

MINUTES

World Anti-Doping Agency Ethics and Education Committee Meeting August 3-4, 2000 Lausanne, Switzerland

MEMBERS:

Dr. Donald Vereen (Chair)	USA
Dr. Angela Schneider (Vice-Chair)	Canada
Dr. Nelli Arvaniti	Greece
Dr. Lamartine DaCosta	Brazil
Ms. Donna de Varona	USA
Dr. Rob Donovan	Australia
Dr. Fan Hong	China
Dr. Ian Jobling	Australia
Dr. Matthias Kamber	Switzerland
Ms. Pirjo Krouvila	Finland
Dr. Tom Murray	USA
Mr. Harri Syvasalmi (WADA Secretary General)	

INVITED GUESTS:

Mr. Tom Dielen	FITA
Dr. Gabriel Dolle	IAAF
Mr. Jonathan Harris	ITF
Mr. Les MacDonald	ITU
Mr. Cornel Marculescu	FINA
Mr. Hein Verbruggen	UCI
Dr. Alain Garnier	France
Council of Europe	
Ms. Charmaine Crooks	
IOC Athletes, Ethics, and Culture and Education Commissions representative	

MEMBER REGRETS:

Dr. Gunnar Breivik	Norway
Dr. Yoshitaka Kondo	Japan

INVITED GUEST REGRETS:

Mr. Johann Koss	IOC and WADA Liaison
Mr. David Howman	WADA Legal Committee
Mr. George Walker	WADA Harmonization and Standards Committee

Thursday -- August 3, 2000 Welcome and Introductions

OPENING REMARKS. The Chair (Dr. Don Vereen) opened the second meeting of the Ethics and Education Committee meeting at 09:00. Dr. Vereen welcomed the committee members, invited guests, International Federations and thanked them for taking time out of their busy schedule to accept the challenges this committee will face and the insight to identify those challenges to make a difference for WADA.

Dr. Vereen expressed the importance of the committee reaching out to the broader issues of WADA and to work and remain in contact with International Federations. Dr. Vereen welcomed the Secretary General of WADA, Harri Syvasalmi.

Presentation by WADA Secretary General

Mr. Syvasalmi gave a brief overview on the current status of WADA and stressed the importance of the Ethics and Education committee and the need to educate athletes, International Federations and the public on the doping issue. Mr. Syvasalmi added the importance of raising ethical questions about sanctions of International Federations and the use of drugs in sports.

Member Questions for Mr. Syvasalmi:

- Q. The eyes of the world have a lot of trust in WADA. What is WADA's role leading up to the Sydney Olympics?
- A. WADA's role leading up to Sydney is to conduct 2,000 tests while insuring equality among all athletes in all countries.
- Q. WADA has the need to be transparent and accountable to the public. Where will the tests results be sent?
- A. WADA has a mandate to be open and transparent. All results from the tests will be sent simultaneously to WADA and the International Federations.
- Q. In order to educate the media on WADA and issues on drugs in sport it would be beneficial for WADA to hold a media education seminar twice a year. Would this be possible for WADA?
- A. This is a very important issue and I recommend this committee develop a proposal for WADA to discuss in the future.

BUSINESS MEETING. The Chair asked for any comments on the minutes of the May 29 Ethics and Education Committee meeting. It was noted that a couple of attachments were missing, specifically: (1) The IOC Athletes Commission, IOC Commission for Cultural and Educational, and IOC Ethics Commission written submissions and (2) presentation from Dr. Robert Butcher, Ethicist.

Chair agreed to have these attachments circulated to the committee. **Minutes accepted**

TERMS OF REFERENCE. The Chair indicated that the terms of reference will be discussed at each meeting and could be subject to modification as the committee evolves. It is important for the committee to remain open and transparent and to be free enough to go after issues and address them accordingly. The Chair asked the committee for discussion on the terms of reference:

- Combine some of the terms in order to shorten the list
- Combine points II and III.
- "Role of educating the public" was proposed as an additional purpose; suggestion was made that this addition be incorporated into point VII.
- It was agreed that it was important to add "education of the public" to the terms of reference. Chair indicated that if the public and athletes don't know about WADA we are wasting our time.
- Suggested and Agreed to have detailed terms of reference.

- Inquiry as to whether the committee's terms of reference were within the mandate of WADA and would it be beneficial for the committee to have a mission statement.
- The Chair indicated that the mandate was to provide advice, develop strategies and liaise with WADA. Our committee, in the future, might require a mission statement.
- Two members stated that we were educators and felt the committee needed a mission statement.
- Do the other WADA committees have terms of reference that have been accepted by the WADA executive board?
- Vice Chair responded that the other committees' terms of reference have been presented to at the WADA Executive Committee and that some committees seem to have some decision-making authority within their terms of reference.
- Committee members agreed that it was problematic to have committees empowered in a decision-making capacity and not others.
- Would be beneficial to review the other committees' terms of reference (they were distributed).
- Other suggested changes to the terms of reference:
 - Combine IV and V
 - Combine VII, IX, and X
- Chair indicated a small group would convene to rework the terms of reference as suggested. General acceptance of terms of reference with minor revisions. **(Action Item)**

MEMBERSHIP ISSUES.

- The Chair stated that as we develop and adhere to our terms of reference we would continually invite guests to committee meetings for their expertise.
- It is the goal of this committee to hold meetings in other parts of the world to experience the educational issues different countries and regions are faced with.
- Chair indicated he was happy with the membership of the committee. All Agreed
- It is important to have a representative from South Africa.
- The Chair and Mr. Syvasalmi have discussed with the Chair of the CSSA the subject of naming a representative from Africa to be a member of the committee.
- Committee commended for having an athlete and media representative.

UPDATE SINCE PREVIOUS MEETING and ROUNDTABLE DISCUSSION.

- The WADA executive requested that the committees work together. Dr. Vereen contacted the Chairs of two other committees that were meeting to invite them to the Ethics and Education Committee meeting and to see if we could send a representative to their meetings.
 - The Standards and Harmonisation and Legal Committees each held their meetings in July in Lausanne.
 - The E&E Vice Chair, Dr. Schneider, attended the Standards and Harmonization Committee meeting.
 - Dr. Schneider was invited to make a very brief presentation at the beginning of the Legal Committee meeting but was not invited to stay for the entire Legal Committee meeting (one the items discussed was a paper she wrote for the IOC Athletes Commission on the Anti-Doping Passport).
- The WADA Executive Committee agreed to hire two staff persons (Directors), one of which would be for the E&E Committee.

- The Chair suggested that the committee should develop a job description.
 - Committee members indicated that the Chair should be involved in the hiring process.
- Executive Committee has approved the selection criteria for WADA Headquarters.
- The Independent Observer Team had its first meeting in July (only 7 members attended). Chairs of both the Legal and Standards and Harmonization Committees will be members of the IO team.
- The Executive Committee will be doing a review of all the committees to ensure there is equal regional and gender representation.

ISSUES.

- The Chair indicated at the last meeting, and it was , that this committee would make a commitment to do an internal ethics review of all studies in which WADA will be involved.
- Committee should initiate educational programs in other countries.
- Need a long-term initiative to deal with fair play and ethics in sport.
- Need to develop core materials for International Federation's (IF) and others.
- Athletes survey
- Need to participate in the development of the new anti-doping code, need to do ethical analysis of same.
- Athletes Passport
- IOC has accepted the two new tests for EPO.
 - Concerns raised about the lack of EPO testing support documentation available to the committee, athletes and sports officials.
 - Concerns raised about the lack of the WADA science, health and research meeting before the decision by the IOC medical commission.
- A central data storing center needed for all documentation.
 - All documents produced within WADA should be referenced by author and date.
 - Would be beneficial for committees to have documents available on the Web.
 - This should be a responsibility of the WADA staff person.
 - Beneficial for all committees to adopt such a policy of storing information.

INDEPENDENT OBSERVER TEAM.

- Chair informed the group that the Ethics and Education Committee has made a formal request to the WADA Secretary General to have an Ethicist on the Independent Observer Team.
- The two names put forward to share the responsibilities in Sydney were Dr. Angela Schneider and Dr. Tom Murray.
- To date there has been no response to the request.
- Committee members identified other WADA board and committee members (3) who had requested that an ethicist be put on the IO team prior to the first meeting of the IO team last week.
- It was agreed committee would raise the issue with Mr. Syvasalmi on Friday morning.

ATHLETE PASSPORT. Update provided by Dr. Schneider:

- The WADA Executive Board met with the Athletes Commission in March to discuss WADA's support of the passport.
- Canada and Australia have put funding into the project and are currently undergoing pilot projects.
- Canada organized and facilitated focus groups of athletes and sent out a questionnaire about the use of the athlete passport. The study will be finished by the end of August or early September. One concept that has been focus-tested is to incorporate an educational training diary (to be developed by the E&E committee) with the passport.
- ASDA produced a passport along with a PR campaign (media launch, written agreement, tattoo, ribbons, etc.) that is being used in Australia (passport circulated to the group).
- As a part of the athlete passport, athletes were focus-tested regarding two versions of a written document associated with the Passport: (1) a legally binding contract or (2) a values-based agreement, endorsing a set of values incorporating fair play and drug-free sport. So far, it was found that athletes would not sign the contract without legal advice and they felt this became adversarial, however, they would agree to sign an agreement endorsing a set of positive values.

Committee Members Discussion Re: Passport:

- Passport should be voluntary, leaving the choice up to the athlete. (Dr. Schneider indicated that is still debated by some whether or not it should be voluntary.)
- Most think it should be voluntary, but some argue that if the passport were to be voluntary it might lessen the importance.
- Reports from Australia and Canada should be sent to other agencies after the Sydney Olympics to introduce the project.
- When it comes to the voluntary passport, why should 95% of the clean athletes keep things going for the other 5%.
- Great idea if athletes could display the tattoo or some other endorsement statement of drug-free sport at the opening ceremonies in Australia. This should not be against the IOC sponsorship regulations and it would be a great way to gain media attention.
- Why does the athletes passport mention the Olympic Movement when it is a WADA project. This could lead to some confusion.
- We may have to revisit the ideals of the passport.
- Olympic Movement has good ideals and we should not be afraid to use them.
- Unanimous agreement that the idea of the passport was a good one and committee should revisit the topic after the results are compiled from Canada and Australia. (**Action Item**)

COLLECTION OF EDUCATIONAL MATERIAL/PROJECTS

- The process of the collection of these materials has begun, a record of the IF and NOC materials is being kept at WADA headquarters.
- Assistance with this process will be given by the Drug-Free Sport Consortium.
- “Clean Sport Guide” was mentioned by the Vice-Chair, suggesting that the committee could have this material reviewed and evaluated for use by the committee in partnership with the producers of the guide.
- Dr. Kamber noted that the guide is a good “basic skeleton” and needs to have areas developed.

- Dr. Kamber also offered to assist in collecting materials from the European nations.
(Action Item)

CODES OF ETHICS. The materials and documents prepared for the committee were reviewed.

- Committee endorsed, with minor revisions, a code of ethics and conduct for the WADA Independent Observer Team.
- Committee reviewed and endorsed a process for WADA to develop its own code of ethics with a longer term process which should involve all members of WADA so there is support, ownership and “buy in” by all members.
- Members applauded the work done for the committee on these materials and documents and asked Dr. Vereen to pass this on to the CEO of the CCES (a member of the Drug-Free Sport Consortium) who organized their research and development.
- The development of a WADA code of ethics will be pursued at the next meeting.
(Action Item)

ATHLETE’S SURVEY.

- Dr. Schneider pointed out that the WADA Executive Committee and the WADA Chair would support such a survey provided it was thorough, scientifically valid, ethically reviewed, and “do-able” by Sydney.
- It was decided that an ad-hoc group would deal with this issue and report back.
(Action Item)

NEW ANTI-DOPING CODE

- The Chair informed the committee that at least two other committees (Legal and Standards and Harmonization) have begun work on the new WADA anti-doping code as the Vice-Chair reported from her interaction with the two committees.
- It is very important that the E&E Committee be involved in the process as well and that an ethical analysis and identification of educational issues and elements need to be addressed by the committee.
- Background documents for this issue will be developed as soon as possible and circulated before the next meeting if possible. (Action Item)

CONSULTATION WITH INTERNATIONAL FEDERATIONS

Dr. Jacques Huguet (FIBA). Dr. Huguet presented the committee with educational tools used by FIBA to target athletes between the ages of 15-18. It is a 10-year old campaign. Two problems FIBA has encountered are the distribution of the materials to the large membership and the large financial costs. FIBA currently uses the internet, video games and stadium billboards to educate the athletes on doping-in-sports issues. FIBA expressed the importance of educating the athletes, coaches and managers. A discussion regarding the different phases re: raising awareness, behavioural change and prevention education ensued.

The question was raised by the committee how WADA can help FIBA in their educational initiatives? Dr. Huguet indicated he would like to have WADA work closely with the IF and provide expertise and basic information for anti-doping campaigns, and funding and assistance

for educational initiatives. Dr. Huguet was informed that this committee was planning to develop core materials (including the basic information and education) for use by IF's. Dr. Huguet said this would be helpful.

Dr. Vereen thanked Dr Huguet for his presentation and invited him to stay for the rest of the meeting.

Jonathan Harris (ITF). Mr. Harris made a presentation of the ITF's new educational initiatives. The ITF strategies are:

- To provide messages for the children of the 21st Century.
- Athletes are tired of being lectured, they need the facts.
- Simple messages
- Innovative and creative delivery of messages
- Use of role models
- Indicated that ITF would benefit from E&E Committee's expertise and, if possible, financial assistance.

Committee provided a good deal of feedback on how ITF could improve its content.

Dr. Vereen thanked Mr. Harris for his presentation and invited him to stay for the rest of the meeting.

Les MacDonald (ITU). Mr MacDonald gave a brief overview of the educational initiatives of the ITU and stressed the importance of WADA providing educational initiatives for all IFs because consistency was very important and IF's do not have the expertise to develop these materials. He felt it would be very helpful if WADA could give the IF's an educational kit that could be customized for different sports and different countries. The committee informed Mr. MacDonald that this was one of the projects to be completed. (**Action Item**)

Mr. MacDonald gave several cases and examples of serious issues he would like the E&E Committee to deal with (they were recorded for **Action Items**).

- A number of these issues relate to treatment and fairness with regard to athletes.
- Other issues regarded the inconsistency between IF's in regard to doping which raise ethical issues. For example:
 - assessment of "intent";
 - assessment of "ignorance of the law"
 - the 80% who never make it back after suspension
 - inconsistency and unfairness across testing in other labs
 - amateur professional distinction
 - informed consent forms not in the languages of the athletes
 - medications not listed in brand names
 - gender issues around testing process.
- Indicated that he speaks directly to athletes whenever he can, and tries to avoid lawyers and agents who he described as a negative influence and extremely costly when the money could be better spent on the sport itself.

Mr. MacDonald ended his presentation by imploring that this committee deal with these issues because no else has.

Dr. Vereen remarked on the vast number of issues that Mr. MacDonald asked the committee to address, thanked him for his presentation, and invited him to stay for the rest of the meeting.

Meeting adjourned until the following day.

Friday -- August 4, 2000

Dr. Vereen opened the meeting at 0900. Indicated four issues the committee would like to table with Mr. Syvasalmi.

1. Update on International Observer Team and the requests to have an ethicist from the Ethics and Education Committee as a part of that team
2. Update on the status of hiring a staff person to help the committee
3. Interaction between the Committees
4. Marketing of WADA

MR. SYVASALMI'S RESPONSES TO THE FOUR ISSUES.

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1. **INTERNATIONAL OBSERVER:** On the June 22, the WADA Executive Board nominated Mr. Syvasalmi to chair the group. With only 65 days remaining, Mr. Syvasalmi had to recruit 12 people. The observers would need to be in Australia from September 2 to October 6. Mr. Syvasalmi indicated that he had tried to find a representative from Latin America but was not successful. As of today, the following eight people have been selected for the team (7 men, 1 woman athlete) with positions still open for two others:

Rune Andersen	Norwegian Olympic Committee and Confederation of Sports – Department for Ethics, Sports Medicine Anti-Doping
Dr. Alain Garnier	Direction Régionale Ministère de la Jeunesse et des Sports (Mr. Syvasalmi stated as a member of this committee)
Robert Housman	Executive Office of the President, Office of the National Drug Control Policy
David Howman	Harbour Chambers – Barrister and Chair, WADA Legal Committee
Linda Olofsson	Athlete Representative
Kang Cheng Shi	State Sport General Administration of China, Director of Sport Science and Education Department
Casey Wade	Canadian Centre for Ethics in Sport, Director, Policy and Programs
George Walker	Council of Europe, Chef de la Division du Sport and Chair, WADA Standards and Harmonization Committee
Laboratory expert	To be nominated
Africa representative	To be nominated

Chair Questions or Comments and Mr. Syvasalmi's Responses:

Dr Vereen: Although Dr. Garnier will make a good member of the team (he is a physician) but he is not a member of the Ethics and Education Committee, he is an invited guest; nor is he an ethicist, it is important to have an ethicist on the team.

Mr. Syvasalmi: Have two people with some Ethics in Sport background on the team: Mr Casey Wade and Rune Andersen.

Dr. Vereen: There is difference between having as members of the Independent Observer Team, ethical people (which is not at issue) and a professionally trained Ethicist who thinks from an ethics perspective. It is important to have an Ethicist on the team for: public accountability, athlete trust, the serious ethical issues around doping, and as a reflection of WADA's values. As an example, just because someone is a law-abiding citizen does not make him/her a lawyer or professionally trained to think from a legal perspective which is very important. So, also, is the professionally trained ethics perspective very important. There is no one on the team who is a professionally trained ethicist and there is no reason to not have one.

Mr. Syvasalmi: At this point we are continuing forward with the selected Independent Observer Team. It is nothing against this committee but nominations had to be received before July 1, 2000. The group has been selected because they will work together as a team and that is very important.

Dr. Vereen: Did the Chairs of the Legal and Standards and Harmonization Committees submit nominations?

Mr. Syvasalmi: No they didn't. WADA did not receive nominations of any kind from anyone for the IO Team.

Dr. Vereen: Thanked Mr. Syvasalmi for the insight on the Independent Observer. Added that he agreed it was important to have a team that worked well together but is unsure if he has heard any reasons why an Ethicist from the Ethics and Education Committee has not been selected. Dr. Vereen indicated that the committee submitted two names in writing, one male and one female, both have a Ph.D. and professional training in Ethics, and would share the responsibility in Sydney. Their nominations were into WADA well before the first meeting of the IO team last week.

Mr. Syvasalmi: Would consider adding a member from the Ethics and Education Committee if a current team member were to back out or take ill.

Dr. Vereen: We are not asking that someone from the team step down nor are we questioning the ability of anyone already selected. There does not seem to be any reason not to have a person trained in Ethics on the IO team -- there are not too many members, nor is there not the need.

Dr. Vereen thanked Mr. Syvasalmi and asked him to seriously reconsider, take his comments and think of the advantages of having an Ethicist on board and who has volunteered to help.

2. STAFF PERSON. On June 22, 2000 the Executive Committee approved hiring two staff persons to work with the committees. These would be senior management positions and the goal is to have them in place before the Sydney Olympics.

- The Committee indicated to Mr. Syvasalmi they would like to have the opportunity to help develop a job description and with the selection process.
- Mr. Syvasalmi encouraged the committee to help create a job description. (**Action Item**)

3. INTERACTION BETWEEN COMMITTEES. It is important for committees to interact with each other and share the outcomes of their meetings. The goal for WADA is to publish the minutes of the meetings on the WADA web site. The Web site will be interactive and enable committee members to access through a password. The web site address will be WADA-nodoping.org.

Committee Questions and Comments/Mr. Syvasalmi's responses:

Committee: Publishing minutes on the internet might be misinterpreted. Recommendation would be to have summary notes for the public to view.

Mr. Syvasalmi: Agreed, the details of posting minutes will be left to each committee.

Committee: It would be helpful to know what the other committees are doing and developing, as well as having this information on the web. One example would be the EPO issue for the Sydney Olympics.

Mr. Syvasalmi: Agreed this would be a useful tool.

Committee: As directed by the WADA Executive, it would benefit all the committees if a member from each committee were invited to sit in on the others meetings.

Mr. Syvasalmi: Felt it would be up to each individual committee to invite guests.

4. MARKETING OF WADA. The best way to market WADA is to work hard and make a difference for the athletes and the Olympic Movement. To remain transparent and open to public scrutiny. WADA is developing a web site to keep people informed. We need to have open communication. It would be beneficial to have feedback from the committees for ideas on the best way to get WADA's message out to the public.

Committee agreed to assist with a strategic plan for marketing WADA. (**Action item**)

CONSULTATION WITH INTERNATIONAL FEDERATIONS.

Dr. Gabriel Dolle (IAAF). Dr. Dolle presented a brief overview of educational materials the IAAF is providing (since 1969) its athletes and stressed the importance of WADA providing educational initiatives and support for all IFs. He also reviewed teaching and research projects. Raised issue about confidentiality around testing. Identified concerns over high legal costs (as much as \$400,000). He reviewed and circulated other anti-doping materials developed by IAAF.

Committee agreed it was important for WADA to work with International Federations to develop the materials to raise awareness, and change attitudes and behaviour among athletes.

(Action Item)

Cornel Marculescu (FINA). Mr. Marculescu gave an update on FINA's education program and doping control initiatives. He thanked the committee for inviting him to the meeting and felt that future WADA and IF relations should be strong. He reviewed the program increase since 1993 and the need for guidelines for NF's on ethics and education programs. Reviewed a passport initiative, feels all tests should go on the passport, not just selected ones. There is a great need for an education on ethics program. FINA has been working for transparency- web site, posting of test results. FINA has had problems communicating with NF's who have test results. WADA needs to help coordinate collaborations and establish clear criteria for what should be on the list.

Dr. Vereen thanked Mr Marculescu for his presentation and invited him to stay for the rest of the meeting.

Hein Verbruggen (UCI). The Vice-Chair introduced Mr. Verbruggen and gave an overview of the very well written paper he submitted to the committee and the letter in which he had asked for a response from the committee. The Vice-Chair assured Mr. Verbruggen that he would receive a full and detailed response as soon as possible. **(Action Item)**

Mr. Verbruggen gave a detailed overview of his paper in presentation format (see enclosed). He raised many important and contentious issues that the committee and WADA will have to deal with very soon: criteria for the list, what are the motives for taking drugs, double effect drugs, food versus drug distinction, health versus harm distinction, UCI's process of checking athletes before competition – Dr. Schneider pointed out that there are important philosophical and ethical differences in the “reduction of harm” program of UCI versus the zero tolerance programs of other IFs.

Dr. Vereen thanked Mr. Verbruggen and invited him to stay for the rest of the meeting.

Tom Dielen (FITA). Mr. Dielen gave a presentation for Archery and identified a number of differences with this sport. He said that it primarily still follows an “amateur” model and that doping is not a big problem in the sport. He gave an overview of the program and answered questions from the committee members.

Dr. Vereen thanked Mr. Dielen and invited him to stay for the rest of the meeting.

Robert Fasulo (ASOIF). During Mr. Fasulo's presentation a number of questions were raised regarding the recent IAAF decisions. Committee members wanted to understand the process and justification for the decisions. Mr. Fasulo quoted from the paper written for the IOC Athlete's Commission on the Anti-Doping Passport, indicating that an athlete must be assumed innocent until proven guilty and not assumed guilty until proven innocent. Committee members pointed out that these cases did not seem to be so much about proving innocence, because there was no question of a positive doping infraction, but rather they were about the justification for the

decision to the public. After some discussion, Dr. Murray pointed out that the decision in this case seemed to be about the difference between “justice” on the one hand and “mercy” on the other and that there are very important differences. It was agreed that it was important to send this clear message to the media and explain how and why the decision had been made. Dr. Dolle said that he saw that there was some good expertise on the committee.

Dr. Vereen said that it was his goal to get the very best people he could get. Dr. Schneider thanked Mr. Fasulo (and Dr. Dolle) very much for sharing their information and that the committee was there to help them if it could.

STRATEGY SESSION. Due to time constraints the documentation prepared for the strategy session was not reviewed by the committee, but would come up at the next meeting.
(Action Item)

NEXT MEETING.

- Will be held in Norway on November 11-12
- Invite winter International Federation representatives
- Invite from Scandinavian countries scholars and researchers in the areas of ethics and education in doping for a more culture specific orientation.

MEETING ADJOURNED.