



## **Minutes of the WADA Foundation Board Meeting 17 May 2018, Montreal, Canada**

The meeting began at 8.30 a.m.

### **1. Welcome, roll call and observers**

THE CHAIRMAN welcomed the members to the WADA Foundation Board meeting in Montreal. There was a fairly large number of delegates who had been unable to attend and had alternates attending on their behalf. He acknowledged Mr Marcos Díaz, who had been on the Executive Committee, but that was his first Foundation Board meeting. He welcomed Mr Andrew Parsons, the President of the IPC. He congratulated Mr Parsons on his appointment and wished him every possible success. He followed some distinguished predecessors from the IPC. He was delighted to have Mr Parsons there and he looked forward to working with him. He welcomed Mr Seung-Min Ryu from Korea to his first meeting. WADA remembered him kindly as one of the hosts in November the previous year. From the IOC Athletes' Commission, he welcomed Ms Emma Terho, who regrettably he had not met. He would go and speak to her at the earliest possible moment. He welcomed Mr Erastus Utoni, who was at his first meeting and was representing Namibia.

The following members attended the meeting: Sir Craig Reedie, President and Chairman of WADA, IOC Member; Ms Linda Hofstad Helleland, Vice-Chair of WADA, Minister of Children and Equality, Norway; Mr Andrew Parsons, IPC President; Mr Nenad Lalovic, Member of the IOC, President, United World Wrestling; Mr Patrick Baumann, Member of the IOC, Secretary General, FIBA; Dr Robin Mitchell, Member of the IOC, President, Oceania National Olympic Committees; Mr Richard Pound, IOC Member; Ms Rania Elwani, ANOC Representative; Mr Fabio Pigozzi, President, International Federation of Sports Medicine; Mr Andrey Kryukov, Executive Board Member, Kazakhstan National Olympic Committee; Mr Zlatko Matesa, President, Croatian Olympic Committee; Dr Tamás Aján, Honorary IOC Member, President of the IWF; Professor Ugur Erdener, Vice-President of the IOC, President, World Archery; Mr Jean-Christophe Rolland, IOC Member, President, FISA; Mr Francesco Ricci Bitti, Chairman of ASOIF; Dr Budgett, representing Mr Jan Dijkema, President, International Skating Union; Mr Gyurta, representing Ms Danka Barteková, IOC Member and Vice Chair of the IOC Athletes Commission; Ms Kirsty Coventry, IOC Member and Chair of the IOC Athletes Commission; Mr Seung-Min Ryu, IOC Member and IOC Athletes Commission Member; Ms Emma Terho, IOC Member and IOC Athletes Commission Member; Ms Ioana Bran, Minister of Youth and Sports, Romania; Mr Krasen Kralev, Minister of Youth and Sports, Bulgaria; Mr Philippe Muyters, Flemish Minister for Work, Economy, Innovation and Sport, Belgium; Ms Gabriella Battaini-Dragoni, Deputy Secretary General, Council of Europe; Mr Okyay, representing Mr Akif Gagatay Kiliç, Member of Parliament, Turkey; Mr Noor Hassan, representing Mr Rachid Mohammed, Cabinet Secretary, Ministry of Sports and Heritage, Kenya; Ms Amira El Fadil, Commissioner for Social Affairs, African Union, Sudan; Mr Larue, representing Ms Macsuzy Mondon, Ministry of Home Affairs, Local Government, Youth, Sports, Culture, Risk and Disaster Management, Seychelles; Mr Erastus Utoni, Minister of Youth, National Service, Sports and Culture, Namibia; Mr Marcos Díaz, CADE President, Dominican Republic; Mr Pérez, representing Mr Gerardo Fajardo, President of CONCECADE, Honduras; Mr Michael K. Gottlieb, Associate Director, White House Drug Policy Office, Executive Office of the President, USA; Ms Clara Luz Roldan, President of the South-American Sport Council (CONSUDE); Mr Mohammed Saleh Al Konbaz, President, Saudi Arabian Anti-Doping Committee, Saudi Arabia; Mr Toshiei Mizuochi, State Minister of Education, Culture, Sports, Science and Technology, Japan; Mr Haedon Lee representing Mr Taekang Roh, Vice-Minister, Ministry of Culture, Sports and Tourism, Republic of Korea; Mr Yingchuan Li, Vice Minister, General Administration of Sport, China; Mr Godkin, representing Ms Bridget McKenzie, Minister for Sport, Australia; Mr Cosgrove, representing Mr Grant Robertson, Minister for Sport and Recreation, New Zealand; Mr Edwin Moses, Chairman of the WADA Education Committee, Chairman of the Board of Directors, USADA; Mr Jonathan Taylor, Compliance Review Committee Chairman; Mr Olivier Niggli, Director General, WADA; Mr Rob Koehler, Deputy Director General, WADA; Mr Tim Ricketts, Standards and Harmonisation Director, WADA; Ms Catherine MacLean, Communications Director, WADA; Dr Olivier Rabin, Science and International Partnerships Director, WADA; Dr Alan Vernec, Medical Director, WADA; Mr Julien Sieveking, Legal Affairs Director,

WADA; Mr Gunter Younger, Intelligence and Investigations Director, WADA; Mr René Bouchard, Government Relations Advisor, WADA; Mr Frédéric Donzé, Chief Operating Officer, 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: Richard Young, Andrew Ryan, Taera Choi, Kenny Lee, Saerom Lee, Machacha Shepande, Kazushige Ogawa, Martin Vaso, Neil Robinson, Hannah Grossenbacher, Joseph de Pencier, Simon Cleroux-Campeau, Lucy Emery, Linda Beauparlant, Snežana Samardžič Markovič, Saul Saucedo, Katsushi Tadokoro, Akira Kataoka, Hidenori Suzuki, Chihiro Maekawa, Tatsuya Sugai, Keiko Uchitani, Rafal Piechota, Shin Asakawa, Jun Kondo, Nobuhiro Takegawa, Yoko Fujie, Mehmet Yogurtcuoglu, Rustu Guner, Magnus Magnusson, Joe Van Ryn, Kamal Hadidi, Japhter K. Rugut, Max Cobb, Olivier Fontaine, Daniela Hernández, Yong Sup Kim, Yun Hyunwoo, Maren Aasan, Andrei Nourescu, Zhiyu Chen, Yewu Li, Qian Cheng, Sam Anderson, Sergey Khrychikov, An Vermeesch, Eva Bruusgaard, Jan Åge Fjørtoft, Viktoria Slavkova, Violeta Zarkova, Doug MacQuarrie, Shafag Huseynli, Elchin Safarov, Katie Ulander and Clare Egan.

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

## **2. Minutes of the previous meeting on 16 November 2017**

THE CHAIRMAN drew the members' attention to the minutes of the previous Foundation Board meeting, which had been circulated. The minutes were circulated separately from the meeting papers to try to reduce the volume of paperwork that the members had in preparation for the meetings. There had been no comments on the minutes; one typographical error had been found which had been corrected. Could he assume that the minutes met with the members' approval?

### DECISION

Minutes of the meeting of the Foundation Board on  
16 November 2017 approved and duly signed.

## **3. Director General's report**

THE DIRECTOR GENERAL welcomed the members to the Foundation Board meeting. He started his report with an update on the Executive Committee meeting the previous day. There had been a long meeting and the Executive Committee had taken a number of decisions and made a number of recommendations for the Foundation Board members' consideration.

He started with the matters approved the previous day. The first thing discussed had been the first audit report on the Intelligence and Investigations Department. The members would remember that the department had been set up to be independent from the WADA management, Executive Committee and Foundation Board; therefore, it was proceeding without having to inform anybody until it had completed its work. However, WADA had ensured that it would be audited regularly by an independent auditor so that it followed the appropriate rules. The report in the members' files had been approved by the Executive Committee and would be posted on the WADA website as agreed in the policy. The members would see that there had been no issue to report on the way in which the work was conducted; however, the auditor had realised that there was a lot of very interesting information reaching the department, in particular through the whistleblower programme, and the department did not have the human resources to deal with all the information in a timely fashion. That was part of the plan for the future.

The previous day, the Executive Committee had also heard a report from the Chair of the WADA Ethics Panel, and there had been a discussion on geolocalisation and the possible use of a geolocalisation device on athletes. The recommendation from the Ethics Panel had been that that was not a good idea and that there were serious privacy concerns outweighing the benefits. A publication had been written on that topic and the Executive Committee had endorsed the view.

There had been a thorough discussion on the independent review proposed by the WADA Vice-President. There had been no agreement from the Executive Committee on the paper in the members' files, but there had been an agreement to set time aside at the next Executive Committee meeting to have a discussion on the outcome of the Russian matter and the situation and that the management would prepare a document outlining all the elements put into place. Also, careful consideration would be given to the timing of any possible review, given that WADA was still in the middle of the Russian matter

and there were still several pending cases before civil courts and the CAS, so the matter would be discussed again in September.

The Executive Committee had approved two technical documents. A third document on APMUs had not been approved, and it had been agreed that approval would be postponed, further discussion would take place on some very specific points and the document would go back for approval in September or November.

The Executive Committee had discussed compliance; he reminded the Foundation Board that, in November the previous year, the members had approved a new standard on compliance, under which the authority to decide on compliance matters lay with the Executive Committee. Therefore, the discussion had taken place the previous day.

On Russia, the members would receive more information later on, but the Executive Committee had received from Russia a letter one day prior to the Executive Committee meeting, and it had been agreed that the letter would be sent to the Compliance Review Committee for careful study in accordance with procedure and the Compliance Review Committee would come back with a recommendation to the Executive Committee.

The NADO of Kuwait had been reinstated as Code-compliant, and the Compliance Review Committee's recommendation on AIBA had been sent back to the Compliance Review Committee for further consideration on the potential consequences for AIBA. The Compliance Review Committee would come back with a new recommendation to the Executive Committee to be discussed. That would all be done and dealt with under the applicable rules adopted the previous November, the new International Standard on Code Compliance by Signatories.

The revised Standard on the Protection of Privacy and Personal Information had been adopted. A number of changes had been made to the standard to bring it into line with the new European regulation that would shortly be entering into force. WADA would try as hard as possible to help and advise ADOs on the measures they needed to implement to cope with the new regulation, which would be complicated for everybody.

Finally, it had been decided that WADA would continue its work on Operation Puerto. The decision had been taken previously by the Executive Committee and, therefore, WADA would invest the appropriate amount of money required to complete that work.

The Executive Committee had made a series of recommendations for decisions that the Foundation Board would have to take that day. The first was a recommendation for the members to approve the proposed change to the governance group, namely the change of two athlete members who had left the group because there had been new elections at the IOC athletes commission and their replacement by two new athletes, and the change in the chairman of that group and the appointment of a new chairman, Dr Ulrich Haas.

The Executive Committee had approved the adoption of the 2017 accounts, to be presented shortly by PricewaterhouseCoopers.

The Executive Committee also recommended that the Foundation Board approve a four-year budget plan from 2019 to 2022 with an 8% increase every year over that period, it being understood that the expenditure budget would, of course, be agreed every year in accordance with the normal process at the November meeting of the Foundation Board.

That was the outcome of the Executive Committee meeting.

The members had his report and he would not repeat what was in it; they would have seen that he had not included in his report, as he had done on previous occasions, an update on the way forward, the reason being that most of the activities were currently fully implemented or in progress and the members would hear about them through the various departmental reports that day. On compliance and the consequences of non-compliance, there was a fully operational programme, a questionnaire had been organised, feedback had been received, corrective actions had been sent out, an audit programme was in place, and all of that was actually working very well.

On intelligence and investigations, as he had mentioned, WADA had set up a department and there were seven people working in it. There was a whistleblower programme, which appeared to be very successful, perhaps even too successful, and it was working fine.

On laboratory accreditation, there was a working group, there had been conclusions from the working group and a further exchange of views with the European authorities, and he thought that everybody had agreed on the key principles for the way forward. The main priority was that WADA wanted quality from the laboratories, and that was how it would drive the programme, to ensure that the level of quality in the laboratories was there.

Regarding the Working Group on Governance Matters, the work of the group had proven to be challenging. The expected progress had not been made. There was a new road map and an ambitious but realistic timeline. A new chairman was being proposed for the group and, in November, the Executive Committee would hopefully put forward a concrete recommendation on governance matters to the Foundation Board.

The members had before them a letter that WADA had received just before the meeting from the World Players Association. He would not spend any more time on that, but it was there for the sake of transparency. The members had the other correspondence in their folders. The previous day, the Executive Committee had discussed the matter and endorsed the position expressed to the union in the past, which was that the association was welcome to provide submissions to the process of the Code. WADA would be willing to have it meet with the Code Drafting Team and was also open to the association meeting the WADA Athlete Committee. He did not think that there was any reason for the association to be heard by the Foundation Board as it had requested, because no other specific group was being heard on Code matters by the Foundation Board. Therefore, the association was most welcome to be part of the process, but it had to follow the same process as everybody else.

He concluded by saying that the members might be aware that the Director of the WADA Regional Office in Lausanne, Mr Cohen, had been hired as the new director general of the ITA, and he thanked Mr Cohen for all of his hard work and wished him the best of luck with his new challenge at the ITA. Mr Cohen would be replaced in August by Mr Sébastien Gillot, currently the head of communications at the UCI. He also announced that Ms Pisani, WADA's CFO, would be leaving WADA in the summer. She had decided to retire to have more time for herself and her family, and he thanked Ms Pisani for all of the hard work and all of the years she had spent with WADA. WADA was in the process of recruiting.

That concluded his report, and he would be happy to take any questions.

THE CHAIRMAN asked if the members had any questions to ask the Director General.

MR POUND had one observation and one question. Was WADA going to discuss the Russian matter later under a separate agenda item? On the privacy aspect, his understanding was that the legislation was quite far-reaching and the directors of any organisation had a personal responsibility to ensure compliance, so it would be very important that direction come from the Foundation Board to the management to do everything necessary to comply, because he had, for example, no desire to be in legal proceedings with some agency dealing with privacy.

MR KRYUKOV said that his question was related to the Kuwait case and lifting the suspension of the Kuwait NADO. The main condition had been the problem of government interference in sport law in Kuwait and there had been a condition related to the suspension. Had the condition been fulfilled or not? If it had, fine; if not, he would have another question.

MS BATTAINI-DRAGONI said that she had a short question in relation to the governance group. She wanted to clearly understand whether the question of conflict of interest regarding the person indicated as the new chairman had been settled, because she had not heard that. She insisted on the fact that WADA had to give the group the necessary time to do its important work. She would not like to see any kind of precipitated attitude because a few months had somehow recently been lost because of the way in which the work had not unfolded in the group. Was WADA making sure that the group would be given the necessary time to come forward with good work?

MS EL FADIL thanked the Director General for his comprehensive report. She spoke on behalf of the public authorities. They had concerns and observations about the meeting the previous day. They were really concerned about some of the discussions that had taken place the previous day at the Executive Committee meeting, especially some views expressed by the sport movement when the Compliance Review Committee had been delivering its report. Those views appeared to challenge some of the existing rules, in particular the legitimacy of the new International Standard on Code Compliance by Signatories. On behalf of the public authorities, she asked the sport movement to confirm its commitment to respect the World Anti-Doping Code and international standards as well as its readiness to comply with those in

full. She shared the observations with the members because, the previous day, there had been a feeling that there was a problem in terms of respecting the rules and everybody believed that all parties should respect the rules.

MR COSGROVE reinforced the view of the chair of the public authorities group. A number of Foundation Board members had been asked to speak to the issue that she had raised and he had a number of questions. WADA had taken a strong position on Russia, sending a clear signal that doping would not be tolerated, and he and all of the public authorities commended WADA for that. Any move that changed, undermined or weakened that position or the International Standard for Code Compliance by Signatories fundamentally undermined the credibility and integrity of that institution. Given what had been heard the previous day at the Executive Committee meeting, the public authorities suspected that the position of the sport movement might have changed. They had been concerned to hear the sport movement's view that, for instance, it wished to change the International Standard for Code Compliance by Signatories even though that had been widely consulted on and passed and endorsed by those members as well as the public authority members as late as November the previous year. The sport movement had suggested changing the road map so that the requirements regarding RUSADA and the Moscow laboratory would be decoupled. That would mean that RUSADA could return to compliance without the Moscow laboratory being required to give WADA the many thousands of samples that it had refused to release. The members had argued that the letter before the body from the Russian minister and others amounted to an admission of wrongdoing, thereby meeting the other secondary requirement set out in the road map. His questions for the sport movement through the Chairman were: could the sport movement confirm whether or not it remained committed and whether or not it was ready to confirm its support of the Code, international standard and RUSADA road map? Could it confirm, given that it had said the previous day that it did not support the Compliance Review Committee (it had used the words 'judge, jury and executioner' to describe the Compliance Review Committee), whether or not it supported the Compliance Review Committee and its actions? The final question was to the Chairman. Could he, as the President of WADA, clarify the process for the RUSADA road map? There had been talk the previous day of receiving reports. The letter from the Russian authorities was being sent back to be considered in terms of compliance by the Compliance Review Committee, but members were confused because they had also heard talk of reports being prepared and a circulatory vote perhaps happening prior to the next meeting of the Executive Committee in the Seychelles. He simply concluded where he had begun. In the public authorities' view, WADA was at a crossroads. WADA had demonstrated its international commitment through a strong stance in respect of anti-doping, and any weakening by public authorities or the sport movement or others ought to be seen to be bending the rules for offenders, ultimately putting the institution in jeopardy, something he believed nobody wished to see. Everybody wished to see the mission of WADA strengthened so that WADA as an institution could go after the cheats.

MS BRAN referred to one specific point from the report on the state of play regarding the Laboratory Expert Group. She was glad to hear that the Director General had just confirmed that laboratory accreditation was no longer based on geographical criteria but only on quality assessment. As the members knew, there were laboratories in Europe seeking to start the process of accreditation, including Sofia, so she looked forward to the process resulting in more efficient global activity for WADA.

PROFESSOR ERDENER wondered whether RUSADA or Compliance Review Committee matters should be discussed then or under the related agenda item.

MR MUYTERS supported what the chair of the public authorities group had said about the Compliance Review Committee and the relevant standard. The Director General had said in his report about the meeting of the Executive Committee the previous day that the AIBA recommendation by the Compliance Review Committee was going back to the Compliance Review Committee for a new recommendation. He had two remarks to make: first, the new recommendation should still be made in accordance with the compliance standard voted on in November. Would it also be possible, after reconsideration, for the Compliance Review Committee to uphold its original recommendation, or was the purpose to have a new recommendation? He was not sure what the question to the Compliance Review Committee had been.

MR ROLLAND referred to the change in the WADA European office. He wished to congratulate Mr Cohen on his new appointment and wish him every success in his new role as the director of the ITA. He had done a fantastic job and, again, he wished Mr Cohen good luck for the future. He welcomed his successor, Mr Gillot and looked forward to working with him.

His comment would be brief: in the report, the Director General had explained that WADA would enhance the part of the office that focused on government relations. That should not be to the detriment of the sport activities. Most of the international sport organisations were based in Lausanne or around Switzerland, in Europe, and it was important that they maintain strong ties with the European office.

MR BAUMANN thanked his friends and colleagues from the public authorities for the interesting comments received. He certainly did not claim to speak alone on behalf of the entire sport movement, but he did wish to clarify a few points. He believed first of all that there were conversations that should remain in the group in which they had been made, and it was fair that everybody put whatever they wanted on the table if they felt that something had to be discussed, and that was the role of a board or an executive committee, and he did not think that that should be taken personally or as a criticism of a system to which he believed that the Olympic Movement had contributed extremely well from day one or even prior to the existence of WADA, and anybody who tried to say something different was misguided.

The second point he wanted to make was that there were questions, and it was absolutely correct to have questions and, from time to time, the Code was reviewed and within that review there was the right to address changes if it was felt that things were not working well. The same applied to the public authorities: they could make similar requests or comments on things that they felt were not correct. The sport movement had not challenged in any way the existence of a new compliance system; the sport movement had said all along that it thought that it was the right way forward for WADA, which was why it supported putting in place the standard on compliance and, in particular, the work that the Compliance Review Committee had been doing. The sport movement did have questions about the application of those standards and felt that not all of the ramifications had been fully taken into consideration. The sport movement also felt that, when there was a margin of appreciation of a fault, and equally of a potential sanction, there were choices to be made. It was also felt that, if those choices were too extreme, the members would not be doing a favour but would be doing a disfavour to the organisation and the parties affected by those choices, and that was the point that he had been trying to raise and it was the sport movement's right to do so. If there was a further conversation about the particular case later in the meeting, he would be happy to provide the necessary arguments.

In relation to the road map agreed in relation to RUSADA, the sports movement did not challenge the fact that it had been agreed, but simply questioned for how long WADA should follow that road map (the coming 10, 20 or 30 years?) and what exactly was being asked in relation to those two conditions that were apparently not yet being complied with. Was WADA asking for the head of state to come to the meeting and express his personal sorrow? The sport movement felt that that would not be appropriate and that the letter circulated could give a different view to the Compliance Review Committee to think about, and he believed that that was the decision that had been taken: that the Compliance Review Committee should review whether or not the letter was aligned with what the sport movement thought would be the right thing to do. The sport movement had asked to decouple the matters on the technical side, on laboratories, because it wanted to protect the clean athletes in Russia, and had been hearing for two years running that RUSADA was doing an excellent job and so felt that, at some point, it might be possible to find a solution without taking away from the conditions put in place, appreciating them in a slightly different way, which was the prerogative of the Executive Committee. If RUSADA or AIBA or other matters were to be discussed, he would be happy to talk in greater detail on them.

MR DÍAZ thanked the Director General for his report, especially regarding the decisions. He expressed concern on behalf of the governments of Latin America regarding the previous day's discussions, specifically in relation to compliance and the Compliance Review Committee's recommendation. A new standard had been approved in November and he expressed his concern because all the members of the Executive Committee should recognise the new standard and endorse the procedures. He requested a better explanation as to the decision on the next steps in relation to AIBA and RUSADA.

MR RICCI BITTI said that he had not intended to intervene, as he agreed that the matter should be dealt with under the specific agenda item; however, given the statement by the public authorities representative and as a representative of the IFs within the Olympic Movement, he was forced to say something along the lines of what Mr Baumann had said very well. He reassured the public authorities that the sport movement had been committed and would be committed to WADA. Those who had served WADA for a long time, like him, knew the commitment, and he did not wish to make comparisons, but he could reassure the members that the sport movement had been very committed to getting WADA where it currently was. On the Compliance Review Committee, nobody believed that it should be changed; the Compliance Review Committee and the principle were approved; however, that was the

procedure in place and, for the future, in the framework of consultation for the amendment of the Code, each stakeholder had the right to raise comments or make requests. The first Compliance Review Committee experience had been quite shocking in terms of consequences and ramifications. That was why there had been that strong reaction the previous day (although he was rather reluctant to talk about the previous day, which had been well reported by the Director General). It was the sport movement's full right (and he reassured the members in the spirit of cooperation) to amend what it believed was not proportionate in sanctions and procedure. The sport movement did not deny having approved the Compliance Review Committee.

His third point was about Russia. It was not about having a strong stand or a weak stand. It was about seeking a solution to the problem, and it appeared that, in spite of the constant reports of progress by the WADA staff, there was no idea when the door would be closed. He believed it was WADA's duty and it was in the general interest of sport, because Russia was a huge country and its athletes deserved to be tested properly. The sport movement sought a solution. It had never given up its strong stand. The statement had been a little tough, in his opinion.

PROFESSOR ERDENER thought that he ought to say something in relation to the matter of the Compliance Review Committee because it was important, and there had been two comments from the public authorities' side. As expressed the previous November, the Olympic Movement did not debate the concept of the ISCCS but believed that, in the framework of the Code review, the potential consequences of the new rules needed to be analysed carefully. The Olympic Movement was concerned about the risk of disproportionate sanctions that could arise and the lack of clarity in relation to the application of the rules. In addition, the Olympic Movement wanted to stress the importance of preserving the independence and neutrality of the Compliance Review Committee. If the assessment by the Compliance Review Committee was not conducted based on technical matters and in an objective manner, there was a high risk that the Compliance Review Committee would adopt political decisions or positions, which it should not do.

Given the interventions regarding the compliance issue and the process, MR GOTTLIEB wanted to go on the record indicating his government's belief that a critical concept of transparency should be followed. Historically, one of the strengths of WADA had been its willingness to conduct business in an open and transparent manner and WADA owed that to its athletes and stakeholders. Perhaps where people came down on a particular issue was the process followed. He urged the members to continue to operate in a manner that WADA could be proud of and that stakeholders could continue to inspect and critique in some places, but it was more important than ever that the deliberations take place in an open manner.

MR KRALEV spoke about the WADA Ethics Panel update. The European Union and its member states supported the views expressed by the Ethics Panel and could support the views adopted as the formal position of WADA.

MR GODKIN said that the compliance matter had obviously generated a lot of interest and he noted that, under agenda item 10, there was a report from the chairman of the Compliance Review Committee. Given that it was the first outing or test of the new standard, perhaps the chairman might be a little bit more expansive in his explanation to the Foundation Board about the standard and its application. It would be important given the discussions that had taken place thus far.

THE CHAIRMAN said that he was sure that the chairman of the Compliance Review Committee would do so at the appropriate time.

THE DIRECTOR GENERAL stated that he would answer what he could.

He told Mr Pound that there was an item on the agenda about Russia. WADA was looking very carefully at privacy, even more so since it had been in contact with the Canadian privacy authority. He did not have all the answers in terms of the detail and implications of the new European legislation, but WADA would certainly do due diligence and was recruiting somebody to be in charge of privacy within the organisation because there were currently so many rules that needed to be followed that WADA could not afford not to have somebody in house to deal with the matter.

As far as Kuwait was concerned, the condition on the table had been fulfilled. The condition had been to provide documentation; what was behind that and whether the documentation reflected what was going on in the country was the next step, but the discussion the previous day had been clearly that the one condition on the table had been fulfilled. WADA then had to look behind the veil and see what was going on.

He told Ms Battaini-Dragoni that WADA had had a conversation with Dr Haas, who had spoken about his proposed role with the governance group and the CAS and had also indicated that he would withdraw from any cases that could place him in a conflict of interest. His priority was his new role with WADA and the management was satisfied that that was the case. He heard the plea. WADA was trying to have a reasonable timeframe so as to achieve some results and not drag things on forever. He expected that everybody would get engaged in the work of the group so as to achieve results and feedback, although it had proven to be more challenging than initially expected.

He told Ms El Fadil and the public authorities in general that he would not answer for the Olympic Movement; the members had heard the comments. From the WADA management perspective, he assured the members that WADA had processes in place and would follow those. Therefore, the letter from Russia would go to the Compliance Review Committee, which would then make a recommendation to the Executive Committee to deal with the matter. Whether the Executive Committee would deal with it by teleconference or at the next meeting, he did not know, but he could assure the members that WADA would follow due process. The same went for any revision of the rules. Rules had been adopted and were in place and would not change unless the process that led to a change in rules was followed (if it was the Code, it was consultation and a decision by the WADA Foundation Board and, if it was an international standard, it was consultation and a decision from the Executive Committee), but that would not happen unless everybody was properly consulted and a democratic decision was made. He assured the members that the WADA management would ensure that due process was respected.

He confirmed to the Romanian delegate that the quality of the laboratories was indeed what mattered and WADA would focus on that.

He was sure that Professor Erdener had seen the situation, but there would be a report on RUSADA later on.

He told Mr Muyters that the new recommendation would obviously follow the applicable rules. It could be the same recommendation. The point was that the standard allowed for that back and forth between the Executive Committee and the Compliance Review Committee; that was part of normal process. There was room for appreciation in such matters; therefore, he thought it was only good process to hold such dialogue, then the Compliance Review Committee could come back with its recommendation, which could be exactly the same if that was its decision.

He told Mr Rolland that his thanks would be passed on to Mr Cohen. He had mentioned in his report that WADA had a plan to look at how to better serve the public authorities in Europe from the Lausanne office, certainly not to the detriment of the sport side. In fact, a new director from the sport world had been hired, but he reassured the public authorities representatives that WADA also understood that it had a responsibility to them. Sport remained a top priority in Lausanne, but WADA understood that it needed to do more in terms of relations with the public authorities in that region, although absolutely not to the detriment of the sport side. It was important to have that close cooperation with the IFs in Lausanne and to be able to have such discussions.

He had no comments on what had been said by the public authorities and the response from Olympic Movement.

He told Mr Gottlieb that, as he had said, due process was extremely important.

He thanked Mr KraleV; the advice from the Ethics Panel had been followed.

He told Mr Godkin that Mr Taylor would be more than happy to explain the standard and, in particular, to address the myths heard over the past 24 hours. The ultimate decision-making body was the CAS, so it was not the Compliance Review Committee or the Executive Committee but the CAS that made the decision, and that was the basis on which all parties had agreed to that standard.

THE CHAIRMAN made two brief comments. Mr Cosgrove had asked him for an observation. The point he had made the previous day was that WADA had a road map and due process would be undertaken thereafter. He was grateful to Mr Gottlieb for his intervention. The discussion was held in an open forum and the members were entitled to express their views, which had been done with courtesy, and that was a good thing.

#### DECISION

Director General's report noted.



– **3.1 Governance Working Group update**

**3.1.1 Composition changes**

THE DIRECTOR GENERAL recalled that, at the beginning, it had been decided that the work of the group would be approved by the Foundation Board, which was why any changes to the group would be submitted to the Foundation Board for approval. There were two changes in membership, to appoint Ms Coventry to replace Ms Ruggiero and Ms Danka Barteková to replace Mr Estanguet, and to appoint Dr Ulrich Haas as the chairman of the group.

DECISION

Proposed Governance Working Group composition changes approved.

– **3.2 Intelligence and investigations audit report**

THE DIRECTOR GENERAL stated that he had already referred to the agenda item in his report and the audit report had been approved the day prior by the Executive Committee.

THE CHAIRMAN said that the department run by Mr Younger operated separately from the management and was audited by an external auditor. The first report was there for the members' information and he thought that they should be very happy with it. He thanked Mr Younger for everything that had been achieved and encouraged him to keep up the good work.

DECISION

Intelligence and investigations audit report noted.

– **3.3 Montreal International headquarters agreement update**

THE DIRECTOR GENERAL referred to the situation and gave the floor to Mr Bouchard, the chief negotiator, who would update the members on the situation.

MR BOUCHARD stated that his report would be brief but quite positive. Since November, when the letter of offer had been approved by the Foundation Board, there had been a lot of work accomplished, particularly over the past few weeks. WADA had received the proposed memorandum of agreement from Montreal International on 10 May and the chief financial officer would go through it with a fine-tooth comb. The amount of money indicated in the memorandum of agreement was that set out in the letter of offer received in November. The agreement with the Bureau Scientifique du Québec had been signed by both parties on 15 May.

Another piece of the puzzle, or the offer, that was quite important was the bill to provide WADA's administrators and employees and executive members with immunity from civil proceedings in Quebec. On 10 May, the private bill had been tabled at the National Assembly to be passed within three weeks to one month. The cooperation of all parties would be required, but WADA was on track to achieving that commitment.

On the level of protection for whistleblowers, the discussion with the Canadian Government had intensified over the past few weeks and WADA was trying to get a number of measures to allow it to better protect whistleblowers. Discussions were ongoing and were quite positive and promising. He thought that WADA was on track towards closing the matter over the coming weeks.

THE CHAIRMAN said that he had signed the memorandum of understanding with the Montreal research people the previous day, and he thought that WADA should be able to bring it to a healthy conclusion.

DECISION

Montreal International headquarters agreement update noted.

– **3.4 Anti-doping testing equipment update**

MR RICKETTS said that the Foundation Board members had a paper setting out chronologically the major incidences and steps taken to address the issues faced by the anti-doping community with the

security bottles earlier that year, the A and B bottles used to secure the athletes' samples and transport them to the laboratory for analysis and further storage. The company was a Swiss-based manufacturer called Berlinger and it had been providing sample collection equipment for over 20 years. It had been the preferred supplier of equipment at the Olympic Games since 2000, and it had had a 90%-plus share in the market for a considerable length of that time. There was only one other manufacturer actually producing sample collection equipment in addition to Berlinger. On 19 January, WADA had first become aware of the issue, and had been advised by an accredited laboratory that there was a potential issue with the closing mechanism of a new model of the Berlinger bottle, in particular that it had been possible to open some of the samples after frozen, so WADA had quickly launched an enquiry into the matter. On 27 January, the company had been unable to explain how that was occurring, and had undertaken similar tests. WADA had engaged a number of WADA-accredited laboratories and other sample collection agencies to assist in testing the equipment and the outcome had been that it had been possible to open a number of bottles after freezing but also without freezing. At the end of January, WADA had announced the outcome of its enquiry, about one week before the Olympic Winter Games in Korea. The organising committee for those games had already taken shipment of the thousands of kits to be used during the Olympic Games, but the kits had had a faulty closing mechanism. It had been quite a concern for the testing programme at that time. WADA had spoken regularly to the IOC and Berlinger and come up with the recommendation that the kits used at the Olympic Games in Rio should be used for testing in PyeongChang. Berlinger had stopped manufacturing that model, although a number of ADOs had still been using it and had it in stock, and WADA had reached out to the NADOs of China, Japan and Korea, which had provided enough bottles to cover the testing for the Olympic Games, and he thanked those NADOs for their support. Following that, Berlinger had agreed to remanufacture the kits used in Rio for the Olympic Games in Korea, and it had done so within a week. In addition, Berlinger had also recalled all the kits (the Geneva kit) in circulation with the issue with the closing mechanism, estimating that there were around 120,000 in the field.

The testing at the Olympic Games had gone ahead reasonably well, with not too many issues with the bottles, although some athletes had obviously been concerned, having heard about the issues in the media. However, after the Olympic Games had concluded, WADA had been made aware of some further issues with potential cracking of the bottles when frozen at  $-20^{\circ}$  in the WADA-accredited laboratories. Berlinger had received the report directly and passed it on to WADA. The manufacturer of the bottles (not Berlinger, but a supplier) and Berlinger had undertaken an investigation and had found that bottles were cracking; however, they had been putting water in the bottles when freezing them.

WADA had been encouraging other sample collection manufacturers and providing some guidance, and had met with representatives of Versapak, a UK-based company that had been in the industry for more than 20 years. Later that week (9 March) Berlinger had announced its withdrawal from the market, coming as a surprise to many people. WADA had issued further instructions to the ADOs and WADA-accredited laboratories to address the issue. It had been found that, if frozen horizontally, the bottles were less likely to crack; however, at the time, WADA had received no reports that the bottles cracked when frozen from any of the WADA-accredited laboratories. That was still the case. Berlinger had stated that it had about three to six months of stock remaining at the time of its withdrawal and that any further orders of the equipment would come with a waiver of liability, so it had been a bit of a mess at that point.

There had been further information that there were two new developers already in the process of developing kits. WADA had shared the information with its stakeholders. One of the developers was Major League Baseball in partnership with the USADA, and another was a Swiss-based company. The information had been provided to the stakeholders to let them know that there were other manufacturers in the pipeline and a topic had been added at the annual symposium to update everybody with the latest information.

There had also been a small think tank on equipment matters with various anti-doping stakeholders at the symposium, and the outcome had been that WADA would try to encourage Berlinger to continue to manufacture for the short term, and that WADA needed to look at the ISTI to enhance the criteria to prevent any further issues with that.

In April that year, WADA had met with representatives from Major League Baseball (MLB) and USADA, as well as Versapak, to look at their new kits and provide guidance and find out more details about production timelines. Versapak had started production of new equipment after conducting a number of feedback sessions with stakeholders. Berlinger had then announced that it would continue to

manufacture for a further 12 months and, after conducting its own investigation into the issue of cracking bottles, had said that there was not actually an issue because water instead of urine had been used in the bottles and the two liquids had different reactions when freezing.

WADA had also announced that it would be reviewing the ISTI criteria and a small working group would be put together to do that.

Touching quickly on the criteria currently in the ISTI, which was quite broad, there were four criteria. WADA had appointed a small working group comprising NADOs, IFs and private sample organisation representatives, and WADA was also represented from key departments such as the Science Department, Legal Department and Standards and Harmonisation Department. The group had already met and drafted some additions to the criteria, which would be marked up in the international standard when circulated for consultation on 4 June.

WADA also aimed to approve the changes to the criteria later that year rather than waiting until 2021 for that to become effective, given its importance and to avoid the situations currently experienced.

It was important to clarify WADA's role with the sample collection manufacturers. WADA did not sign off on products, undertake any specific testing prior to the products going on to the market or give the WADA logo or approval to manufacturers for obvious reasons of liability; however, WADA had worked closely with the manufacturers and was providing guidance on their equipment, and the ISTI put the onus on the sample collection authorities, the organisations buying the equipment, to ensure that the equipment met the criteria, so the manufacturers were indirectly held accountable through that mechanism. There had been suggestions about the potential of having an industry standard for the three to four manufacturers that WADA was likely to have at the end of the year; however, at that point, it was WADA's priority to finalise the enhancements to the international standard and, once they were through and addressed, WADA could consider the need for the additional standard as such.

In summary, the extension of Berlinger's manufacturing for the coming 12 months gave time to the other developers and manufacturers to improve their kits and come to the market. WADA should avoid a monopoly situation and, whilst WADA had been able to find solutions with the assistance of stakeholders, it was not something WADA would want to experience again.

The ISTI would be revised and would hopefully be amended and in place early the following year. It had been a real collaborative effort on the part of all of the stakeholders. Throughout all the stages, WADA had kept stakeholders updated, had provided regular guidance and would continue to do so to avoid such issues in the future.

DR BUDGETT said that, from the point of view of the IOC, it had been extraordinarily unfortunate timing, but it had been a great example of the NADOs, WADA, the IOC and everybody involved in doping control working together to find a solution. He thanked all those involved, and also noted how pleased he was to see that WADA was working towards an industry standard through the working group.

THE CHAIRMAN said that Dr Budgett had taken the words out of his mouth. He thanked Mr Ricketts for the way in which he had coordinated and responded to the issue, really at the worst of all possible times. It had been a great effort and WADA was grateful.

#### DECISION

Anti-doping testing equipment update noted.

### – **3.5 Ethics Panel update**

THE DIRECTOR GENERAL said that the members had the report in their files. There had been a presentation at the Executive Committee meeting the previous day. The Ethics Panel was concentrating on looking at ethical issues arising in the work of anti-doping, and it had a list of things, including disclosure of Athlete Biological Passport data. The Working Group on Governance Matters had discussed having an ethics committee with a broader role for WADA, including dealing with potential conflicts of interest. The group might evolve in the future. That would be his only remark.

#### DECISION

Ethics Panel update noted.

#### **4. Call for a review of the anti-doping system**

MS HOFSTAD HELLELAND stated that there had been some intense and confusing years in the anti-doping community. Sport fans and athletes around the world wanted to know what was going on. They wanted to know why some athletes had been allowed to compete at the Olympic Games and some not, and they wanted to know what the role of the IFs was in terms of allowing competitions to be organised in Russia while others did not allow that to happen. It was necessary to ask what had been learnt from the past and over the past few years. She had listened to the concerns of the athletes and their desire for the rights of clean athletes to be protected, which was why she put forward a proposal for an independent review of the anti-doping system, because she wanted to ensure that it was fit for purpose and able to respond to any future crisis. An independent assessment of the international anti-doping system to determine whether or not it was in keeping with best practice should include identification of strengths and weaknesses and recommendations regarding any improvements that could be made. With that in mind, she had prepared a proposal and her intention had been to go to the public authorities meeting on Tuesday without terms of reference, because she had wanted her colleagues to provide input and feedback before making any further conclusions. The public authorities had had a fruitful discussion and had managed to agree on common amendments to her original proposal, and she wanted to thank the public authorities for agreeing on an independent assessment of the international anti-doping system. Unfortunately, the proposal had been turned down by the sport movement at the Executive Committee meeting the previous day. She was sorry about that outcome because, to be efficient, such a review depended on consensus by the public authorities and the sport movement. She could do her maths and she was aware that she would not get a majority for her proposal at the meeting that day. Having said that, her aim was still to get a review and ensure best practice for the future. She would therefore submit an updated version of her proposal in cooperation with the public authorities to the September WADA Executive Committee meeting and for a decision at the November Foundation Board meeting. She believed that a proposal would be tabled for an independent assessment and that it would be possible to have a discussion and some conclusions could be achieved. She of course hoped to partner with the sport movement and have a fruitful discussion between then and the September meeting. She was very aware that the world and, in particular, the athletes were watching WADA. She knew that they expected WADA to take strong actions and she hoped that everybody would contribute to that.

THE CHAIRMAN stated for the record that, the previous day, the Executive Committee had not accepted the proposal.

MR RICCI BITTI explained the position of the Olympic Movement. He appreciated the intention of Ms Hofstad Helleland and had the same concern about clean athletes. The Olympic Movement had worked constantly for clean sport. Nevertheless, the Olympic Movement opposed the proposal for one substantial reason: WADA had shown during the difficult period of the Russian case, which appeared to have triggered the public authorities' proposal, its large capacity to solve the problem. Over the past two years, WADA had put in place a Working Group on Governance Matters. It had reinforced and brought in-house its investigations for the first time, and there was a very strong Intelligence and Investigations Department that functioned very well. WADA had approved the Compliance Review Committee and the International Standard for Code Compliance by Signatories and, even though the sport movement had been involved in some debate on the Compliance Review Committee, it supported it. Last but not least, and he did not want to anticipate his report as Chairman of the Finance and Administration Committee, the previous day, the Executive Committee's government and sport representatives had approved in principle a proposal to submit to the Foundation Board an 8% budget increase for four years in a row, which was very significant. He therefore believed that WADA was well equipped to respond to the crisis.

His second comment was rather more formal: the call for an independent review (and he could argue about the independence, which was relative) coming from within was not positive; it was divisive and perhaps not respectful of the work of the WADA staff and members. He therefore believed that the public authorities could contribute and, as he had stated very clearly the previous day, the Olympic Movement was ready to discuss (in camera if necessary) the future of WADA, although that was constantly done in the Foundation Board. He had no argument about that and he was ready to discuss ideas with the public authorities.

The final point was that the Olympic Movement had answered the question about independence and had also created the ITA to try to distance and increase the independence of the system with regard to the IFs. Having been president of an IF for 16 years, he supported that move. He believed that the public

authorities had a lot of work to do with the national anti-doping organisations and reminded them that the Russian case had arisen because of a national anti-doping organisation (RUSADA, which was a NADO). There was a lot of work to do to make them more independent. He therefore believed there were lots of matters to deal with.

Referring to the athletes, the athletes were listened to by the sport movement but they should not be used to make a call, which appeared to be more promotional than practical. He thanked the public authorities for their intentions and assured them that the Olympic Movement was available to discuss as much as the public authorities wanted the strategic issues that WADA might face in the future; however, he confirmed that the Olympic Movement strongly opposed the public authorities' approach.

PROFESSOR ERDENER wished to add to what Mr Ricci Bitti had said. There had been another important step towards concrete actions to increase the independence of the anti-doping system: the creation of the new ITA.

MS COVENTRY clarified that the public authorities present the previous day (and she would be happy to be corrected if she was mistaken) had not been in support of Ms Hofstad Helleland's proposal, so could she take her statements to mean that the public authorities agreed with the first position paper that had actually been discussed at the meeting the previous day?

MS EL FADIL noted that, in principle, the public authorities thought that the review would be healthy for the future of WADA; at the same time, however, they thought that a review should be carried out by the public authorities and the sport movement together. Therefore, it was necessary to agree and have further dialogue. There was no agreement by the public authorities on the first document that had been tabled by Ms Hofstad Helleland. Their position was that they agreed in essence on a review but wanted to proceed with the sport movement.

THE CHAIRMAN thanked Ms Hofstad Helleland for presenting the case.

MS HOFSTAD HELLELAND took note of the feedback and looked forward to working with the public authorities and of course the sport movement on coming up with a proposal for the September meeting.

THE CHAIRMAN stated that one of the other comments made the previous day had been about how to create, in the meeting structure, some time to go through major issues such as that one, rather than going through many pages of documents. The September meeting would be structured in such a way as to create time for such debate, because there were many implications around the table that had not been mentioned and, if WADA was to do it, it needed to be done in a coordinated and proper way, and he was sure that the staff would help to deliver that. He thanked Ms Hofstad Helleland for raising the matter and thanked the members for their responses.

#### DECISION

No decision was reached in relation to the call for a review of the anti-doping system; matter to be put on the agenda of the Executive Committee meeting in September for discussion.

### **5. Operations/management**

#### **– 5.1 Endorsement of Foundation Board composition for Swiss authorities**

THE DIRECTOR GENERAL referred to the list of Foundation Board members for the Swiss authorities.

#### DECISION

Foundation Board composition endorsed

#### **– 5.2 Operational Performance Indicators**

The members would see the performance indicators in their documents; they were simply to be noted. He would be happy to have a private discussion with anybody who had questions about them.

#### DECISION

Operational Performance Indicators noted.

## 6. Athletes

### – 6.1 Athlete Committee Chair report

MS SCOTT reported on the Athlete Committee meeting held in Montreal at the end of February/beginning of March. The members had her report in their files, so she would not go into detail. She did, however, have a presentation on the progress made with the Anti-Doping Charter of Athlete Rights, which was a project on which the Athlete Committee had been working for over a year. The concept had come about largely in response to the Russian crisis, not just the scale and amount of doping, but also the response to the crisis which, in the opinion of a large majority of athletes, was fractured and revealed conflicted loyalties and by and large did not prioritise the rights of clean athletes. The Athlete Committee had developed the idea of a charter of rights to respond to the call from the athletes and had come up with the concept of a document that had two-fold aspirations: to be concrete and tangible and enforceable, and aspirational, to empower athletes and elevate their voice and give them a greater sense of inclusion in the conversation as the important stakeholders that they were in anti-doping. The Athlete Committee had started the process with a consultation, partnering with FairSport and distributing a survey through the NADOs. Over 2,000 athletes had responded, and the members could see for themselves the demographics. She felt that a broad spectrum of athletes had responded to the survey. The committee had taken that information and used it to guide and shape the next stage, the draft of the Anti-Doping Charter of Athlete Rights. It had put it together in the spring and presented it for the first time at the WADA symposium in Lausanne. She wished to highlight a few of the articles. The members would see on the screen what the charter looked like. First and foremost, article one referred to the athletes' right to clean and fair sport, the fundamental principle behind the whole document, truly the article that had shaped and given context to the majority of the document. The next article she wished to highlight was the athletes' right to equitable and fair testing programmes, of great concern to athletes, a large percentage of whom felt that, while they might be subject to robust and rigorous testing in their own countries, it was not necessarily the case for their competitors. The committee had therefore thought that it was an important article to include in the charter. Another article she wished to highlight was the protection of health, the protection and preservation not only of physical but also mental health, because a lot of the social science research carried out had shown the emotional toll and mental health problems that arose among athletes who were either subject to doping or coerced. At the end, the committee had tried to incorporate the issue of TUEs, knowing how pressing the issue was for many athletes who were competing and the worry and anxiety that they sometimes had to go through in terms of the TUE process. Another article was the athletes' right to justice, the right to be heard, to have an affordable, fair and timely hearing before an impartial panel, to obtain a timely decision and of course to have consistent and transparent enforcement of applicable anti-doping rules in a harmonised manner. The final article she highlighted was article 10 on freedom of expression, and that had been borne out of some of the experiences that had been seen that year in particular with the rise of social media and the increase in the ability to abuse and slander people online, sometimes with very damaging and detrimental effects. The Athlete Committee had therefore believed it important to include that article in the charter.

She concluded with the timelines. The committee had begun the process the previous year, first introducing the concept at the WADA symposium in March 2017. It had developed a working group, sent a questionnaire out, received the results and begun drafting the charter. Then, in June that year, the committee would present the draft form of the charter to the first ever Global Athlete Forum in Calgary. That would afford an opportunity to solicit feedback and guidance, input and advice from the global athlete community, giving the Athlete Committee a chance to refine and revise the charter further so that, eventually, it would be fit and ready with the goal of incorporating it and implementing it (or at least key articles of it) in the new World Anti-Doping Code.

She concluded her presentation by highlighting that the first-ever Global Athlete Forum was to be held in Calgary that June and the Athlete Committee really looked forward to welcoming athletes from across the world and across the sport spectrum. Of course, there would be an absolutely stellar line-up of speakers and presenters to inform and educate and engage the athletes taking part in that forum. The committee was very much looking forward to hosting that very important event for athletes, increasing their voice and their platform and their contribution to the movement. That concluded her presentation, and she would be happy to take any questions.

MR GODKIN thanked Ms Scott for the brief but very informative presentation. It was always important to hear the athletes' voice, including at formal meetings.

MS HOFSTAD HELLELAND congratulated and gave her full support to the WADA Athlete Committee on its development of the draft Anti-Doping Charter of Athlete Rights, which was a very impressive document. She also believed that the charter was with the right organisation, WADA, and the WADA Athlete Committee. WADA was the ultimate authority for doping-free sport and had the ability through the Code to bind stakeholders, including the IOC, IPC, IFs, major event organisers, NADOs and governments and, if they were going to state publicly that athletes were the first priority, they should support that charter. Not supporting the initiative and the charter would be hamper clean sport and the athletes' ability to speak up. She therefore encouraged the continuation of the development of the charter and its inclusion in the revised World Anti-Doping Code.

MS BATTAINI-DRAGONI said that, since she represented an organisation that promoted human rights and democracy and the rule of law, she could not sit silently, and it gave her a lot of pleasure to also congratulate Ms Scott and the Athlete Committee and to see that, after hearing about work for some time, the work was coming out, and it had been very clearly presented that day. She thought that it would be very important to see how that would be incorporated in the Code. That would be the next phase, and it would obviously be very interesting to see what concrete results would come out of it. She added that, because of what the Council of Europe was, she attached particular importance to one part of the document, that dealing with access to justice. The Council of Europe had been pleased to be consulted by the Athlete Committee during its work. She knew that the work was not yet finished, but appreciated the fact that there was a chapter devoted to the important issue of access to justice. She congratulated the Athlete Committee and said that the Council of Europe was ready to continue to assist it with its work and have an exchange of views and opinions, particularly bearing in mind the important decision taken some months previously by the European Court of Human Rights on whereabouts, mentioned the previous day at the Executive Committee meeting. The Council of Europe was always available and the Athlete Committee could always knock on its door.

DR BUDGETT congratulated Ms Scott and the Athlete Committee on all of the work carried out. There were a few things that rang very true, in particular, from his point of view as a medic, the protection of health, mental health and equal opportunities. It was a very broad charter and, in the spirit of it being a broad charter, he urged her to enable it to extend beyond doping by working with the IOC athletes commission, which, as the members knew, had developed an athletes' charter, because he thought that the two would sit very well together. He hoped that the two charters would come together, strengthening it and making it even more effective.

MS SCOTT thanked everybody who had commented; she appreciated the support and certainly the opportunity to work with the IOC in developing a broader charter. She thought that the support was a very strong indicator of where athletes rested within that organisation and broadly, and she was encouraged.

THE CHAIRMAN thanked Mrs Scott and wished her luck. He looked forward to being with the Athlete Committee in Calgary, albeit very briefly. It was important for him to go back because, in 1985, his sport had received the Olympic flag in the Saddledome from Jim Worrall, the senior IOC member in Canada at the time when it had become a full member of the programme of the Olympic Games, so Calgary was a pretty important place as far as he was concerned.

## DECISION

Athlete Committee Chair report noted.

### **7. Finance**

MR RICCI BITTI reported that the next Finance and Administration Committee meeting would be held at the end of July in Rome, and he thanked the Italian Olympic Committee for agreeing to host it at its headquarters.

#### **– 7.1 Government/IOC contributions update**

MR RICCI BITTI informed the members that the latest update had been tabled that morning. WADA had achieved 72.6% in terms of public authority contributions to date compared to 78.1% the previous year at the same time. The figures were slightly lower than the previous year, but there were some

important contributions coming in, so he was confident that it was not going to be a problem. Italy had been paying every year, but not the entire amount for some bureaucratic reason. Finally, the payment programme had been adjusted and Italy had paid in full the three-year shortfall for an amount of 351,000 dollars.

On additional contributions, WADA had received 274,000 dollars and he thanked Australia, Japan, Denmark and the city of Lausanne for their contributions. Denmark's contribution was restricted to compliance. He also mentioned a very interesting recent development: the Chinese Government had announced a contribution of one million dollars to the WADA budget. That gave him the opportunity to mention a recommendation of the Finance and Administration Committee because it looked as though the Chinese Government was very interested in the activities of WADA. His recommendation, which had come from the Finance and Administration Committee the previous year and which he wanted to reiterate, was one to the government colleagues: to consider reviewing the regional split and within the regions perhaps reviewing the country split, as it was time to review something based on the situation 20 years previously. It was not because he was European, but there was some imbalance taking into account the evolution of the activity and sport. He therefore asked his government friends to take note of that recommendation.

Moving to special contributions and the Special Investigation Fund, WADA had received 704,000 dollars in total from the public authorities. As usual, the IOC had matched the figure, so there was an amount of 1,409,000 dollars. In 2016, 655,000 dollars had been spent. In 2017, only what had been budgeted or less had been spent, so there was still 755,000 dollars available, ready for some special requirements in the near future.

## DECISION

Government/IOC contributions update noted.

### **– 7.2 2017 year-end accounts**

MR RICCI BITTI said that 97.99% of contributions had been made by the governments, slightly better than the 97.93% the previous year. WADA had also received special additional contributions for a total of 441,000 dollars and the normal contribution from Montreal International for 1,433,000 dollars. To cut a long story short, the year-end result was very positive that year: there was an excess of income over expenditure of more than two million dollars against a forecast profit of 1.2 million at the middle of the year. The excess of income was due to two factors: an increase in income of 412,000 dollars and, on the expenditure side, less expenditure than budgeted, for 558,000 dollars. The main saving was in one of the attachments, and he recommended that the members look at page 19 of the last document which set everything out clearly. The members would see the four items in terms of expenses that had helped: the executive office had saved 175,000 dollars; under information and communication, because of the postponement of projects and understaffing, 168,000 dollars had been saved; under IT, as usual due to some projects or changes in the negotiation of the service contract, 139,000 dollars had been saved; and the Lausanne office had also saved some money compared to the budget. In total, WADA had spent 558,000 dollars less. In terms of income, there had been a better income of 411,000 dollars.

Again cutting a long story short, the profit had enabled WADA to implement the reserve policy, which he always mentioned, and it had been decided to put 500,000 dollars in the restricted operational reserve. The rest was kept unrestricted. The Finance and Administration Committee always recommended a level of reserve for WADA of at least three to six months of operation. Obviously, the level was currently a lot lower, because WADA had three million, including the 500,000 dollars but, if WADA kept going as it had been that year, he was very confident that it could get to where the committee recommended, which was always a good and safe way of managing the organisation.

The final point was the audit report, which would be presented by a representative of PricewaterhouseCoopers. As usual, over the past year, the report was very favourable: there had been no deficiencies, and he thanked all of the staff led by Ms Maria Pisani. They did a great job, and he was very sad that Ms Pisani had decided to leave. He took the opportunity to thank her and wish her the best over the next period of time. The only point he had to mention in that report of the auditor was the recommendation that was not very material: the contribution to people in Lausanne, because the Swiss law on pension plans was very specific. Evaluating what WADA gave, it had paid 172,000 the previous year, but he would have to check and WADA would adjust the amount immediately if necessary. It was



a very small technicality. He would ask PricewaterhouseCoopers to make the presentation and then ask the Foundation Board to approve the Executive Committee's recommendation.

MS BEAUPARLANT introduced herself: she was a partner at PricewaterhouseCoopers in Montreal. She was in charge of the audit of the financial statements of the World Anti-Doping Agency and worked with her colleague, Mr Pierre-Alain Dévaud, a partner at the office in Lausanne responsible for signing the audit report on the financial statements. She was present to give the status on the audit work and cover the significant accounting and financial reporting matters dealt with during the audit. PricewaterhouseCoopers had substantially completed the audit of the World Anti-Doping Agency's financial statements for the year ending 31 December 2017 and was consequently ready, subject to the approval of the financial statements by the Foundation Board, to release the report without qualifications or references to violations of the law. As auditor of the agency, PricewaterhouseCoopers's responsibility was to issue an audited opinion on the financial statements and to confirm the existence of an internal control system designed for the preparation of such financial reporting. PricewaterhouseCoopers was currently in a position to conclude that the 2017 financial statements gave a true and fair view of the financial position, the results of operations and the cash flow of the agency in accordance with international financial reporting standards (IFRS) and complied with Swiss law and the foundation's deeds. PricewaterhouseCoopers also confirmed that an internal control system was in place for the preparation and fair presentation of the financial statements in accordance with the requirements of the Foundation Board. The audit work had been conducted in line with the audit plan. During the course of its audit, PricewaterhouseCoopers had reviewed management accounting policies and positions, management judgements and estimates in establishing the financial statements and the financial statement presentation and disclosures. Over the year ending on 31 December 2017, there had been no unusual transactions to be accounted for, no new IFRS standards or disclosures affecting significantly the financial statements, no new accounting positions adopted by the management or changes in accounting policies, and no internal control deficiencies that PricewaterhouseCoopers believed merited the attention of the Foundation Board. It had one recommendation that had been discussed with the management and had been mentioned by Mr Ricci Bitti, which was that the management should regularly obtain an evaluation of its Swiss pension plan, since the number of employees was increasing. Finally, no uncorrected misstatements had been identified during the audit.

Those were the highlights of the audit and conclusion of the report. In closing, she wished to thank the agency's management and staff who had assisted PricewaterhouseCoopers in carrying out its work, in particular Ms Pisani, Mr Niggli and Ms Vizioli.

MR RICCI BITTI thanked Ms Beauparlant, and gave the floor to the Chairman to ask the Foundation Board to approve the recommendation of the Executive Committee, including the audited report for the financial statements for 2017.

THE CHAIRMAN said that the accounts were before the members; they have been approved by the Executive Committee the previous day and he formally moved that they be adopted by the Foundation Board that day. Was that agreed?

#### DECISION

2017 year-end accounts approved.

#### – **7.3 2018 quarterly accounts**

MR RICCI BITTI informed the members that the situation was under control and there was nothing special to highlight. Attachment 2 might make the members dream because there was a profit of 11 million dollars but, as the members knew, more or less all the money was received at the beginning of the year and it was necessary for the next part of the year. It was a very seasonal account. Ideally, the percentage that could be seen on the last line of the attachment should be 25% because it was the first quarter, and there was only one line that should be commented on: for the Lausanne office, the members would see that 39% of expenses had already been made. The reason was a happy one, because the annual symposium had taken place and it had been very successful, with unbelievable attendance, and obviously a little bit more had been spent on it. Perhaps a different format or the introduction of some kind of fee might be considered, but he believed that it was a great PR exercise for WADA and, as the

Chairman of the Finance and Administration Committee, he fully supported the increase in expenses.

#### DECISION

2018 quarterly accounts update noted.

#### – **7.4 2019-2021 budget**

MR RICCI BITTI said that the 2019-2021 budget merited a special comment. In November 2016, the Foundation Board had received a series of recommendations and a very extensive presentation from Mr Niggli on what was needed to have WADA really fit for purpose over the coming four to five years. The message had been received. WADA had done many exercises and the members had received all of the papers. The proposal had been a 15% increase in 2019, 15% in 2020 and 5% in 2021. There had been a lengthy discussion the previous day and he had heard from the government representatives, and the sport side was ready to match what the governments contributed. A reduction in the budget would result in a number of cuts; therefore, he strongly recommended that the members support the proposal. The public authorities had come back with a positive mindset and the conclusion had been to commit for four years instead of three but at a lower level of increase. The final proposal was for 8%, which was not ideal but which was manageable, so he thanked the management for their understanding and the public authorities for giving their full support to that huge effort, because it was a huge effort in the current economic climate, and 8% for four years in a row (in fact five years, as there had already been an 8% increase for 2018) was much appreciated by him and by WADA. The proposal to the Executive Committee had been to approve an 8% increase for the next four years. As already anticipated, the usual process would take place every year for approval but, that day, the members would be asked to approve the recommendation of the Executive Committee to have a four-year budget with an 8% increase every year. The members would see the development every year in terms of what was done and what was not done.

THE CHAIRMAN noted that the budget in the members' papers was based on the different rate of contributions. Much work had been done by the public authorities at meetings in Denmark and in Warsaw to produce a revised suggestion. It had gone to the Executive Committee and was the basis of repeated increases of 8%. If the members were happy with that, clearly, the Finance and Administration Committee would take that information and would provide a detailed budget for the following year to the members in September and again in November. One important part of the discussions the previous day was that that decision stayed almost in tablets of stone; it did not get changed year by year. There was currently a degree of certainty on revenue which would, of course, be matched by the Olympic Movement (it had said that very clearly some years previously) and WADA would adjust the expenditure each year and take it to the Executive Committee and the Foundation Board through the Finance and Administration Committee. He thought it was a pretty good way of working.

MR POUND asked whether the 8% was year over year.

THE CHAIRMAN said that the answer was that it was compound.

MR MUYTERS thanked Mr Ricci Bitti for his report. The public authorities welcomed the multi-year approach adopted by WADA which responded to requests made in the past. The public authorities could approve an annual increase of 8% per year for a period of four years starting in 2019, and the financial plan should be adopted for 2019 to 2022. The annual budget should be approved for the following year, so the 2019 budget should be adopted at the November 2018 Foundation Board meeting. For the plan from 2019 to 2022, the public authorities stressed that the increase in the WADA budget should be directed towards a limited number of priority areas. For the public authorities, there were four priority areas: monitoring compliance of the anti-doping organisations and the laboratories; standard-setting activities; research; and education. The public authorities looked forward to the financial plan, the budget for 2019 and the discussions at the Executive Committee and Foundation Board meetings in November.

MR GOTTLIEB added to the good news in Mr Ricci Bitti's report. As the members were aware, there had been a memorandum of understanding between his country and WADA recently in terms of the FY18 contributions to WADA and he had been informed that day that the money had been received by WADA so, when the Finance and Administration Committee convened in July, WADA would be closer to that 100% goal. He also supported the comments made about the importance of public authorities

reassessing the allocation of the way in which the public authorities worked out their contributions and he understood from the meeting of the public authorities earlier that week that that process would commence in the coming months.

He added his thanks to Ms Pisani, with whom he had had the privilege of working for a number of years on the Finance and Administration Committee. She really embodied the best personal and professional qualities and, on behalf of his government, he wished her well in her retirement.

MS BATTAINI-DRAGONI expressed her gratitude for the report submitted by Mr Ricci Bitti, and particularly the comment he had made and which she had heard again from the US representative about the need to look into the question of shares, or the split among the continents in terms of contributions. There was important work lying ahead and she looked forward to the possibilities and was prepared to enter into discussions with colleagues from the other continents and find out what the best solution would be, with the ultimate goal of not spending less but having an additional budget for WADA resulting from a fair split for the future. She appreciated what the Belgian minister had said about the fact that it was difficult to follow that ambitious plan, but Europe would follow it. The economic crisis was not over everywhere in Europe; quite the opposite. WADA therefore had to understand that a very significant effort was being made and she trusted that, in return, WADA would provide the high quality expected in the areas mentioned that day such as compliance, standard-setting and so on. She thought that WADA was moving forward; there were many possibilities to continue the work, intensify it and guarantee high quality in all processes and operations.

THE CHAIRMAN said that one of his early WADA meetings had been in Cape Town in 2001 when the original allocation among continents had been agreed. It was 2018 and probably about time that it was looked at it.

MR RICCI BITTI stated that he would like to thank all those who had intervened. Finally, consensus had been achieved on the fact that WADA required more resources to do its work. There were often disagreements, but he believed that the cooperation between the public authorities and the sport movement was vital because, without it, WADA would not win a battle that was difficult: the battle for the integrity of sport. He therefore thought that it was a good example of mutual understanding.

THE CHAIRMAN congratulated the Chairman of the Finance and Administration Committee on the situation reached.

## DECISION

Proposed 2019-2021 budget approved.

### **8. Education**

#### **– 8.1 Education Committee Chair report**

MR MOSES informed the members that it had been a very successful year for the Education Department, and WADA was moving into a different era in the history of doping and placing importance on education through the development of an international standard. Everybody should be congratulated on the strong signal that they were sending about the importance of education in the future. WADA, as the leading organisation responsible for protecting clean sport, was sending a very strong message to all of the stakeholders that education was a very important element in the fight against doping in sport. He thanked the Foundation Board for approving the development of the International Standard for Education and Information at the previous meeting. The standard would ensure that all stakeholders were clear about their roles and responsibilities, and WADA had got ahead of the curve in terms of providing a tool kit and various resources for constituents living in parts of the world that were unable to afford or employ or give serious thought to the development of educational programmes independently, providing them with the necessary access to education. As he had said in the past, the goal was to prevent doping, and an effective prevention strategy had to include education, testing and investigations, all of which had an equal role to play. He had also been pleased that the draft standard had been discussed in depth at the latest Education Committee meeting on 26 and 27 April and he looked forward to the stakeholder consultations that would be taking place. Furthermore, the importance of engaging the WADA Athlete Committee in the review had been stressed, and that would be done.

Before highlighting a few of the outcomes of the previous Committee meeting, one of the things about which he was very proud and impressed was the composition of the Education Committee because

there were various types of international constituencies represented. Some people came from countries and could readily step into a leadership role in education and develop all of the activities. Fortunately, there were quite a few members on the Education Committee who understood that that did not happen everywhere and WADA had to be very careful not to leave anybody behind and also provide them with the tools. Therefore, the tool kits provided and the development discussed over the past few years would provide a good head start and make sure that nobody was left in a situation in which, because they could not develop or could not afford or did not have the necessary infrastructure, they would be left behind when it came to compliance.

With respect to the committee, it fully supported the Anti-Doping Charter of Athlete Rights being developed by the WADA Athlete Committee, and the key principles of the charter should be integrated in the revised WADC. The committee commended the WADA staff on the progress made with the e-learning platform, ADeL, which was part of the tool kit he had just mentioned, and was also very encouraged by the progress of the Sports Values in Any Classroom project being developed with partners including WADA, the IPC, the IOC, UNESCO, FairPlay International and the International Council for Sport Science and Education, and looked forward to getting feedback and seeing what the outcomes would be.

The committee had also had an in-depth discussion on the importance of the social science research that had been commissioned and that guided the development of the educational resources and reinforced the need for the International Standard for Education and Information.

As he had said earlier, it had been a very interesting time for his committee. It was very enthusiastic and he congratulated the staff members, who did an outstanding job and were very professional.

He was pleased that the leadership around the table not only verbally supported the need for mandatory education but also, more importantly, had sent a clear signal supporting the importance of the International Standard for Education and that, along with the Anti-Doping Charter of Athlete Rights, stressed the importance of education from the grassroots up, paving the way for an enhanced clean sport environment. The future looked very bright.

MR MIZUOCHI stated that he focused on anti-doping education and, in his country, there had been only five to eight incidences of doping every year and he believed that the number was quite low. However, the previous year, doping substances had been placed in competitors' drinks and supplement use by college students had occurred on a number of occasions. It was necessary to review educational material and also include e-learning and promote education among medical practitioners so as to eradicate doping. Regarding education for university students in coordination with the International University Sport Federation, Japan would coordinate as much as possible and press for more effective anti-doping education. At the UNESCO meeting the previous year, Japan had tabled a proposal, which had been adopted. Japan had implemented a model of business that promoted education and was based on what was valuable in sport, so Japan had been active and would like to make a contribution to WADA. Furthermore, in Japan, JADA held an annual international anti-doping seminar, and those seminars had contributed to capacity-building in the region.

MS HOFSTAD HELLELAND said that, as a government minister in Norway, she knew the value of education in society. She also knew about the importance of setting up actions to ensure that education was fully implemented on a multilevel approach, which was why she fully supported the new draft International Standard for Education. WADA, as the guardian of the Code, needed to show leadership and indicate the importance of education. Education had just as important a role to play as testing and investigation, and should play an equal role in terms of standards. She believed that the new standard would be a game-changer. It would encourage more education and it would also make education mandatory for all stakeholders. It was time to ensure, promote and benchmark education efforts, and that would be successfully achieved only by having a clear standard that outlined stakeholders' roles and responsibilities to prevent the use of doping through education. She thanked Mr Moses for his contribution. His voice was so important for the anti-doping community and she urged him to continue to speak out against doping.

MR MOSES said that the members of the Education Committee were impressive. He came from a family of education and there were doctors, heads of IFs, teachers, social scientists, researchers and anti-doping organisation experts, so the issue was being looked at from top to bottom and one of the really great ideas that had come out had been from the representative from Mali. She had had a great idea. As children who were beginning to learn about tennis, handball or synchronised swimming learned the rules, WADA wanted to be able to provide them with the ethical considerations of fair play and not

being able to cheat, just as they learnt the rules of the game. When they learnt that the ball could not go over the line, for example, they learnt about cheating at that particular level; at whatever age group, that was learnt and formed part of the rules, so the committee was really trying to think about everything and provide the research to back it up and, with the good advice of Mr Koehler and his team, the committee was going to open up a new era of education in the realm of ethics and what was right and what was wrong and what was good and bad about sport.

MR MUYTERS said that the European Union supported the new International Standard for Education. The fight against doping in sport was to a great extent part of the fight against corruption in sport and it was vital to keep sport on the field and not behind the curtains. The good results in the fight against doping in sport combined with investigations would help safeguard sporting competition. Of great significance for the prevention of doping was providing information and delivering education for athletes, professional and amateur. Joint efforts and improvement of educational programmes for athletes based on shared experience were necessary. When talking about doping in sport, it usually concerned young people who strove to enhance body image, often harming their bodies; therefore, it was vital to regulate as far as possible fitness centres, fitness instructors' licenses and related food supplement distribution.

#### DECISION

Education Committee Chair report noted.

#### – **8.2 International Standard for Education and Information update**

MR KOEHLER said that he would be very brief. The standard was in the members' files for information. The members would recall that, in November, the Executive Committee and Foundation Board had approved the development of the standard. A working group had been established and comprised representatives from Africa, the Americas, Europe, Oceania and Asia. The African representative from UNESCO had just been added. It was very important to understand that the working group was working through stakeholders' comments, but the standard itself was reviewed with the Education Committee, which comprised sport and government representatives. The standard was part of a consultation process that would go out on 4 June for stakeholder consultation to make sure that it was global document and accepted by everybody. That was the process.

His report was in the members' files and he would not address anything in particular, but he would be happy to answer any questions.

As concerned his general Education update, he wanted to show a brief video on the new e-learning platform that had been developed. That platform was being translated into additional languages and was currently in seven languages. ALPHA was in four languages (French, Spanish, English and Croatian) with Japanese and Czech to come in the coming months. Coach True was in six languages and further languages (including Russian and Arabic) were to come in the future, to ensure that the tools could answer the demands of all of the stakeholders. The important thing was that WADA relied on its stakeholders to help with translation to reduce costs and enhance affordability. He showed the members the video on ADeL.

MR LI said that China had done a lot of work in education. It had implemented special accreditation procedures and, if people did not pass an education exam, they would not be given accreditation for events. China educated its athletes and athlete support personnel so that they could protect themselves. For all major events, China would have anti-doping education exams or training for all athletes in China. He was therefore very pleased to support the International Standard for Education and Information. That year, on 24 October, everybody was invited to Beijing to attend the Global Education Conference.

MR KOEHLER thanked China for hosting the second Global Education Conference, to be held in Beijing and to be attended by the WADA President. He recognised the fact that China and Japan had made anti-doping education mandatory in their countries, showing leadership in terms of what needed to happen in the future.

#### DECISION

International Standard for Education and Information update, and Education Department Update noted.

## 9. Health, Medical and Research

### – 9.1 Health, Medical and Research Committee Chair report

PROFESSOR ERDENER informed the members of the Foundation Board about the activities of the Health, Medical and Research Committee under five headings. First, the List: the draft 2019 International Standard for the Prohibited List had been prepared following meetings of the WADA Prohibited List Expert Group in Montreal on 15 January and on 16 and 17 April that year. The draft 2019 Prohibited List, along with an explanatory note on the modifications, would be circulated among the stakeholders that month to allow for comments to be made prior to mid-July that year. All the comments from the stakeholders would be reviewed by the Prohibited List Expert Group in August and a new draft of the List would then be reviewed by the Health, Medical and Research Committee and then by the Executive Committee in September before the List was published later that year.

Regarding the laboratories, WADA was still dealing with remaining actions for laboratories that had been revoked or suspended, namely the Bloemfontein laboratory in South Africa, where significant progress had been noted during the site visit on 6 and 7 March that year. There were a few remaining technical issues, mainly related to IRMS analysis, and they should be solved by July/August that year.

A Bogotá laboratory site visit had been conducted from 8 to 10 May, and the outcomes would be shared shortly with the Laboratory Expert Group for review and recommendations.

The Lisbon laboratory was a more complex issue, since there had been some new technical issues with it and the Laboratory Expert Group did not consider that all the conditions for reinstatement had been met. The dossier had therefore been transferred for a new review by the disciplinary panel.

The Ad Hoc Working Group on Laboratories considered that the recommendations were final and would allow the experts and WADA management to implement those recommendations in the rules and actions. He thanked Dr Rabin and Mr Young for their efforts during the activities of the working group.

As of 10 April that year, over 700 TUEs had been granted and registered in ADAMS, representing a 21% decrease over the same period in 2017. 78% of those TUEs had been granted by NADOs. All TUEs were screened; however, the Medical Department used an automated risk-based score to prioritise red-flag TUEs based on substance, route, duration and sport. In PyeongChang, 37 of the 2,922 athletes competing in the Olympic Games had had TUEs during the period of the Olympic Games for a TUE prevalence of 1.2%, the same prevalence during the Rio Olympic Games in 2016. For the Paralympic Games, there had been 28 athletes granted TUEs out of 570 athletes. The prevalence of approximately 4% was similar to the previous edition of the Paralympic Games.

On research and the signature of the WADA/FRQ (Fonds de recherche du Québec) agreement announced the previous day in the press, three areas had been selected: artificial intelligence, biomarkers of doping and social science, with the FRQ dedicating 200,000 Canadian dollars per year, matched by WADA, to those projects.

WADA was approaching exhaustion of the Special Research Fund and there was a significant risk for research capacity as early as the following year and coming years, so he made a strong call for sustained efforts in research. The IOC and WADA were considering collaborating on two projects: forensic analysis of evidence and dry blood spot development and positioning in the anti-doping arsenal.

In relation to the Athlete Biological Passport, there would be a symposium in Rome from 5 to 7 November to review the Athlete Biological Passport development and perspectives, supporting the development of broader implementation of the passport by ADOs and future Athlete Biological Passport developments.

MR POUND observed that it sounded from the report that the List would be approved by the Executive Committee and he had always thought that it was the Foundation Board that eventually approved the List each November.

THE CHAIRMAN replied that it had always been the Executive Committee and the meeting was always in September, principally to approve the List so as to be able to distribute the information sufficiently in advance, because it came into effect on 1 January.

#### DECISION

Health, Medical and Research Committee Chair  
report noted.

#### – **9.2 Science and Medicine report**

THE CHAIRMAN noted that the report was in the members' files.

### **10. World Anti-Doping Code**

#### – **10.1 Compliance Review Committee Chair report**

MR TAYLOR informed the members that the report was short and self-explanatory. He thought it might be worth spending a couple of moments reminding the members, as it was the first meeting under the new regime, as to the changes to the World Anti-Doping Code in respect of compliance by Signatories and the new International Standard for Code Compliance by Signatories that supported the new Code provisions. It was apparent that it might be worth reminding people of some of the key features. The members had in their papers a legal opinion, which set out and summarised the previous regime and the current regime and it might be helpful as a cheat sheet for people to have a look at that. Under the previous regime, which had changed on 1 April that year, WADA would monitor compliance and any non-compliance would be brought to the Foundation Board and, if the Foundation Board declared a signatory non-compliant, that would automatically trigger a couple of consequences, one of which would be that the IOC or IPC would withhold some or all Olympic or Paralympic funding, and IFs and major event organisers would do everything possible only to award their events to a country whose NADO/NOC/NPC was compliant, but the other consequences were at the discretion of the different signatories. That was the reason why, in 2016, in response to the Russian crisis, different signatories had reacted in different ways, with some people excluding athletes from the Olympic Games and some people not. Many had suggested that that variation in response was damaging to public confidence in the integrity of the system and that it needed to be looked at. He had come to the meetings in Glasgow in November 2016, when the Executive Committee and Foundation Board had agreed that there should be a system of meaningful, graded and proportionate consequences for non-compliance, following one single process that everyone could participate in and everyone would be bound by. The members would recall that the Compliance Review Committee had come back in May and said that it thought that Code changes were needed as well as a standard to support them, there had been two rounds of consultation, explaining the changes all the way, with very strong support received from stakeholders, and then in November, in Seoul, the Executive Committee had agreed to the standard and the Foundation Board had agreed to the changes to the Code, which had come into force on 1 April. Under the new regime, WADA continued to police compliance, to try and encourage signatories and help them achieve compliance through audits, questionnaires, and other systems and procedures to give them every opportunity to correct non-compliance and, as a last resort, in cases of non-compliance, it was taken to the Compliance Review Committee to consider the facts and make a recommendation, and that recommendation went to the Executive Committee (not to the Foundation Board) and, in appropriate circumstances, where it saw fit, the Compliance Review Committee could recommend that the Executive Committee assert non-compliance, propose consequences and propose conditions for reinstatement in the same way as if there were individual non-compliance by an athlete or a member of the athlete support personnel, the ADO would assert an anti-doping rule violation and propose consequences. The signatory would then either accept the non-compliance and the proposed consequences or dispute them, in which case it would go to the CAS to decide. In those CAS proceedings, anybody with an interest or who would be affected by the proposed consequences, for example, the IOC or the IPC (if the consequences involved an impact on the Olympic Games or Paralympic Games) or an IF (if it involved limitations on their ability to award events to a particular country), would have an ability to intervene and be heard; but, importantly, once the CAS decided, in the same way as consequences imposed on an individual athlete, once final, would be recognised, respected and enforced by everybody, if there was a consequence accepted by the signatory or imposed by the CAS, once final, everybody would recognise and respect that sanction. That was how they would achieve one single response instead of a fractured system of different responses.

He wanted to be clear about the role of the Compliance Review Committee because it appeared that there remained some misunderstanding. Contrary to the suggestion that the Compliance Review Committee was acting as the police, prosecutor and judge, the Compliance Review Committee did not police compliance; that was the WADA taskforce. The Compliance Review Committee did not decide that non-compliance should be asserted; that was the Executive Committee. The Compliance Review Committee did not prosecute the case; WADA would take it to the CAS. The Compliance Review Committee certainly did not decide what the consequences should be; those were proposed by the Executive Committee and either accepted by the signatory or disputed and then imposed by the CAS. The role of the Compliance Review Committee was to be independent, non-political and impartial, to assess the facts and, where it considered there to be non-compliance, to categorise the non-compliance as critical or high priority or other, and then (in a process that had been consulted on, in great detail, at various meetings with different stakeholders) the standard set out a range of sanctions depending on the nature of the case and also set out the principles by which the Executive Committee would propose and eventually the CAS would determine the appropriate consequences. The Compliance Review Committee assessed the facts and then applied the principles set out in the International Standard to those facts and made a recommendation based on its judgement about what would be an appropriate consequence in the event that the Executive Committee agreed that there was non-compliance. If the Executive Committee accepted that recommendation, then that consequence was proposed by the Executive Committee and either accepted by the signatory or, if disputed, it went to the CAS and the CAS made the decision. It had been suggested that the Compliance Review Committee was not acting independently and impartially, but in a political fashion, and he regretted that suggestion, found it disappointing and rejected it. He could speak only about his colleagues on the Compliance Review Committee. They were a very impressive bunch, a representative of the sport movement, a public authorities representative, the Chair of the WADA Athlete Committee and two independent compliance experts. They understood their responsibility to act independently, impartially and non-politically, and they carried out that obligation and responsibility very carefully and with great integrity. As long as the Foundation Board and the Executive Committee had the confidence in the committee to do that, he would be happy to lead the Compliance Review Committee; if they did not have that confidence, he would step down immediately. That was the procedure. He wanted to remind people because there appeared to have been some misunderstanding. That was the process and the new regime, and there would be a couple of cases discussed and the members would see how the new regime and procedures applied. Those were his initial comments.

PROFESSOR ERDENER said that Mr Taylor had mentioned something based on some of his comments the previous day and, that morning, he had made a very short comment related to the Compliance Review Committee. He would say one thing from his position in an objective manner: there was a risk of the Compliance Review Committee taking political decisions or adopting a political position, and it should not do that. He wanted to repeat that.

MR BAUMANN thanked Mr Taylor for the explanation. It was a new phase and, as with any new phase, one learned. Therefore, it was only fair to discuss and see what came up during the new phase, things that might not have been thought through thoroughly because WADA had tried to implement the standard as fast as possible in response to the call made. The first comment he wished to make was the same he had made earlier that morning: it was not about calling into question the Compliance Review Committee or the compliance review and the teeth that WADA had sought to give to the system through the international standards. It was absolutely fair that WADA coordinate the actions of signatories in the event of violations or non-compliance. Where he did believe there was some room for improvement was that it should probably be the role of the Compliance Review Committee or the Executive Committee to assess in more detail the ramifications of a proposal. It was too easy to say that whoever was affected could go to the CAS. There could be serious debate about the ramifications before a decision was taken to push that forward and assert non-compliance. It was not a question about the system, but simply about trying to make sure that the process was fair, as stated in the bye-laws of the Compliance Review Committee, that it was independent, impartial and non-political, and there were some improvements he would certainly like to suggest over the coming months. Mr Taylor had said that the Compliance Review Committee made judgements and, when a committee made judgements, there was room for appreciation and, when there was room for appreciation, the Executive Committee had the right to call them into question if it felt that the judgements went too far or not far enough. That was something that he felt very deeply about because the ramifications did not affect only one signatory but many others and many athletes, sports and countries, and they were not to be taken lightly.



MR POUND thanked Mr Taylor for the explanation. Listening to what the Compliance Review Committee did and listening to the concerns expressed, it seemed to him that it all boiled down to the Executive Committee taking its responsibility with respect to a recommendation that had come from the Compliance Review Committee. It was not a question of whether or not it had done its work properly or independently (and it sounded like it did do it independently) but whether the Executive Committee was prepared to accept the initial finding with a recommendation, and it was entitled to ask for details or rationale, but he did not think it should call the process into question. What was a political decision in the context in which it was being thrown out in front of the Foundation Board? It was an exercise in judgement by an independent committee established for that purpose by everybody there. The Compliance Review Committee had done its job and the Executive Committee members might disagree with the recommendation or the conclusion, but that was no reason to attack the existence of or method of working of the Compliance Review Committee. He hoped that the members would be able to get over that hurdle. It was adding no value to the discussion and it was not shedding any light; all it was doing was creating heat.

MR BAUMANN said that he thought that WADA was in the first phase of the new system and the Compliance Review Committee had a role and he felt, and would be happy to expand at great length, that there were some flaws in the process. That did not call into question the fact that the Compliance Review Committee was there, had to be there and carry out a role, and the Executive Committee had to play a role. He thought that some things could be corrected so that the Executive Committee would have a choice of decisions to take instead of one clear direction in a case. That was just one example, but there were other examples and he would be happy to give them.

MR RICCI BITTI supported completely what Mr Baumann had said. Nobody was arguing about the process. It was sad because it looked as if somebody didn't want to be tough. A recommendation to the Executive Committee was not the perfect process. There should be options, an explanation and a report, and he believed that it should be exploited in the future to make it more effective. He knew the ramifications. They were unbelievable, affecting an unbelievable number of stakeholders who had nothing to do with the issue. The failure was sometimes not a doping failure, such as the case in question.

THE CHAIRMAN suggested that the comment on the political element had been made and dealt with. He would, however, be interested to hear what Mr Taylor said about the other comments.

MR TAYLOR fully agreed with Mr Baumann that the rules were new; it was a living document, and there should be a full review of how the rules were working to make sure that they were working as intended and, if anybody wished to bring that forward, he would have absolutely no issue with that at all. With respect, Mr Pound was right. The Compliance Review Committee would make a recommendation and explain the rationale for its recommendation, and it would be for the Executive Committee to discharge its responsibility to determine whether or not it agreed with that recommendation and then make its decision. That would be public and for everybody to see. There was a mechanism that included, if the Executive Committee did not agree with the recommendation or wanted it to be revisited, sending it back to the Compliance Review Committee and then the Compliance Review Committee would come back again and the Executive Committee would either go with its recommendation or go with another decision. Nevertheless, it was correct to say that there was a judgement made by the Compliance Review Committee as a recommendation and then it was for the Executive Committee to exercise its judgement and decide whether to follow that recommendation or not.

THE CHAIRMAN thanked Mr Taylor. There had been a high quality debate. A situation had been identified. He was grateful to Mr Taylor for the way in which he had responded to it and he was grateful to Mr Baumann for the way in which he had brought it up. The situation would be resolved and WADA would move on.

## DECISION

Compliance Review Committee Chair report noted.

### **10.1.1 Russia**

MR KOEHLER said that he would provide an update on the situation regarding Russia. As the members would recall, on 18 November 2015, RUSADA had been declared non-compliant by the Foundation Board. Since that time, WADA had continued to work with the Russian ADO, the Russian Ministry of Sport, the NOC and the Smirnov commission to try to build RUSADA into a credible and reputable anti-doping organisation. In order to do that, WADA had engaged UKAD during the time of non-compliance to fill the

gap to make sure that there was testing happening in Russia, and WADA had also engaged two international experts being paid by Russia/RUSADA, and they responded and reported directly to WADA. There was currently one full-time international expert. To make sure that the governance of RUSADA was working according to expectations, WADA had engaged a representative of the Council of Europe to sit in on every meeting of the RUSADA supervisory board, and that continued to be the case. Since May 2017, when the Foundation Board had taken the decision to allow RUSADA to start testing (it had commenced testing in July 2017) it had been using its own doping control officers and had also engaged IDTM and PWC, which were private sample collection providers, to carry out testing among Russian athletes. Access to the closed cities seemed to be working well, with the RUSADA doping control officers gaining access to the athletes. WADA continued to monitor the situation and update the Compliance Review Committee. WADA encouraged more transparency with RUSADA and, based on a request from the WADA Athlete Committee, RUSADA was also ensuring that all athletes were tested and statistics would be publicly provided on the website. The latest update had been posted the previous Thursday. All samples collected in Russia were being sent out of Russia to a WADA-accredited laboratory, with the exception of blood, as there was a WADA-approved blood laboratory to do Athlete Biological Passport analysis.

Looking at what had been done to date, as of 13 April, RUSADA had conducted 2,691 tests, of which 1,060 had been in competition and 1,631 out of competition. Since 2017, there had been 35 anti-doping rule violations, of which 26 had been adverse analytical findings. The rest fell into other categories. On result management, there was an independent committee for result management hearing all the cases. WADA maintained oversight of all cases. UKAD also provided oversight. WADA had the right to appeal any decision made by the committee.

On investigations, WADA had been working with RUSADA to enhance its investigations programme and it had been doing some good work. In fact, recently, the members would have heard about the Viktor Chegin case with the race-walkers in Russia. The coach had been found to be still coaching athletes in Russia. It had been the Russian ADO investigative team that had gone in and taken pictures and videos and documented everything. As a result, consequences had been imposed on athletes and athletes had been informed about the consequences of prohibited association when it came to working with that coach in particular. The information had also been shared with the IAAF, which had acted accordingly in terms of sanctioning or removing the ability for those athletes to compete.

WADA still had oversight of what was happening in Russia and, as had been mentioned previously, there had been an audit conducted from 27 to 29 September 2017. A series of corrective actions had been put forward and RUSADA had since successfully achieved all of its corrective actions. Also, based on a recommendation from the Compliance Review Committee, WADA had written to RUSADA and indicated that it needed to extend the agreement for the international experts and UKAD. In April, the supervisory board had approved an additional one-year extension to cover the cost for international experts and UKAD oversight. Those experts would be in place until April 2019. There was still a condition to have a WADA follow-up audit and that would be determined at a later date, and WADA continued to ensure that the supervisory board maintained its independence.

There were challenges, but WADA had really moved forward with RUSADA and it had done a great job in terms of organisation. WADA had spent a lot of resources on that project (financial and human). WADA also needed to make sure that the Russian authorities ensured that they protected whistleblowers and informants and that there was no more challenging of the McLaren report by the Russian media and officials. The decisions by the CAS on the Russian cases from the Olympic Games in PyeongChang had created confusion and had given the Russian authorities ammunition to challenge the report.

In summary, RUSADA had come a long way in its development, but RUSADA was one piece of the pie. To have a robust anti-doping organisation, all stakeholders in Russia needed to be committed to clean sport and support the work done by RUSADA. WADA was committed to continuing to work with the Russian authorities and RUSADA to ensure that it built a robust programme. WADA would continue to share all of the information on progress with the IAAF and the IPC and would continue to align its development work.

THE CHAIRMAN asked Mr Taylor if he wished to add anything.

MR TAYLOR explained that the Compliance Review Committee had met the previous week to discuss the matter. At that stage, in terms of developments since reporting to the Foundation Board in Seoul in November, as of the previous week, the closed city protocol appeared to be working according to WADA

reports whereas, in November, it had not been working, so that had been a positive development. As of the previous week, there had been no progress on the other two conditions, acknowledgement of the McLaren report and access to the laboratory for samples and data collected from 2012 to 2015. Two days previously, the WADA Chairman had received a letter from the Russian minister of sport and other signatories relating to the McLaren report and, as the members had heard, that had been referred back to the Compliance Review Committee to advise as to whether that met the first outstanding condition. The Compliance Review Committee would meet on 14 June to discuss the matter and come back with its comments. As to the other condition (access to the samples and data relating to the testing of those samples), the discussion had been about whether that was an appropriate condition, a political condition that could not or would not be met. He would take those comments back to the Compliance Review Committee to see if it wished to address this matter too when it went back to the Executive Committee with its views on the letter relating to the McLaren report.

MR GODKIN made a point of clarification. For the Compliance Review Committee to reconsider the matter and go back to the Executive Committee, did Mr Taylor have a timeframe in mind? Would it be at the next Executive Committee meeting or was it to be done out of session?

MS COVENTRY made a brief point. For the athletes' part, when mentioning that finance was a challenge, perhaps the wording could be looked at. It was up to WADA to do everything possible to regain the athletes' trust. She appreciated that it had cost a lot of money, but she did not see that as being a challenge.

MS SCOTT referred to the commitment from Russia regarding whistleblowers and their protection. She wondered about that given the current situation.

MR TAYLOR responded to Mr Godkin. The Compliance Review Committee would meet on 14 June and would report back as promptly as it could, hopefully within a few days of that meeting. It was for the WADA Chairman to address whether or not that would be considered at the September meeting or whether it would be brought forward sooner, but the Compliance Review Committee would certainly do its best to report within a few days of that date.

THE CHAIRMAN said that the fact that it cost a lot of money was a fact; it was not a challenge. It was one thing WADA could not walk away from and it did not.

MR KOEHLER answered Ms Scott. Every time he had heard in the media about attacks on whistleblowers or informants, WADA had written letters to Russia clearly stating that it did not agree with the approach and that it should stop immediately. WADA had received no response but continued to indicate that it could not and should not happen.

THE CHAIRMAN observed that WADA lived in changing times. There were changes happening in Russia as he spoke. There was a new deputy prime minister with the sport portfolio and the previous deputy prime minister had moved on to greater things. He was in contact on a very regular basis with RUSADA and people in Russia, particularly trying to make contact with the Russian Investigative Committee and, if it were possible to make proper contact and have an agreement with the Investigative Committee, that would help WADA to resolve the laboratory access issue. As far as the letter was concerned, it had gone to the Compliance Review Committee because, since he signed those letters on the members' behalf, he had had the benefit of the advice of the Compliance Review Committee for the past 18 months and there had been so many different exchanges of correspondence, it seemed that it would be wrong not to ask the Compliance Review Committee to respond to the current letter. WADA was active; if, however, it became clear that there was no progress, certainly that would have to be brought back to the Executive Committee. He hoped that there would be progress because WADA really needed to move on, most importantly in the interest of the athletes in Russia because, if WADA could not move forward and get Russia compliant, there would be media speculation and every time a Russian athlete won something there would be a question mark raised against them, and that was unfair. Thus far, every effort had been made to help rebuild the Russian anti-doping agency and make it an efficient body.

#### DECISION

Russia update noted.

## – 10.2 Compliance monitoring update

MR DONZÉ said that the WADA management had thought that it would be important to provide an update on the WADC compliance monitoring programme. The members would remember that compliance monitoring pre-dated 2017 but, in 2016 and 2017, the programme had been significantly beefed up and enhanced with an extra focus on the programmes of the signatories to the WADC as opposed to only a focus on the rules. The two main tools being used as part of the compliance monitoring programme were the Code compliance questionnaire, the self-assessment survey that all IFs and NADOs had received at the beginning of 2017, complemented by a compliance audit programme, whereby teams of compliance experts comprising WADA experts and external experts visited signatories to conduct a collaborative compliance audit and came back with recommendations for the relevant signatory. WADA, of course, was in a position to collect and also receive information through the existing tools such as ADAMS and others including Speak Up! It received all kinds of information on signatories that was also useful as part of the Code compliance monitoring programme.

He reminded the members of the Foundation Board that the focus of the compliance monitoring programme was enhancing the global quality of anti-doping worldwide in a collaborative manner. There was an International Standard for Code Compliance by Signatories that allowed WADA and the Compliance Review Committee to recommend consequences for signatories that ultimately did not reach a stage of compliance. The whole process before that was really aimed at ensuring that, together, WADA and the signatory in question could enable the signatory to reach a level of compliance that was sufficient so as to not enter a procedure of non-compliance, which took a fair bit of time and went through various stages, as he would show the members later.

One of the elements of the compliance monitoring programme, through the Code compliance questionnaire review and compliance audit, was the concept of corrective actions, whereby following the review of the Code compliance questionnaire and compliance audits conducted by teams of experts, WADA sent corrective actions to the stakeholders which were classified by order of severity and accompanied the stakeholders in the implementation of the corrective actions. He was sorry if the members were unable to see all of the details, but the slide was important because it showed the whole process (which was ISO-certified) through which a signatory went (and it was not WADA's wish) if, ultimately, the signatory was in a situation in which the case needed to be escalated to the Compliance Review Committee and then the Executive Committee for a decision.

He had said earlier that the Code compliance questionnaire had been launched in February 2017. The members could see that a tiered approach had been adopted through which a number of signatories, in particular Olympic IFs and NADOs of major sporting countries received a review of the Code compliance questionnaire before others. It was a staggered approach, achieved through teamwork, to go through the various questionnaires and then work with the signatories to implement the various corrective actions.

He gave the members an idea of where WADA was in terms of the corrective actions reports sent and the corrective actions implemented by signatories. They should not look at the numbers in absolute terms because the process was a really dynamic one, so if they saw that only 16 IFs and 18 NADOs were fully compliant, that would be slightly misguided, because the work was dynamic with various timelines that evolved. The members had seen the process, and every day there were new IFs and NADOs added to the list of signatories that had implemented all of the corrective actions.

In terms of the audits, since the end of 2016 (because the pilot audit on the Kenyan NADO had taken place at the end of 2016), there had been 16 audits conducted to date by WADA in relation to compliance matters. The signatories that underwent audits were selected by WADA's compliance task force and endorsed by the Compliance Review Committee based on criteria in the International Standard for Code Compliance by signatories. Those included information received as part of the Code compliance questionnaire, the fact that the country was hosting a major event, the fact that the sport might be a high profile one in terms of potential doping or risks, and so on. The 16 anti-doping organisations had received a visit from a team of experts and many were currently in the process of working with the teams in Montreal to implement corrective actions. The members would see that there were more NADOs than IFs; that could be explained easily by the fact that, while IFs were responsible for anti-doping programmes in their sports, the NADOs were more numerous than IFs and they devoted all their time to anti-doping, hence the particular focus on NADOs within the process. The members would also see that there were audits scheduled for the coming three months and there would be more until the end of

the year, when the bar of 20 anti-doping organisations should be passed. That gave the members a good idea as to the scope and extent of the work being conducted. More than 4,000 corrective actions from the Code compliance questionnaire and audits had been provided by WADA to signatories. The 4,000 corrective actions could go from minor non-conformities to more significant ones, and that showed the extent of the work being done and also the extent of the work being done by the stakeholders. WADA saw it as a very collaborative exercise: stakeholders had generally been very positive about the process and over 1,200 corrective actions had been implemented by stakeholders to date. That was significant because, in his view, every corrective action implemented really contributed to taking the global protection of integrity of sport and clean athletes to a higher level.

One interesting element that had come out of the whole exercise was the feedback received from anti-doping organisations. He had been expecting more resistance at times, but WADA had received overwhelmingly positive feedback from the NADOs and IFs welcoming the process because it had allowed them to carry out some introspection. Everybody, organisations and humans, could benefit from some introspection, and some had really seized the opportunity of the exercise to enhance their anti-doping programmes. He gave the members an example: a number of NADOs in particular had really taken the exercise to heart to push for a change either in legislative terms or to address a number of policy challenges or programme issues in their own jurisdictions, and probably the most striking example was that of Argentina, a country that, within a couple of months, had managed to pass a law strengthening the power and jurisdiction of its NADO over the National Federations and ensuring that they would work together to benefit clean sport in the country.

He had thought it would be interesting for the members to look at some areas of high compliance, as could be seen on the slide, and areas of non-compliance, which were on the next slide. The slide showed some of the areas in which a review of the questionnaire had revealed pretty high compliance by signatories, and he would not provide all the details but he thought it was interesting. Those commonalities were brought back to the programmes to ensure that, where there was high non-compliance and where there were trends, WADA could develop tools and support could be developed in order to further support and assist the stakeholders. It would probably come as no surprise to the members, but it was an interesting element: in the trends, it could be seen that the signatories struggled quite a bit with everything that had to do with intelligence and investigations. Of course, it was a new area. The area of sample retention and analysis was also a very complex one that was being taken back home, and WADA was developing ways and means to further support the stakeholders in those particular areas.

It was a very ambitious exercise and it naturally went with a number of challenges. The challenges were that, if WADA was to do its job properly, it almost automatically led to a relatively high number of corrective actions and he did not want to discuss financial resources there, but WADA had (like all organisations) limited human and financial resources and, even though the teams had been strengthened, there was still a limited number of experts to follow up and conduct the exercise. Looking to the future, one of the big challenges after the Code compliance review questionnaire exercise, the review, follow-up and implementation of the corrective action reports was really to see how to ensure continuous monitoring of the signatories before the next Code compliance questionnaire, to be distributed at a date to be determined. One of the priorities that WADA had as part of the programme was also to look at further potential synergies with other existing compliance monitoring programmes. There was a pretty successful partnership with the Council of Europe, in particular in the area of compliance, and number of joint visits by the Council of Europe and WADA were being conducted to countries for audits and in terms of the monitoring of its convention, and WADA was looking at extending that with UNESCO, since it was also monitoring compliance with its own anti-doping convention. He hoped that WADA would progress cooperation with UNESCO over the coming months.

The conclusion of the WADA management was that it was a very positive exercise; it was extremely demanding, but it was seen to bear fruits on a daily basis and enhancements in the global anti-doping landscape could be seen. It was of course taking time; it was one step at a time. He had been talking about more than 4,000 corrective actions and they could not be implemented in a day or week. It was necessary to continue to work together to sustain the effort to try to continue to make a difference collectively and enhance the quality of anti-doping worldwide, but certainly what had been seen to date had been very encouraging. That concluded his presentation, and he would be happy to take any questions.

THE CHAIRMAN acknowledged that it was a huge effort.

MR BAUMANN congratulated Mr Donzé on the work done; it was impressive. He had had a chance to review a compliance report related to his own federation. It was very impressive. Of course, his federation had had to work hard to respond to the corrective actions, and he thought that it had been very helpful process within the federation. He was sure that it was the same for all the signatories going through it. He knew how hard it was to monitor and do that. There was one point he wanted to raise: the audit part. A number of countries had been mentioned and then four sports, and Mr Donzé had indicated that there were criteria related to the selection. That was another example of the need to bring the members up to speed, or perhaps he had not read the right paper, in which case he apologised in advance. What were the criteria for an audit? Mr Donzé had referred to high-risk sports. Was he saying that football and handball, which had been mentioned, were being indicted or quasi-indicted? WADA needed to be careful in terms of prioritisation and the basis for prioritisation but, if it was about high risk and throwing out four names or eight countries (he could not remember how many) it was a sensitive matter.

MR DONZÉ noted that Mr Baumann had made a very valid point. His colleague Mr Ricketts would be able to answer the question about the criteria. He thought that WADA saw it as a way for a country and sport to show what it did. He certainly did not want to discriminate; he understood the point raised and acknowledged it, but Mr Ricketts could explain the specific criteria and why the particular sports had been selected. WADA tried to have strict and objective criteria, and the idea was not to discriminate against one sport or one NADO.

MR RICKETTS said that, in the International Standard for Code Compliance by Signatories, there were criteria on which signatories might be selected for an audit. Without going through all of them in detail, there were the outcomes of the Code compliance questionnaire undertaken, the performance of the signatory in terms of that (of course, that was self-assessment as well, so there were some limiting factors to it), other factors including past involvement of WADA in terms of Partnership to Quality programmes and the outcome or performance of the IF or NADO's reaction to such partnerships, whether they had collaborated or not. He was listing just a few criteria, but article 8 contained the detail.

MR BAUMANN understood, therefore, that it had not been a statement about football or handball having a greater risk of doping compared to other sports. He assumed that that was the answer.

THE CHAIRMAN thought that Mr Baumann could assume that; he had not checked the statistics, but he assumed that basketball was compliant.

He thanked Mr Donzé. It was a huge effort; the members would have noted the question raised by Mr Muyters about the priorities for the modest amount of additional funding that would be available and that Code monitoring had been high on the List.

#### DECISION

Compliance monitoring update noted.

#### **– 10.3 Code compliance status change: Kuwait**

MR TAYLOR said that the Compliance Review Committee had recommended that Kuwait be reinstated, and that had been accepted by the Executive Committee. There had been a comment made that morning. To be clear, the reason why the Compliance Review Committee had recommended in November that the Foundation Board declare Kuwait non-compliant had been Kuwait's failure to respond to certain requests for information that WADA needed in order to determine Kuwait's compliance with critical requirements of the Code. That information had now been provided and, therefore, the reasons for which Kuwait had been declared non-compliant had been corrected. There was a broader issue of concern about government interference in sport generally in Kuwait. As far as the World Anti-Doping Code was concerned, there would be a specific concern in the event of interference with the operational independence of the NADO or the National Olympic Committee. No evidence of any such interference had been brought to the attention of the Compliance Review Committee. If the taskforce looked at that and then brought issues to the attention of the Compliance Review Committee, the Compliance Review Committee would deal with those and, if necessary, bring them forward.

#### DECISION

Proposed Code compliance status change approved.

– **10.4 New recommendations of non-compliance**

MR TAYLOR said that, in the original paper, before the update the previous week, the Compliance Review Committee had been going to recommend that the Executive Committee assert that the Indian and Mexican NADOs were non-compliant based on their failure to correct certain critical non-compliances. However, those had all been corrected, according to the WADA taskforce, and so the Compliance Review Committee had decided not to bring forward that recommendation. Therefore no recommendation had been made the previous day to declare them non-compliant.

There had been a recommendation that AIBA be declared non-compliant, together with a recommendation as to the consequences to be proposed. The Executive Committee had asked the Compliance Review Committee to consider various ramifications of those consequences in order to decide whether or not it considered them to be proportionate. On 14 June, the Compliance Review Committee would consider the AIBA matter. The principle of proportionality was set out in the International Standard and it meant two things: the sanction should not go further than necessary, but also it should go as far as necessary to achieve the desired outcome of compliance. That was the balance that needed to be struck. It was certainly a judgement and it was eventually a judgement for the Executive Committee, not the Compliance Review Committee. The Compliance Review Committee would consider carefully the matter discussed the previous day and come back with a recommendation, again hopefully within a few days of its meeting on 14 June.

MR KRYUKOV thanked Mr Taylor. He clarified that government interference had occurred in the past. He understood that a letter or something had been sent, which was why the Compliance Review Committee was recommending lifting the suspension. Had the obligation been fulfilled or not? When a body was suspended, there were conditions.

MR TAYLOR responded that the reason for the declaration of non-compliance was that it had failed to provide information requested by WADA in order to enable WADA to determine Kuwait's compliance. It had provided two things in response to that: details of the current system, and one of the particular issues had been whether the current system acknowledged the CAS as the ultimate appellate authority, and what had been produced had demonstrated to the satisfaction of the WADA taskforce and the Compliance Review Committee that it did acknowledge the role of the CAS as the ultimate appellate authority. It had also provided for information a new law that it said was being put through the parliament and a calendar for it. That was noted and it was of interest, but it had not been part of the reasons for non-compliance. It was certainly important for WADA and he understood that WADA had looked at the new law and made comments on it, but the Foundation Board had not declared it non-compliant because it had not brought in a new law. It was a separate issue and therefore not a condition for reinstatement that it bring in a new law. The condition that the body had had to meet was to provide information about the current system so that the WADA taskforce could be happy that it was compliant. That was what it had done. He understood that there were still concerns among some members about the situation in Kuwait, and it would be for the taskforce to assess those and decide whether or not to bring them to the Compliance Review Committee and for the Compliance Review Committee to decide whether or not to make any recommendations to the Executive Committee in the future in respect of those concerns.

THE CHAIRMAN said for the record that, the previous day, after a long debate on AIBA, the Executive Committee had taken the decision to refer the matter back to the Compliance Review Committee, and that had been done.

MR GODKIN noted, on a broader compliance matter, that Australia had recently had the honour of the Chairman's attendance at the 2018 Gold Coast Commonwealth Games and he had been able to closely observe the anti-doping programme implemented prior to and during the event. He would of course await the Independent Observer report, but the commentary to date indicated that the anti-doping response mounted, particularly by the NADO involved, had been of a particularly high calibre. He raised the issue because, regrettably, it appeared to be an ongoing narrative, which unfortunately had occurred again the previous day and that morning, that the revelations relating to RUSADA and others somehow cast doubt on the integrity of the broader NADO community and that they shared a low common denominator. Not only was the insinuation misplaced, it was deeply offensive to the NADO community and the many governments that invested very considerable resources in sustaining highly effective, independent and accountable anti-doping arrangements. He therefore hoped that the divisive and unhelpful practice would cease.

THE CHAIRMAN commented that he was not sure that he would agree with the description, but he could definitely say that he had taken the trouble to speak to the chairman of the Independent Observer team and could confirm that ASADA, the Australian ADO, had done about as well as could be done.

MR BAUMANN reacted briefly. As ADOs, both the NADOs and IFs had a very important role to play in providing services for the WADA community. If they stuck to that, there was no reason to be divisive. It was a matter of trying to be as compliant as possible with the WADA Code, doing their job in the fight against doping in sport, but also remembering that they were service providers. Therefore, the sport movement felt extremely uncomfortable when NADOs took a different view and expressed political opinions as to what WADA should or should not do. That was not exactly the role of NADOs, and it should not be the role of IFs in their capacity as ADOs. Everybody wanted to be well equipped for the fight against doping in sport, and he was not interested in divisive discussions. It was, however, a fact that not all were at the same level of quality. Everybody faced problems and difficulties. It was simply necessary to work harder to create a better army of ADOs.

#### DECISION

New recommendations of non-compliance noted.

### **10.5 World Anti-Doping Code and international standards review update**

MR SIEVEKING informed the members that the first phase had gone well. The Executive Committee had reviewed the first draft the previous day. That draft would be circulated on 4 June for the second phase. Also, for the second phase, most of the international standards would be out for consultation. The members had the details in their files. WADA had received approximately 65 submissions comprising 700 comments and approximately 350 pages of comments, and the team had held many meetings with stakeholders during that phase. Obviously, the number of meetings would increase during the second and third phases to ensure that all stakeholders had a possibility to address their concerns or to provide their comments directly to the team.

MR YOUNG informed the members that the reason the Code had been a fair and effective document for combating doping was because of the very valuable feedback received from the stakeholders and their constituencies over the past decade-and-a-half. Every single submission was read very carefully and, quite frankly, it made the team smarter. Therefore, he asked the stakeholders to reach out to their constituencies and have them tell the team what they liked and did not like about the Code and what changes or new ideas they would suggest.

The team had submitted to the members the revisions to the Code in the first draft of the review process. There would be three drafts and, typically, the feedback received before the first full draft was the least of the three levels of feedback received. What the team was expecting and hoping for was a lot more feedback since the first draft was out; then there would be a third draft after that. The members had the full draft and a ten-page document in their files which was the highlight summary of what the team considered to be the most important articles, and he wanted to briefly go through the highlight of that highlight.

Starting with science-related questions, the reality was that the laboratories had become way better at detecting minute quantities of prohibited substances. Only a few years previously, he had received a case for 4 or 5 ng of a prohibited substance, and that had been a low-level positive. He was currently getting cases at 4 or 5 pg, which represented a thousand-fold difference, and there was good news and bad news associated with that. The good news was that WADA was much better able to detect the very tail end of an excretion curve of the intentional use of a prohibited substance. The bad news was that the potential for finding contamination in a product (be it meat or a supplement) had gone way up. The team was therefore proposing working with the scientific group to try to solve three specific problems, the first of which was clenbuterol contamination in meat, principally from Mexico and China. The best solution that the team saw was that those cases be investigated as atypical findings but, currently under the Code, atypical findings applied only to endogenous substances. Therefore, the team was proposing a change. Second, there were some substances that the team knew to be contaminants and that showed up in athletes' urine. The burden was on the athletes to demonstrate where that positive test had come from. Often they could not do it but, having been in that situation in individual cases, one really believed that that was not the tail end of an excretion curve: it was a contamination situation. The team was talking to the scientists about whether it might be possible to raise a reporting threshold to weed out those very low-level positive tests from substances or involving substances that were known to be



common contaminants. A related issue was the presence in competition of a substance used out of competition and permitted out of competition. The problem there was that, again, very trace amounts were being found in the in-competition samples of something athletes had been allowed to use out of competition, it was not performance enhancing and, therefore, again the team was asking the scientists for help with that.

The next issue was more rigorous standards for fair hearings. Looking at article 8 of the existing Code, it said that there would be a fair hearing by an impartial hearing body with a timely decision. There were three good principles. What had been heard from a number of stakeholders in their feedback was that, in practicality, that was not being followed by all stakeholders and, indeed, there were situations whereby an individual did the investigation, that individual decided to bring an anti-doping rule violation and then that individual was involved as a decision-maker in the hearing and the case. The request was for a more robust description of what was required for a fair and impartial hearing. He agreed with that suggestion. The question was whether to build all that detail into the Code, and the team was always mindful of making it an even longer, more complex document, or whether to build it into an international standard.

On anti-doping service providers and delegation of doping control functions, he had two points. He had frequently been asked whether anti-doping organisations were allowed to delegate their responsibilities under the Code. The Code modifications made it absolutely clear that they could delegate but, if they did, they still remained responsible, so it was up to them, through contracts or otherwise, to make sure that their service providers were following the requirements to the Code and the international standards because they would be responsible. Another issue was whether or not WADA should get into the business of certifying service providers, be they PWC, IDTM, the ITA or whatever. That was a decision that WADA had to make, and the team had made no decision or recommendation there.

On changes related to sanctions, a number of anti-doping organisations had reported the scenario of an athlete who tested positive for a steroid facing a four-year ban and the athlete then came up with fraudulent documents and fraudulent testimony from third-party witnesses, and there was nothing to lose. The worst that athlete could do was get four years, so there was no consequence for that fraudulent behaviour. The team had reintroduced the concept of aggravating circumstances in the Code; it had been there in 2009 and, for that conduct, there could be an additional period of ineligibility imposed of zero to two years.

There was currently an inconsistency between the upper end of the sanction for administration and the sanction for complicity. The team had made the upper end of the sanction for complicity the same as that for administration which was potentially a life ban.

The next point was more flexibility in the imposition of sanctions on minors and a new category called 'recreational athletes'. Under the current Code, anti-doping organisations did not have to test recreational athletes. A number of countries, particularly in Scandinavia, did so as a matter of public health. They did not have to test them for the full menu but, if they did test them and the athletes tested positive, the full range of Code sanctions applied. The problem was that, if one took an absolute recreational athlete in a country and they tested positive for cocaine, that had to be publicly reported and what had started out as a health exercise ended up causing the person to lose their job and be scorned. The team had therefore allowed for greater flexibility in reporting and a couple of other aspects of the sanctioning for those recreational athletes.

There were three changes with respect to sanctioning minors. Currently, if an athlete tested positive for a steroid, it was their burden to show that it had not been intentional and they would not get four years. In the case of minors, that burden had been left with the anti-doping organisation. Second, to establish no significant fault, a minor did not need to demonstrate where the prohibited substance had come from. On the other hand, the team had received a lot of feedback from athletes saying that there were many 16- and 17-year-olds at the international level who were competing with adults and that the special benefits for minors under the Code should not apply to those 16- and 17-year-olds competing at the top international level. The team had therefore said that 16- and 17-year-olds in the international registered testing pool or competing at the international level would not be treated as minors.

In the current Code, there were rules on timely admission and prompt admission. The original purpose of those rules was that, if the athlete came forward and voluntarily confessed, saving the anti-doping organisation the time and the money of going through a hearing, there ought to be some incentive. It had not been working out that way because they said that they did it but they wanted a

hearing on what the consequences should be. That had therefore been changed to say that, if they agreed that they had done it and they agreed to the consequence, with the consent of WADA and the anti-doping organisation, they could get the benefit of a lesser sanction. As he had mentioned before, the concept of aggravating circumstances had been added.

The next issue was multiple violations. Taking the scenario of somebody who had been on a doping cycle for two weeks and then went to a world championship and was tested three times, the current rule said that they did not get a second violation until they had been notified of the first. That made a lot of sense. One should not get one, two and three strikes before knowing that one had had a first strike. It made no sense in the event of a positive test on IOC retesting in the 2008 Olympic Games and another in the 2012 Olympic Games. The team had therefore introduced the concept of separate culpable acts presumed to be at least one year apart.

Finally, the rule on forfeited prize money currently said that it went wherever the rules of the IF said it went. In most cases, the IF said it went back to those athletes who had been cheated. At the request of the athletes, the team had simply added that to the Code.

On the protection of informants, there were three things. First, the team had said that, if a person tried to intimidate somebody into not reporting a Code violation in good faith, that was an anti-doping rule violation and, if somebody reported and the person retaliated against them, that would also be an anti-doping rule violation. In the roles and responsibilities of signatories, the team had added the obligation to have such protection in their policies. There was an old saying: never waste a crisis, and a number of other things had been incorporated in the Code and would be incorporated in the international standards in response to the doping problem in Russia including, for example, a reemphasis on the independence between the operation of laboratories and government and anti-doping organisations, and a recommendation by the stakeholders to governments that they needed to let doping control officials into their country, give them access to closed cities and allow samples to come out of the country. Another was that, whether one was in a ministry of sport or an anti-doping organisation, if one was a director, officer or employee who worked directly with anti-doping, one should agree to be bound by the terms of the Code.

Another issue related to protection of information was a change to the substantial assistance article in the Code. Currently, a person could get a reduced period of ineligibility for providing substantial assistance in connection with an anti-doping rule violation case. That had been expanded to providing information in connection with a Code compliance case and it had also been expanded to providing information in connection with another sport integrity case.

There were two parts to the process for becoming a signatory issue. One was substantive criteria to be applied and the next part was where to put it. Should it be put in the Code or in a separate guideline? The team was still receiving comments on that.

There was a series of open questions that the team had felt it would be more appropriate to address after other groups had provided their input. There would be changes in the Code with respect to data privacy, but the team had wanted to see what the working group on data privacy would come up with. There would be changes with respect to education, but the team had wanted to see what the education working group and the Education Committee came up with and would take its direction from them. On good governance principles, and that could be related to the monitoring of WADA's performance as well, the team wanted to see what the working group on that came up with, but there would be changes on both of those. There was a reference to the Anti-Doping Charter of Athlete Rights under the fundamental rationale at the very beginning of the Code. The team had added a sentence that spoke about a level playing field and the protection of athletes' health as provided for in the charter, but that was very general and aspirational. Depending on what the charter ended up looking like, there might be other aspirational language or parts of the charter that should be included in the roles and responsibilities of stakeholders, or even in the list of anti-doping rule violations.

Finally, Code compliance would continue to be discussed and there might or might not be changes in the compliance standard or the compliance sections of the Code.

THE CHAIRMAN thanked Mr Young very much indeed; that was a major exercise, which WADA took on with enthusiasm and normally once every six years. Were there any questions?

MS BATTAINI-DRAGONI said that she had been a little surprised about the question of minors and the way in which 16- and 17-year-olds were dealt with. She had immediately thought about the UN

Convention on the Rights of the Child, which considered young people to be children up to the age of 18. How did the team react to that? To what extent could separating the category (and she understood the arguments for that) be a problem in the event of an appeal because it was not in conformity with international law?

MR POUND noted that he had been looking at attachment 1 to the written report on the emphasis of health as a rationale. Over the years, there had been fairly strong representations that the requirement for something to be demonstrated as harmful to health was a standalone category, and it had always been bunched with the other criteria. He was wondering whether WADA was heading back to territory where that bifurcated requirement might come back to haunt it.

MR OKYAY expressed his appreciation for the informative and detailed presentation. On behalf of the European group, he reminded the members that Europe had made considerable submissions during the first consultation phase of the review process and, bearing that in mind, expected that the views of Europe would accordingly be taken into account in the second consultation phase since Europe was fully prepared to engage quite actively. He conveyed the apologies of Mr Kiliç, whom he was representing due to critical upcoming elections in Turkey which made it quite difficult for an active politician to leave the country. That was why Mr Kiliç had been unable to attend the Foundation Board meeting.

MR GODKIN referred to the new proposed violation 2.1.1 in relation to retaliation. He wondered why the team felt that a new violation was required rather than adjusting the tampering violation, which currently existed and dealt with matters of intimidation, etc.

MR YOUNG responded to the high-quality questions. The issue on minors was a tough one and the team would have to continue to work on that. There was a tension between international law and the strong feelings of athletes that their competitors standing on the podium next to them or ahead of them who were 17 and 16 years old should not be given any particular break, so the team would simply have to work through that one, but the question was a very fair one.

There was no change to the requirement to have two of the three criteria necessary in order to put something on the List. The emphasis on health was particularly responsive to the decision of the European Court of Human Rights, looking at health as a justification for the whereabouts system, and so what the team had done was move health up in the pecking order of a number of rationales considered in the anti-doping process.

On the European contribution, the team had carefully considered all of the contributions. There were a lot of aspects to be dealt with at the next level; there were other contributions with which the team totally agreed such as the problem of fair hearings, and it would address those either in an international standard or in the Code itself. Having done that for a decade-and-a-half, the contributions received from the European Union had been extremely thorough and extremely valuable.

On intimidation, it could be dealt with under tampering, but the team had thought that it would be important to specifically address it, because it had learned from the Russian crisis that it was something that was a particular problem and, if he were bringing an intimidation case, he would not want to have the issue of whether that was tampering or not tampering or whether it had had any effect and other similar issues. The team had decided to hit it head-on.

THE CHAIRMAN commented that Dr Rabin had edited a book with a whole section on contributions to anti-doping and there had been a contribution from Judge Jean-Paul Costa, the former head of the European Court of Human Rights who had made the point that the major reason for the success of the World Anti-Doping Code was the depth and quality of the revision process. WADA was very grateful to Mr Young and the Code Revision Team and looked forward to giving them much more high-quality work to do in the future.

MS BATTAINI-DRAGONI asked her WADA colleagues to take note of the fact that the contributions received from Europe had been contributions from the Council of Europe. Judge Costa was also being referred to. The European Court of Human Rights was part and parcel of the Council of Europe and not

the European Union. She was obliged to ask the Chairman to put her statement in the minutes of the meeting.

THE CHAIRMAN responded that the meetings were recorded and the minutes were very accurate, and her statement would be recorded.

#### DECISION

World Anti-Doping Code and international standards review update noted.

### **11. Legal**

#### **– 11.1 Report from the Office of the Privacy Commissioner**

MR SIEVEKING said that he did not want to enter into great detail. The members had the report with the list of cases pending before state courts or the CAS. He would be happy to take questions. On the investigation by the Canadian Office of the Privacy Commissioner, there had been a preliminary report in December and WADA had signed an agreement with the office. The report had not yet been published. It contained a number of recommendations for WADA to implement. Most had already been implemented and others were under way, so WADA would comply with the Office of the Privacy Commissioner and Canadian law on data protection.

#### DECISION

Report from the Office of the Privacy Commissioner noted.

### **12. Intelligence and investigations**

MR YOUNGER promised to keep his presentation short. He would provide a brief update and some examples of outcomes achieved over the past one-and-a-half years. The members would see that there were different areas. One part still ongoing was a long-term project that WADA was about to complete over the coming weeks. He was in contact with the stakeholders in order to discuss the outcomes, and he was quite confident he would be able to report on it at the next meeting in November. The second part was the global operation with Interpol, tackling performance enhancement drug trafficking around the world. As it was still ongoing, he could not really report on it, but it was coordinated by Interpol and WADA supported the investigations. He was sure that he would be able to provide more information in November.

Since he had started in 2016, WADA had received 323 cases, which were allegations that had been formed into cases, mainly reported through Speak Up! The majority of the cases had been sent to ADOs for follow-up. Due to the lack of resources, WADA was not able to monitor all the cases and all the outcomes, which he would like to do, especially in order to identify patterns and new modus operandi. The members would see that his department was going to be running eight sophisticated cases. Considering that there were only two investigators and two analysts, it was almost too much for complex investigations. Nevertheless, WADA ran them because they were critical, and he would give an example of how time- and staff-resource intensive it was. All eight cases run by the department were based on whistleblower information, which underscored the importance of investing in whistleblowers. He gave some examples and he had tried to show on the slide the time and human resources used for each example. There were six examples.

That year, there would be two major operations. The first, of course, was Operation LIMS. At the end of October 2017, WADA had retrieved a copy of the Moscow Laboratory Information Management System, comprising data from 2012 to 2015. In six weeks, WADA had been able to reinstall the database and identify 63,000 individual samples, including around 9,000 presumptive adverse analytical findings. That had been shared with the IFs in December. In addition, it had been possible to retrieve all 63,000 steroid profiles of the samples. In order to be transparent, he had decided not to filter the result but to hand it over to almost 70 IFs. The last batch had been sent in March. It was currently up to the IFs to investigate. The only thing that had been done was categorise them from 1 to 5, with 1 being very suspicious and 5 being suspicious but not as suspicious as 1. He had requested an update from the IFs the previous week because he wanted to follow every single case, so he had asked them to come back

with their conclusions and, before they closed the cases, WADA would review them and give advice. It would then be up to the IFs to continue with a positive case or close the case.

The second investigation had been done the previous year. There had been an investigation into the Romanian laboratory, mainly addressing allegations against an alleged cover-up of samples to protect elite athletes in Romania. WADA had interviewed 11 people from the laboratory, reanalysed hundreds of urine and blood samples, examined documentation from the laboratory and e-mail communications and carried out open-source intelligence. It had been a very technical investigation, but WADA had found evidence to confirm a cover-up of the samples and the main actors in the laboratory had been identified. WADA had sent the report to the Laboratory Expert Group and the Disciplinary Committee and, based on that investigation, the laboratory had been suspended as of 29 November 2017. There had been a very constructive meeting two days previously with the Minister of Youth and Sports of Romania, Ms Bram. It had been a very good meeting and he was quite confident that the issue would be resolved as soon as possible. He thanked Ms Bram for the really constructive discussion that had taken place.

In June 2017, a German documentary had been published about a Brazilian doctor assisting athletes by prescribing performance-enhancing drugs. WADA had retrieved the complete footage and drugs prescribed. He had gone to Brazil and handed over all the evidence to the Brazilian prosecutor (who was very active) and to the police. The investigation was still ongoing. The problem was that, in Brazil, it was not against the law for a doctor to prescribe performance-enhancing drugs. WADA had involved the Brazilian NADO, ABCD, to find out if there was more against the doctor. WADA had sent a complaint to the São Paulo council of regional medicine about the behaviour of the doctor in question, and would follow up over the coming months. WADA had also tried to work out whether it might be possible to include the doctor's name on the prohibited association list in conjunction with the anti-doping agency in Brazil.

In relation to the investigation into the Kazakhstan biathlon team, in January 2017, the team had been searched by the Austrian police. At the same time, the IBU had got all the material but, as had been seen, there had been no action until April/May. WADA had asked the Austrian police to get all the material and had analysed and investigated alone, and had identified possible anti-doping rule violations against nine athletes and one member of the athlete support personnel. As there had been no action by the IBU until December, WADA had informed it about the outcome of the WADA investigation, and it had immediately taken action and informed the Italian police, and another raid had been carried out by the Italian police at the start of January 2018. The IBU had provisionally suspended the member of the athlete support personnel. WADA was currently still in discussions with the IBU to make sure that the nine athletes identified for possible anti-doping rule violations were dealt with properly.

Another thing that the department had done was participate on the panel for the IOC. His department had supported the 'Olympic athletes from Russia invitation panel' over Christmas (and his team was not very happy about the fact that he had destroyed their Christmas holidays). A wide range of information had been provided, including the investigations and intelligence from the independent commission and Operation LIMS. The result was that 111 of 500 athletes had not been invited, and he could say that based mainly on the intelligence provided by his team to the panel. In addition, he had been witnessed twice by the CAS and the tribunal in Switzerland and both had confirmed that the procedure put in place was licit, and it had really been a pleasure to work with all the colleagues on the panel because he had really seen the commitment to exclude all suspicious athletes.

Finally, in relation to the IBU, WADA had launched the investigation in October 2016, so it had taken one-and-a-half years and was an illustration of the type of timeframe required for a complex investigation. In October 2017, WADA had informed Interpol and the Norwegian and Austrian police that it would like to call an operational meeting. At that meeting, WADA had introduced its findings to the police and the information had been sufficiently compelling for the police to start their own investigation. Until April that year, WADA had supported the investigation and provided the police with the necessary information to complete their assessment, which had led to the raids in Norway, Austria and Germany on 10 April 2018. WADA currently had a very good relationship with the Austrian police and the prosecutor had agreed that WADA could have all of the information seized during the raids, so he would sit down the following week with the police to find out how to support the investigation. The police force was responsible and WADA would provide support in any way. That was another excellent example of law enforcement and WADA getting a really good result. As it was still ongoing, he could not comment or provide more detail about what had been found.

He raised one question that had been following him since he had started. It was always about the added value of an investigation, whether any athletes had been caught, and why whistleblowers were so important. Assuming what would have happened if WADA had had no whistleblowers and no investigators in 2015, there would have been no independent commission to identify athletes and coaches and suspend them. There would have been no McLaren investigation to help find out the modus operandi and the institutionalised doping. There would have been no operation LIMS to give an overview of what had happened in Russia since 2012 with all the suspicious tests. WADA would not have been invited to the panel that had excluded a significant number of athletes because of suspicious behaviour. Altogether, not talking about organisations such as RUSADA or the Moscow laboratory, but talking only about people who would still be in charge and competing, as well as anti-doping organisations (there had been investigations against ADOs) and the laboratories, WADA had made sure that 100 people would no longer be responsible or able to compete in sport. It was a number that spoke for itself. WADA did everything possible with a small amount of people, but he promised that more could be done if there were more resources.

THE CHAIRMAN thanked Mr Younger for his interesting report. Were there any questions?

MR ROLLAND said that, in addition to the elements from the McLaren report and as explained by Mr Younger, the IFs had received specific information from WADA's Intelligence and Investigations Department on the LIMS database and were currently working on the evidence to conduct individual cases. He made a general comment: the IFs were not sleeping; they were dealing with the cases very seriously, but it took time and some cases were certainly more advanced. The IFs were waiting for the outcomes. It was not a matter of being passive. The cases were not usual anti-doping rule violations and the legal aspects were even more crucial. Therefore, and that was the case in his IF, they did not want to move too quickly and risk failure because of procedural errors. All of that required resources and, most importantly, specific legal expertise to build stronger cases, as any sanction would then undoubtedly be appealed to the CAS. For small IFs, it meant a lot.

That led to his second comment, which was more of a suggestion or a request. He reiterated what had already been said. Each IF was dealing with its own cases on its own and, as most of the cases were quite similar, it would be effective and very much appreciated if it were possible to share the approach. His suggestion was simply that WADA (perhaps the legal team) organise a workshop to share, study and analyse the first cases when completed so as to be able to learn from them and possibly avoid mistakes. Certainly, stronger cases could be built and it would be possible to save time and money.

THE CHAIRMAN thanked the speaker for the highly relevant question. The question was broader than investigations, so he asked the Director General to deal with it

THE DIRECTOR GENERAL thought that Mr Rolland had a very valid point. WADA had been waiting for a number of cases to be decided by the CAS to know where the bar was in terms of the necessary evidence. The decisions before the Olympic Games were not the ones being referred to because they concerned the Sochi situation, which was different to Operation LIMS, which was not actually implicated in those cases, but there were several cases, in particular from the IAAF, which had already been pleaded at the CAS, and WADA was awaiting decisions to see what the reasoning was. He thought that it was an extremely good idea and he was sure that his colleagues had heard the comment. WADA would look into how it could provide guidance as to the level of evidence required. Of course, WADA would also have to do the exercise for itself, as it had a right of appeal and would have to decide when to exercise it or whether to exercise it. Everybody was in the same boat; therefore, he took on board the idea of the workshop to see how best to provide support and information without, of course, taking away from the fact that it would ultimately be the decision of the IF. WADA would provide as much information as possible when it was available. It was a very good point.

THE CHAIRMAN thanked Mr Rolland. As the members knew, it was his view and that of the IOC president that the IFs proceed along the lines being suggested and, if WADA could do anything to help, it would.

#### DECISION

Intelligence and investigations update and related suggestions noted.

## 13. Regional Offices

### 13.1 Europe/International Federation Relations – Lausanne

THE CHAIRMAN noted that Mr Cohen was not present. He would be leaving the Lausanne office soon, and WADA wished him every success as he took on the directorship of the ITA. Mr Cohen's report was in the members' files.

#### DECISION

Lausanne regional office update noted.

#### **- 13.1.1 2018 annual Anti-Doping Symposium report**

MR DONZÉ said that it had been mentioned that morning by Mr Ricci Bitti that the symposium was a growing success and he did not want to boast about that and was not there to congratulate his own organisation on hosting a successful event, but certainly the event had, over the years, become a very important one. It had become the largest event on the anti-doping calendar, the largest annual WADA event, and the members would have noticed that the name had changed ('ADO' had been dropped) because, over the years, attendance had been expanded beyond NADOs and IFs, as had been the case at the beginning (with major event organisers) to other stakeholders of the anti-doping movement (the laboratories, athletes and governments, in particular).

There had been a record number of registered participants and actual participants with close to 900 participants that year. That really created a number of interesting synergies with other WADA meetings. Of course, it was a great gathering with anti-doping practitioners from all sports and countries over three days, but it was also optimal to seek synergies with other WADA meetings, and he would not list all of the meetings and gatherings taking place on the side-lines or before or after the annual symposium, but there was quite an impressive list of events that took place in parallel or on the side-lines of the event. Over the years, WADA had always sought to find innovation and probably the biggest innovation that year had been a specific half-day dedicated to the work of governments in the fight against doping in sport. Having hosted some 30 government representatives the previous year, there had been around 70 participants that year. WADA had received encouraging feedback and would take that into account as it developed the symposium going forward.

The themes had been very much related to current issues and WADA always sought to do that. He would not go through all of them but WADA always sought to strike a balance between finding issues, presentations, formats and themes that resonated with the largest number of participants, also trying to cater to the various interests of the different participants by providing practical workshops, and the members could see a number of the themes used for that year's workshops. WADA would continue to look at ways and means of catering to the various interests and needs of the participants. When WADA received feedback (because it always sought feedback, formally and informally) from the participants, the Agency tried to get a grasp of the main outcomes, because it was beautiful to organise a successful symposium in terms of participants, but it was also necessary to ensure some kind of return on investment and some benefits for WADA, but also mostly for the participants. WADA was being told by the participants that it was very useful to be able to share practice and experience, but it was also a great way for them to learn from WADA and from one another. WADA also had an opportunity to learn from the different stakeholders and it created a virtuous cycle, which was quite interesting.

WADA was already looking at the following year, especially given the size of the symposium that year and the fact that WADA would like to continue to grow interest in the symposium. A decision had been taken to reduce the duration of the symposium from three to two days, mainly because, later in the year, in November, the World Conference on Doping in Sport would be held in Katowice, Poland, and WADA wanted to ensure that it did not ask too much from its stakeholders and did not want to put them into a situation whereby they had to choose between one event and the other. Therefore, WADA would really be focusing on a concentrated symposium in 2019 with a focus on aligning the content of the symposium with the key issues to be discussed in the lead-up to and during the World Conference on Doping in Sport in November that year. WADA had already started to discuss the organisation of the symposium and it would be held on 13 and 14 March in Lausanne; so, if the members had their agendas and were interested, he asked them to note down the dates. He was happy to have a growing number of Executive Committee and Foundation Board members as part of the symposium and WADA would continue to work very hard to organise the symposium to cater to the needs of the various stakeholders

and satisfy everybody. That concluded his short presentation, and he would be very happy to take any questions.

THE CHAIRMAN said that he was certain that Mr Cohen would have been very proud of Mr Donzé. It was a huge event, hugely successful, and he congratulated all those concerned. Were there any comments?

#### DECISION

2018 annual Anti-Doping Symposium report noted.

### **13.2 Africa – Cape Town**

THE CHAIRMAN asked if anybody had any questions to ask the director of the Cape Town office.

#### DECISION

Cape Town regional office update noted.

### **13.3 Latin America – Montevideo**

THE CHAIRMAN asked if anybody had any questions to ask the director of the Montevideo office.

#### DECISION

Montevideo regional office update noted.

### **13.4 Asia/Oceania – Tokyo**

THE CHAIRMAN asked if anybody had any questions to ask the director of the Tokyo office.

He thanked the three regional directors for their work; it was clearly much appreciated.

#### DECISION

Tokyo regional office update noted.

## **14. Government relations**

THE CHAIRMAN said that he would ask Mr Magnusson of UNESCO to speak briefly.

MR MAGNUSSON said that, since the adoption of the International Convention against Doping in Sport on 19 October 2005, UNESCO had always sought to strengthen cooperation with WADA. Obviously, the Prohibited List and standards for granting TUEs, which were fundamental to anti-doping efforts, were an integral part of the UNESCO convention. The WADA Code was crucial. Moreover, UNESCO and WADA had signed a memorandum of understanding in 2006 which had been revised on the occasion of the fifth session of the conference of the parties to the convention in 2015. Since 2013 and each conference of parties, UNESCO's anti-doping secretariat had submitted to the states parties a working document to forge convergence towards harmonising the monitoring of the respective norms of WADA, UNESCO and the Council of Europe. In addition, that matter had been clearly pointed out with a set of recommendations by the conference of parties at its sixth session the previous September: '1) Achieve better inter-agency cooperation, 2) Effectively strengthen cooperation on the monitoring of regulatory standards of each of the stakeholders based on a tripartite evaluation of the existing monitoring mechanism, 3) Agree to establish a systematic means of exchanging information and set up tripartite working groups with the objective of proposing a consensual approach, 4) Submit to COP7 in November 2019 a report on concrete progress made with regard to the provisions and arrangements to be formalised with the aim of improving the process in question.' Sir Craig Reddie had highlighted at COP6 that, 'Over the past 15 years, we, UNESCO, WADA, governments and the sport movement, have built a solid global anti-doping system.' He wanted to reiterate that prerequisite, that the fight against doping in sport would indeed be in jeopardy without a concrete and strong model of governance among the main stakeholders, notably UNESCO, WADA and the Council of Europe. And UNESCO and WADA had a global complementary role to play. On the one hand, WADA was the prominent agency to fight against doping in sport at the sport movement level. The agency was the operational arm to implement the provisions contained in the Code. On the other hand, UNESCO was the leading agency at the intergovernmental level to generate change or promote policy conducive to meeting the objectives of the convention as far as commitments of states parties were concerned. The recent cases exposed



concerning the public authorities proved their capacity to respond and to promote continued dialogue. UNESCO had the capacity to breathe new life into the main areas targeted by the International Convention against Doping in Sport: sporting integrity, education, prevention, training, research and other areas. The sixth session of the conference of parties in September 2017 had taken significant steps in the development of the convention by adopting meaningful measures deemed crucial by governments in the improvement of the fight against doping in sport. The implementation of those important decisions taken by the governments during the conference of parties was expected to pave the road for changes in adopting measures to influence national anti-doping public policies and drive reform to address issues and concerns through their ownership and empowerment for improvement. Indeed, key challenges remained to be addressed in accordance with complementary roles. While there was a priority in terms of expected changes, clarification was required in relation to the independence of national anti-doping organisations and their status. That meeting might contribute to the advancement of that concern, and WADA had a key role to play. Similarly, the endeavours by UNESCO to stimulate efforts in monitoring compliance of states parties' obligations to the convention would be pursued towards the establishment of national compliance platforms. That would ensure that the holistic and comprehensive nature of national multi-stakeholders was consistent with the provisions of the convention to consolidate compliance requirements.

Compliance in the areas covered by the convention was at the core of progress being addressed by the conference of parties and its bureau, which was currently supervising the working group of states parties tasked with providing a draft framework of consequences in case of lack of compliance with the convention. Values-based education and deterrence were intrinsic in compliance frameworks. The draft operational guideline included in the tasks of the working group would determine the progress to be made at all levels of implementation of the convention, since UNESCO was committed to monitoring consistency. Hence, UNESCO strongly encouraged finding a complementary platform entrusted with implementing the provisions of the convention and the WADA Code.

The issue of finance was another concern he wished to raise. As the members might know, the conference of parties had adopted in September 2017 new provisions to fund mobilisation, aiming to sustain the level of institutional capacity of the convention. There was a need to build common efforts between UNESCO and WADA for resource mobilisation. Common efforts by both organisations would indeed send a positive signal to all concerned stakeholders and the public. Consideration should be given to converging ways and means of raising funds and, as director of outreach and partnership of the social and human sciences sector at UNESCO responsible for the convention, he stood there to go beyond rhetoric and look at the clear and concrete acknowledgement by the Foundation Board in terms of outcomes either by resolution, decision or joint statement as a matter of principle and, to be complementary, a common funding approach needed to be set.

Last but not least, he would also appreciate it if UNESCO were granted access to documentation for the WADA Foundation Board meetings. That would facilitate cooperation and alignment and foster the coordination of issues of joint importance. He therefore proposed that WADA consider having UNESCO on board as a member of the supreme decision-making body of WADA. The Council of Europe had that role; therefore, it would make sense to grant UNESCO that opportunity as well. He did of course understand the specific arrangement of the regime and nature of the status granted to the Council of Europe. However, in the ongoing review of the Code, he believed that there was room to reconsider that principle, which no longer appeared to be valid as far as global anti-doping efforts were concerned.

He was present to recall the joint determination to fight doping in sport. UNESCO looked forward to continuing its cooperation. It was time for a new stage in cooperation and partnership, and he looked forward to engaging closely with WADA in that regard in the future.

THE CHAIRMAN observed that WADA should record that the chairman of the conference of parties, Mr Al Konbaz, who had been a member of the Foundation Board, was present. Were there any questions?

MR AL KONBAZ appreciated the comprehensive report about the UNESCO convention. He hoped that the funding issue would be resolved. There was one important challenge that was being faced: the convention had been established along with the Code in 2003 and 2009 but the Code had been changed two times and new rules had been added. He thought that the time had come to work with WADA to review the convention and make it more harmonised with the new Code that would be coming into force. There were some legal issues at UNESCO which did not make things easy, but he thought that a solution needed to be found for that.

MR MAGNUSSON was grateful for the comments and suggestions; he took note of them and looked forward to engaging on those dimensions in the future.

As concerned the general government relations update, MR BOUCHARD said that the members had the documentation in their files on government relations. WADA sought to achieve more in a number of areas. It was liaising and engaging more with the public authorities through the Council of Europe, the African Union, the Central American and Caribbean Council of Sport and also in Asia, but it also organised individual meetings with officials and ministers. WADA was engaging, but also listening to the concerns expressed, and he really appreciated the communication with the different public authorities and the level of engagement that they had shown in the fight against doping in sport.

#### DECISION

Government relations update noted.

### **15. NADO/RADO relations**

THE CHAIRMAN said that the members had a report in their files. Did anybody have anything to raise?

#### DECISION

NADO/RADO relations update noted.

### **16. Standards and harmonisation**

THE CHAIRMAN said that Mr Ricketts would be able to take the members through any other issues that they might have.

#### DECISION

Standards and harmonisation update noted.

### **17. Anti-Doping Administration Management System**

THE CHAIRMAN said that the item was important because there was a major investment in improving the system. Mr Kemp drove that project for WADA and would tell the members where WADA was and how smashing it was going to be.

MR KEMP informed the members that it was his pleasure to provide them with as brief an update as possible on the next generation of ADAMS and the project that had been going on for just over one year. Some progress had been made since the last update at the Foundation Board meeting Seoul. ADAMS had been very much in need of an entire overhaul, in particular to improve performance of the platform, to make it easier to use for all types of users, to make it more responsive so that the system could be used in a mobile fashion and, perhaps most importantly, to make sure that it was reliable, connected with other systems appropriately and that it securely maintained and shared the information that it contained. For one year, there had been a new approach in place with all of the orchestration of the next generation development taking place in-house and contracting out certain projects, but everything was maintained and supervised in Montreal. The project was being looked at one module at a time so, rather than trying to rebuild the entire system all at once, WADA was taking a piece-by-piece approach so that currently what was referred to as classic ADAMS was completely replaced by the next generation system.

To give the members some context and understanding about the amount of time and resources put into the project, he gave a very basic overview of some of the people involved in the project in Montreal, including people responsible for applying their expertise to ensure that the system was a positive experience for athletes in particular, so that the usability of the system was foremost in plans, but also much of the development of the system was taking place in-house and not by outside companies, so WADA had much greater control over the project. One of the main benefits already being seen with the one-module-at-a-time approach was that modules that had not yet been reached would benefit from some of the teething problems at the beginning, as WADA learnt how to control the beast over time. Part of the challenge included making sure that the system was open so that it could have connectivity with other systems, so as to foster innovation for those organisations using other IT systems, but doing

so in a way that did not jeopardise the security of the important data in the system, most importantly confidential medical whereabouts information of the athletes in particular.

In terms of what had been achieved over the past year, some of the most important things were under-the-hood improvements, technical infrastructure improvements required to make visible changes to the system, but some of the other improvements included two-factor authentication, an important enhancement to the security of the system so that a mere username and password would no longer suffice but users of the system would be bound by a higher level of security. Also, there would be a new level of intrusion testing to make sure that the system could not be attacked in any way, and the team was placing great importance on improving security to make sure that it was in line with best practices and the imminent GDPR discussed earlier that day.

In terms of visibility of features, a new doping control form had been introduced earlier that month. It was a simple system enabling anti-doping organisations to enter information about their tests so that ADAMS could act as a clearinghouse and share information between NADOs and IFs and other anti-doping organisations. With the iterative approach, the new form had been released to just a select number of users in the production environment so as to get their feedback. WADA had done that and had received some excellent feedback from a modest number of users, and would then tweak the module and improve it based on the feedback received before releasing it to the larger number of users (all users). That was the approach being taken for each module, whether it was for an anti-doping organisation, a laboratory or an athlete. WADA built the system, got feedback on what it had done, improved the module and then released it again, so it was an iterative approach and the ADAMS next generation project would continue to evolve over time.

To give the members some sense of the outside-the-box thinking that was taking place, an attempt was being made to add far more intelligence to ADAMS to make the lives of anti-doping organisations much easier. By way of an example, a great deal of feedback had been received from organisations that it was very difficult for them to monitor their compliance with the Technical Document for Sport Specific Analysis. As the members knew, that document ensured that organisations were doing a minimum level of specific testing in high-risk sports. It was quite cumbersome to be able to monitor activity, so WADA was creating dashboards or monitoring tools so that ADAMS could calculate that itself. That would enable WADA to do a better job more efficiently to monitor the activity of anti-doping organisations, and it would ensure that the limited resources of anti-doping organisations themselves would be better used, not running complicated reports but, rather, running effective programmes. Similarly, WADA was building a tool for test distribution planning so that it would have oversight of the testing plans of anti-doping organisations in real time, but also anti-doping organisations would have a standardised way of planning their testing, monitoring their testing and following up on new intelligence and new input, so as to be able to revise the plans in a dynamic fashion.

In terms of what was coming next, as the members had heard in November, the main priorities for 2018 were an all-new athlete whereabouts system, which he would touch on in more detail, the new test planning module, much of which he had just shown the members, and a new paperless doping control system to be in place by the end of 2018, and he was very hopeful that the system would be used by many organisations free of charge throughout 2019. With the iterative approach, WADA would be able to make improvements to it in 2019 such that he hoped that the Tokyo 2020 Olympic Games and Paralympic Games might be the first major multi-sport games to ever use a fully electronic system, and WADA was already engaged in discussions with the organising committee in that regard.

WADA was looking to improve the lives of the laboratory people to ensure that data entry by the accredited laboratory network was reduced and that there was connectivity between some of their existing information management systems and ADAMS.

In terms of the athlete whereabouts application, one key focus was to actively engage the potential users of such a system so as to understand their current challenges and, more importantly, their future expectations. To do that, WADA had launched an extensive survey in ADAMS for athletes who were providing their whereabouts information, and he had been very pleased to receive more than 2,000 responses, suggesting that athletes were quite keen to have an improved system, and they had some good ideas, and WADA had taken their advice on board, following up with seven face-to-face or

videoconference interviews with athletes from different nationalities and sports to better understand the common denominators among athletes worldwide. WADA had also developed a questionnaire for the doping control form introduced in ADAMS to get standardised feedback, and was currently reviewing data received from anti-doping organisations and doping control officers which would feed into the development process for the new paperless system to which he had alluded.

Again, with the whereabouts application, the input received from athletes was such that they would much prefer to submit their whereabouts application on-the-go. Their lives were mobile and on-the-go and, therefore, it made sense for them to provide their whereabouts information primarily through a smartphone application. Currently, the adoption of the WADA smartphone application was only at about 30%, meaning that only about 30% of those athletes who used ADAMS to provide their whereabouts used the application. That rate was very poor, demonstrating that the application needed to be enhanced. WADA was therefore entirely rebuilding it with an emphasis on what was referred to as shorter workflows, so less clicks and less pages to do the same thing, a smarter application to use available information such as GPS to confirm present location, as was done with many social media applications, and a smarter user interface so that less education and instruction were required for athletes. In turn, that would mean fewer support resources required by the anti-doping organisations that had such athletes in their registered testing pools. WADA was making excellent headway with the application and planned to have it launched on a limited basis by the end of July. WADA was well on track, working with a local company in Montreal, and he looked forward to sharing the application at the upcoming Global Athlete Forum in Calgary the following month where he hoped to receive more feedback from athletes.

THE CHAIRMAN noted the need for top-class IT connection; otherwise, the system would simply not work. Were there any questions? He encouraged Mr Kemp, with Ms Scott, to use the Global Athlete Forum as widely as possible to get increased feedback so that, having promised delivery of it, people would actually know that WADA was doing it.

#### DECISION

ADAMS update noted.

### **18. Communications**

THE CHAIRMAN said that the Communications Department was one of the busiest departments that WADA had because, surprise surprise, WADA was asked to communicate every minute of every day, some of it good, some of it bad and some of it in between.

MS MACLEAN shared a short video highlight of the WADA Athlete Outreach programmes carried out during the PyeongChang Olympic Games and Paralympic Games to raise awareness and promote clean sport among athletes, their entourage and others. As usual, WADA had had a strong presence, with booths ideally located in the two village dining halls, providing an opportunity to potentially reach 8,000 athletes. The diverse teams recruited to deliver the programmes had included NADO and IF representatives, as well as WADA Athlete Committee members, including Petr Koukal from the Czech Republic, who featured prominently in the video, as the members would see. Once again, the WADA Play True quiz (available in 39 languages) had been at the heart of the programme and WADA's So Many Reasons to Play True campaign (introduced the previous year) had been leveraged, inviting athletes to pledge their commitment to clean sport by applying their handprint and signature to the campaign banner. T-shirts showcasing the unique brand developed for the Olympic Games had been awarded as prizes to those who had successfully completed the quiz. She showed the video to the members.

THE CHAIRMAN commented that any of the members lucky enough to go to the Olympic or Paralympic Villages should visit the booth. One member of the WADA Athlete Committee had been crazy enough to challenge the mayor of the PyeongChang village to a game of table tennis, forgetting of course that the mayor was a former world table tennis champion, so the Athlete Committee member had lost, easily.

#### DECISION

Communications update noted.

## **19. Any other business**

THE CHAIRMAN thanked the interpreters for allowing the members to communicate effectively. He thanked the technicians and, in particular, the management team and the members of staff outside who were able to deliver hundreds and hundreds of pages to the members in plenty of time to allow them to read them all before they came to the meeting. It was a fabulous effort, and he was personally very grateful. That having been said, an observation had been made the previous day at the Executive Committee meeting that one could not read 900 pages of documents. That was not true; one could, because he had done it, but there was a feeling that there might be a better way to supply the members with the information they needed. He had some pretty clear ideas himself as to how it might be done and he was sure that the staff could help; however, if any of the members had an idea as to how to shorten the reading load yet continue to hear from them.

He did not think that she was still present, but he would personally ensure that Ms Pisani left the office with a big smile on her face. He thanked her for all her work.

He thanked all of the members; it had been a good meeting and a good day, and he had been happy to conduct the meetings in a spirit of openness and friendship. He looked forward to seeing the members again in Baku in November.

## **20. Future meetings**

### DECISION

Executive Committee – 20 September 2018 (Seychelles);  
Executive Committee – 14 November 2018, Baku, Azerbaijan;  
Foundation Board – 15 November 2018, Baku, Azerbaijan;  
Executive Committee – 15 May 2019, Montreal, Canada;  
Foundation Board – 16 May 2019, Montreal, Canada;  
Executive Committee – 23 September 2019, Tokyo, Japan;  
Executive Committee – 4 November 2019, Katowice, Poland;  
World Conference on Doping in Sport – 5-7 November 2019, Katowice, Poland;  
Foundation Board – 7 November 2019, Katowice, Poland.

The meeting adjourned at 3.40 p.m.

### FOR APPROVAL

**SIR CRAIG REEDIE**  
PRESIDENT AND CHAIRMAN OF WADA