updated, friendly ADAMS and he thought that WADA was finally on the right track after many difficult times in terms of development. The development had been brought in-house, but that obviously cost money. WADA also had expenses for office space and renovation of office space. Those were the items and the highlights for 2020. For those reasons, the draft budget was again a negative budget, with a net deficit of 1.93 million dollars, causing a depletion of 993,000 dollars, but he made all those comments because WADA's activities had grown unbelievably. The 8% contribution increase was not enough.

In 2021, WADA would come back. Even though there was still an expected deficit in terms of reserves, WADA would be able to go back to non-depletion of its reserves, so that was a relatively positive statement. He hoped that there would be stabilisation from 2021 onwards. The contribution from Montreal would be in the range of half-a-million dollars more, so there was much to be positive about. He was sad that his last report had a lot of figures in red in the summary, but he thought that the position of WADA, in spite of the reserve going down over the coming two years, was solid. He was very thankful for the 8% contribution over the coming four years, but he saw that the 2019 and 2020 would be exceptionally difficult for unexpected reasons, although he was very optimistic about 2021 and beyond. The Foundation Board had the duty to approve the draft 2020 budget.

THE CHAIRMAN said that the Members had the draft budget before them. It had been approved by the Executive Committee but the Foundation Board needed to approve it formally.

MS BATTAINI-DRAGONI stated that she had been asked by a Member of the Foundation Board, Mr Muyters (who had had to leave for the airport), to read a statement that he had prepared and would have liked to present. It related very much to what had been heard. When he had looked at the figures, Mr Muyters had been surprised that the expected results for 2020 and also the estimation for 2021 included a deficit of more or less one million euros, although income increased by 8% each year in a cumulative manner. He knew that that was currently not yet a problem, since WADA had a reserve from positive results in the past, but he was concerned, since the expenses were recurring and the reserve was not infinite. Therefore, he proposed that the Finance and Administration Committee, for the draft budget 2021, show the path to a balanced budget and statements.

Having said that, she would give her own comments. She appreciated the work put in indicators to get to a result-based management system, and also appreciated what had been said about the fact that the IOC had made a strong statement at the opening of the World Conference in relation to voluntary contributions. However, she raised a question, because it was necessary to start functioning a little bit differently. Of course she welcomed the generosity and proposals of the IOC, but there were moments when certain priority activities were not sufficiently financed per se and, in an ideal world, the governments would very much appreciate first a discussion amongst themselves about important indispensable things for which there was not enough money, and then, once those needs had been identified, it would be possible to see who could contribute from the IOC side and what the governments could do to match, because the sensation that the public authorities had was that they went to a big event and were suddenly confronted with a proposal for voluntary contributions but with the expectation that they be matched by member states. She proposed that the opposite be done for the future. First, there should be agreement about where the budget needed to be reinforced, and then everybody could contribute and make a pledge.

She congratulated Mr Ricci Bitti on what he had said, in particular about the auditors and the measures undertaken. For an intergovernmental organisation, one could not always have the same auditors. Rotation was necessary and a good way out had been found.

THE CHAIRMAN asked the Members to approve the budget for 2020. He thanked Ms Battaini-Dragoni for her observations. His reaction was that it was easier to say than it was to do when suddenly presented with enormous costs that were completely unexpected. WADA had come through that and was coming through it. He expressed his admiration for Mr Ricci Bitti's skills at being able to extract large amounts of money from governments, a skill he had never had. Ever since 2003, Mr Ricci Bitti had been on the Foundation Board, and the Members were all most grateful to him.

MR RICCI BITTI agreed with all of the remarks made. WADA had incurred non-recurrent costs and, at the same time, there had been a growth in activities from the strategic plan presented by the Director General some years previously. That combination of factors had led to the deficit.

In terms of voluntary contributions, he appreciated them very much, and he said that as the Chairman of the Finance and Administration Committee because, in times of need, WADA had always cut the research money. The contribution he most appreciated had been the one made available by Mr Bach, the IOC president, for research. It had been badly needed but should be matched by the governments in some way because research had been sacrificed and was a key factor for the successful fight against doping in sport. WADA was trailing behind those with more money and will (not always goodwill), so it needed more money, and the idea put by Mr Bach on the table in relation to research (and he echoed what the Chairman of the WADA Health, Medical and Research Committee had said) was a key invitation to governments to understand that WADA needed more money in that field.

DECISION

Draft budget 2020 approved.

8. Education

– 8.1 Education report

MR MOSES congratulated Mr Baňka and Ms Yang on their election to the presidency and vice-presidency of the organisation. He very much looked forward to it.

The most significant update on the education activities was that education was a standalone department, underlining WADA's commitment to education. The new Education Director, Ms Hudson, had been in her position since August, and he wished her the very best of luck in her new role. The department, being new, would look to prepare a strategy with a clear focus, which would be fully in line with the new WADA strategy in place. The most significant development was, of course, the adoption of the new International Standard for Education approved that morning, and he thanked the Executive Committee for supporting that initiative. It was a moment in history for the anti-doping system. That stronger policy framework would help to protect athletes and others by ensuring that they had access to education. As the Chairman of the Education Committee, he was grateful to those who had directly or indirectly supported the development of the ISE and the Code. He had also been very happy to see education referenced so strongly in the Conference Declaration, affirming the principle that an athlete's first experience with anti-doping should be with education rather than doping control.

To support the implementation of the Code, the Education Committee was more active than it had ever been. There had been a sub-group to support the development of an education guidelines document, which would be a useful guide for stakeholders to develop education programming. The Education Department was also working with various stakeholders to develop an implementation plan to provide further support mechanisms for ADOs in 2020.

Education also had a role in supporting the wider system and overall Code implementation. He was pleased to see that the department was looking into how it could assist other technical areas to maximise the implementation of the new Code and associated international standards through a planned system of support for signatories delivered by WADA or indeed other partner organisations. An example of that was an initiative in progress with the Council of Europe's advisory group for education. Draft ways of working had been developed to help formalise how the two organisations could work together on education for the benefit of the community. The formation of a drafting group had been approved recently by the Council of Europe's monitoring group, and the drafting group had met virtually with WADA staff to further develop the initiative. He was grateful to the Council of Europe and respective governments and sport organisations for their commitment to the new drafting group and the assistance that would give to the education agenda.

Work was also ongoing with the IOC and there were initial discussions with the IPC to provide more effective support to ADOs in the pre-games period, to enable them to help prepare and, where possible, educate their athletes and athlete support personnel prior to their arrival in Tokyo. There were still incidences of athletes arriving at the Olympic Games uneducated, causing a risk to themselves, their team, their country and the Olympic Games themselves.

In relation to university support, discussion had taken place with Sherbrooke University to support the development of a curriculum for the planned master's degree programme and about developing a wider network of universities to support the clean sport agenda.

At the UNESCO conference of parties the previous week, WADA, in collaboration with five other partners, including the IOC and the IPC, had launched values-based education resources for teachers and schoolchildren, a fantastic initiative with massive potential, considering the global reach of all six partners and the quality of the resource, acknowledged by a leading expert in the field at the conference of parties. It was a core solution for governments in particular to support the integration of sport values in school-based classroom learning.

In relation to social science research, the Executive Committee had approved the funding of eight projects on Tuesday to the value of just over 330,000 dollars. The projects would help provide evidence-based support to stakeholders in developing more effective education programmes.

Finally, he was pleased to announce that, upon completion of WADA's open tender process earlier that year, hosts for the 2020 and 2022 Global Education Conference had been confirmed. The 2020 Conference would be kindly hosted by the National Integrity of Sport Unit within the Australian Government, supported by the Australian NADO, ASADA, and the 2022 Conference would be kindly hosted by the French NADO, AFLD, supported by the French Government. He hoped that the Members' organisations would encourage attendance at those important conferences to support the implementation of the standard for development, as it became established.

As Ms Scott had mentioned, that would be potentially his last meeting as head of the Education Committee. He came from a family of educators, so education was in his blood, but he thought that the team had done an outstanding job collaborating and coalescing a lot of moving parts out there to provide education for athletes. Looking at the average athlete, most of the time, that organisation and other organisations were always asking athletes for something, whether it was a blood or urine sample or complying with the rules. There were always demands on the athletes: they had to provide their whereabouts, every day of their lives they had to give something, and the Education Committee was the one committee in a position to make an offering for the understanding of what clean sport represented, what the ethical values of a true sportsman would be and the Olympic values. The Education Committee was able to give the athletes something to go on in order to continue having them depend on a level playing field. As Ms Scott had said, passion was talked about, and he had been going through some of his papers and articles and so forth, and his history with anti-doping went all the way back to 1978, the first article when he had been asked a question about anti-doping in sport. He had been 22 years old at that time, so when Ms Scott talked about passion and the reason they were so passionate, it was because, to that day, when he went to meetings and dealt with some very difficult issues that were part of working with WADA or USADA or ministers, he attended feeling as if he were a 22-year-old working out every day, and when things were not going right for athletes and when there were concerns for athletes, he did take it personally because he felt that that was his life. The only reason he was present was because of the passion he had had for sport, long before he had known he would be going to the Olympic Games. That passion was something that that body had to preserve. The Members had to remember that, on a day-to-day basis, those kids were out there sacrificing their lives and participating in sport on a daily basis, and they believed that the playing field ought to be level, and most of them would like to believe everybody around them was clean. WADA was there to provide that for them. He knew that Ms Scott thought about it every day. He wished he was out there training sometimes. That passion was a living, breathing thing for them. He was glad to have been able to offer some expertise and guidance and work with a lot of people on the committee and in the office who were a lot smarter than he was when it came to education. It had been an honour for him to be the chairman of the Education Committee.

MS MOHAMED thanked Ms Scott and Mr Moses for their courage and passion in doing what they did every day, and she thanked Mr Moses for the amazing report he had just given. When the members had been in Montreal, taking into account the importance of education for the anti-doping work carried out in Africa, it had been agreed that the partnership between WADA and Sherbrooke University in Quebec

would be expanded to include universities in other regions of the world, taking into account the specificity of contexts in other parts of the world. Africa wanted to be very closely associated with that partnership and to be directly involved, with a view to ensuring that the outcomes were useful and practical for Africa, where the effectiveness of anti-doping education should be continuously strengthened.

She also wished to congratulate the recently elected President and Vice-President and wish them all the best. That was probably going to be her last time speaking at the Foundation Board, as she would be replaced by an Egyptian representative of Africa. She had greatly enjoyed working with all of the members and looked forward to making contributions in a different way in the future.

MR MOSES noted that he was very sensitive to Ms Mohamed's issue. He worked with very smart people from all over the world, from researchers to medical doctors, teachers and statisticians, and WADA had made a commitment by hiring its new director, Ms Hudson, to not leave anybody behind. The committee had already approved a standalone director for the African region and somebody had been hired to make sure that Africa would be kept up to date and truly involved in education. That was a priority, as was translation into foreign languages and distribution of information. His committee was very committed. Those were the salient subjects discussed at the meetings: how to universalise and spread the educational products. Three social science research projects had been approved for funding on the African continent, and the committee had also gone back to look at some of the research projects that had not been quite ready for funding to help the researchers do more work so that those projects could be funded in the future. The committee was interested in developing a long-term global network of university partners and would very much like to ensure that Africa was right at the cutting-edge on that.

MS TERHO welcomed the fact that the first point of entry for athletes when it came to anti-doping was education and not doping controls. She thanked Mr Moses and the Education Committee for the work done. It was crucial as they went forward.

MR GODKIN thanked Mr Moses for mentioning the 2020 conference. Preparations for that were progressing very well with WADA's assistance, and of course his unit and ASADA's efforts. It would be approached with the same passion and commitment shown by Mr Moses in his role with WADA and he really thanked Mr Moses for his service on that front.

MR COSGROVE joined with his Australian counterpart to thank Mr Moses for his commitment. As a very young person, he had seen Mr Moses' Olympic achievements on a television screen and remembered them well and, again, he thought that Mr Moses had been a huge example to many young people and athletes as somebody who had walked the talk not only at WADA but in his work in the U.S. He formally thanked Mr Moses.

He did not want to steal the Chairman's thunder, because he knew that he would want to do that more formally later, but he noted that the Vice-President, Ms Hofstad Helleland, and her delegation had had to leave, and he thought that it was appropriate at some point to put on the record the members' formal thanks to her for her outstanding and fantastic commitment to the organisation. It was a pity she had had to go early, but he was sure that the Chairman would take care of that formally before the end of the meeting.

THE CHAIRMAN thanked Mr Cosgrove.

DECISION

Education report noted.

9. Health, Medical and Research

– 9.1 Science and medicine report

PROFESSOR ERDENER said that the 2020 Prohibited List had been released on the WADA website on 1 October and would be valid from 1 January 2020. The new ISL had entered into force on 1 November, in line with the desire to continue to improve laboratory quality and be more fair when it came to laboratory sanctions. All laboratory-related APMUs had been approved by the Executive Committee and there was a network of 16 APMUs providing scientific expertise in support of the Athlete Biological Passport system. WADA had launched an e-learning programme in ADeL for sport physicians in mid-October in conjunction with the IOC which would be an important part of physician training in particular

for the Tokyo Olympic Games. All memoranda of understanding with the partners financially supporting the dried blood spot project were completed and technical meetings were scheduled for December. Finally, the prevalence working group would hold its meeting to review the activities and data collection from 2019 and to prepare a set of new activities for 2020.

DECISION

Science and medicine report noted.

10. Department/area reports

THE CHAIRMAN asked if anybody had any questions to raise in relation to the various WADA departmental reports. The fact that no questions were asked did not mean that the directors were not appreciated. The reports done were splendid and the work done by WADA was, in his view, outstanding.

– **10.1 Anti-Doping Administration and Management System (ADAMS)**

DECISION

ADAMS update noted.

– **10.2 Communications**

DECISION

Communications Department update noted.

– **10.3 Intelligence and Investigations**

DECISION

Intelligence and Investigations Department update noted.

– **10.4 International Federation Relations**

DECISION

International Federation Relations Department update noted.

– **10.5 Government Relations**

DECISION

Government Relations Department update noted.

– **10.6 Legal**

DECISION

Legal Department update noted.

– **10.7 Programme Development and NADO/RADO Relations**

DECISION

Programme Development and NADO/RADO Relations Department update noted.

– **10.8 Standards and Harmonisation**

DECISION

Standards and Harmonisation Department update noted.

– **10.9 Regional Offices**

10.9.1 Africa – Cape Town

DECISION

Cape Town regional office update noted.

10.9.2 Lausanne

DECISION

Lausanne regional office update noted.

10.9.3 Montevideo

DECISION

Montevideo regional office update noted.

10.9.4 Tokyo

DECISION

Tokyo regional office update noted.

11. Any other business/future meetings

THE CHAIRMAN formally recorded that there were some changes, and that happened every now and again because people left or moved on. He thanked Ms Mohamed for her assistance to WADA. Mr Kiliç from Turkey would be standing down from the Foundation Board, and Mr Muyters would be retiring after 10 years. Mr Ricci Bitti had been with WADA in various guises since 2003. Mr Moses would leave his current term as the Chairman of the Education Committee. Professor Erdener was standing down as Chairman of the Health, Medical and Research Committee but would undoubtedly reappear as a Member of the Executive Committee on behalf of the IOC. Ms Scott had been with WADA since 2005, and she had told the Members how much she valued her involvement with WADA, and then there were the two senior officials whose terms automatically expired after three years and 10 years: Ms Hofstad Helleland, who unfortunately had had to leave, and he, both demitted office at that time. Before he thanked anybody else, did anybody have anything they wished to say?

PROFESSOR ERDENER said that that day was the last time the Foundation Board would be meeting under the presidency of Mr Reddie. On behalf of the Olympic Movement, he wished to take a special moment to thank Mr Reddie, who had proven great dedication to WADA and the protection of clean athletes. Despite difficult times, Mr Reddie's guidance over the years had helped strengthen the global fight against doping in sport and the commitment to athletes. It had been an honour to serve under his leadership and he thanked Mr Reddie very much for all his great activities.

THE CHAIRMAN thanked Professor Erdener very much.

MR DÍAZ said that the public authorities wished to add to what Professor Erdener had said and thanked Mr Reddie for all his time and efforts. Unfortunately, the Vice-President had left. The public authorities wished to formally express their gratitude to the Vice-President for her time and her efforts and passion. He also congratulated and thanked the newly-elected President of WADA, Mr Bańka, under whose leadership the future of the agency appeared bright.

MR OKYAY observed that it was also Turkey's last meeting as a Member of the Foundation Board, so he also wished to say a few things. He thanked the Polish hosts and in particular Mr Bańka for the warm hospitality and fantastic things that had been seen in Katowice. It had been a pleasure to be a Member of the Foundation Board of WADA, for Mr Kiliç and for him as Mr Kiliç's deputy. Turkey might not have been sufficiently visible or contributed to WADA as much as it had desired in the timeframe, but holding a seat on the Foundation Board had definitely made WADA quite visible in Turkey. It had definitely increased awareness and drawn attention to the efforts made in relation to the fight against doping in sport in Turkey. Annual statistics and all figures in Turkey proved that clearly. Zero tolerance was being vigorously implemented, and would be in the future as well.

Based on what Turkey had witnessed over the past three years as a Member of the Foundation Board, everybody repeated the cliché that sport was a unifying force; however, on every WADA platform, including around the table, political differences among countries appeared to be quite influential in relation to the tune of decisions taken on sport issues. It might sound naïve to believe that decisions taken in any international organisation, including WADA, should be totally independent or far from the pressure of real political differences, but the clear division of politics and sport should at least be targeted sincerely by WADA. General political perceptions in relation to countries should not influence the decisions taken against athletes. From time to time, there had been neglect in terms of respectful attitudes during discussions that everybody had witnessed or heard during the meetings. That might be a general problem in the world in which the Members lived, especially if they took the fast-changing differences between generations into account, but WADA had to be one of the best examples on that issue. Elections run for different positions within WADA should be dealt with more carefully and respectfully and with a more neutral approach. Elections should be kept from giving the impression of being pre-arranged operations, secret ballots had to be kept secret and should not be the subject of discussion or gossip sessions. The fair play rules expected of athletes had to be observed by everybody in WADA as well. He wished WADA the best for the future.

THE CHAIRMAN said that he was sure that those points would be noted.

MR BAŇKA thanked the Chairman for his outstanding work and commitment to the fight against doping in sport; he had been an inspiration to everybody and had done an excellent job leading WADA through a challenging time. Everybody had been impressed by the Chairman's ability to take on board the different opinions and listen to the needs of all stakeholders and shape effective policy. Everybody wished the Chairman great success in the future. He presented a short video message from the President of the International Golf Federation, Mr Peter Dawson.

MR DAWSON apologised for his absence, but he was sure that the Chairman would realise that he was speaking to him from his second home: the R&A clubhouse in St Andrews. Since the Chairman was hanging up his anti-doping boots, everybody was looking forward to seeing more of him out on the golf links, but the Chairman would have to understand that there could be no more of his old excuses for the state of his game. No more 'London 2012 this', no more 'BOA that', and certainly no more 'WADA WADA WADA'. He was sure that the Chairman had always known that the WADA presidency would be a challenging task, but thankless it most certainly had not been. He thanked the Chairman on behalf of all those athletes who relied on hard work and talent to excel, from the fans who wanted to believe and from parents the world over who wanted to encourage their children into sport. He knew just how seriously the Chairman had taken his presidency and how deeply he cared for clean athletes. The whole world of sport owed Mr Reddie a great debt. Behind every successful man, there stood an astonished woman, and Rosemary deserved a special thank you for all the help and support she had given the Chairman along the way. Mr Reddie and his wife had a bit more time to relax and he was much looking forward to seeing them both far more often at the home of golf.

MR BAŇKA told the Chairman that, if he managed to find the time in his busy schedule to practise his swing, the small gift would come in really handy.

THE CHAIRMAN said that the Members would notice in Scotland that the sun always shone. He would speak to Mr Dawson when he got home. He thanked the Members for the very kind remarks made that morning and that afternoon and the rather splendid presentation that had been seen. He recognised all the moments, mainly from the London Olympic Games.

He had first come across anti-doping 40 years previously when he had had to deal with an offence for a young Indonesian boy. He had had to deal with it then because there had been no rules, and he had done it with the committee from the local badminton association. The president of the Indonesian badminton association had had to deal with it and it had been very difficult, because his son had died of a drug overdose. That evil that was being fought against by WADA had been part of his life for a very long time. He thanked everybody. He had tried, he hoped reasonably successfully, to hold the organisation, the Foundation Board and Executive Committee together through a very difficult period. He understood that there were very different views and very strong opinions and that they were expressed freely. He was grateful to Mr Pound for what he had said that morning. He was convinced that WADA was in better shape than it had been six years previously. There were better processes, a bit more money and lots and lots of better people working for WADA, and he had friendships he had made over the years which would last for a very long time.

He thanked the interpreters and the people who had made the meeting possible, Mr Baňka and everybody in the wonderful conference centre and all the volunteers, but in particular the staff, the Director General and the team who looked after the Members so well. They could happily have a glass of wine that evening in the knowledge that they had done an excellent job, and the events director had also done a wonderful job.

On behalf of everybody who was leaving, he wished those who were staying the very best of luck.

DECISION

Extraordinary Executive Committee – 23 January 2020, Lausanne, Switzerland
Executive Committee – 16 May 2020, Montreal, Canada;
Foundation Board – 17 May 2020, Montreal, Canada;
Executive Committee – week of 14 September 2020, location TBC
Executive Committee – 11 November 2020, Istanbul, Turkey
Foundation Board – 12 November 2020, Istanbul, Turkey
Executive Committee – 15 May 2021, Montreal, Canada
Foundation Board – 16 May 2021, Montreal, Canada
Executive Committee – week of 13 September 2021, location TBC
Executive Committee – week of 15 November 2021, location TBC
Foundation Board – week of 15 November 2021, location TBC

The meeting adjourned at 4.00 p.m.

FOR APPROVAL

SIR CRAIG REEDIE
PRESIDENT AND CHAIRMAN OF WADA