

Minutes of the WADA Executive Committee Meeting
20 June 2004
Montreal, Canada

The meeting began at 9 a.m.

1. Welcome, Roll Call and Observers

THE CHAIRMAN welcomed everybody to the June meeting of the Executive Committee. He thanked the members for travelling such a long way to attend. He was looking forward to a lot of good work; there had been a great deal of action, as the members knew from reading the material that had been sent out.

The members were asked to introduce themselves.

Mr Mikkelsen, Minister of Sports for Denmark, representing Europe; Dr Schamasch, IOC Medical Director, representing Professor Ljungqvist, IOC Member and Chairman of the WADA Health, Medical and Research Committee; Mr Blais, Assistant Deputy Minister, representing the Hon. Keyes, Minister of State for Sport, Canada, who was occupied in the federal election campaign and sent his regards; Mr Ctvtlik, Member of the IOC Athletes' Commission, representing Ms Elwani, also Member of the IOC Athletes' Commission; Mr Takasugi, Deputy Director General, Sports and Youth Bureau, representing Mr Harada, Senior Vice Minister of Education, Culture, Sports, Science and Technology, Japan; Mr Burns, new Foundation Board member and Chair of the Ethics and Education Committee; Mr Wade, Education and Planning Director for WADA; Mr Swigelaar, Africa Regional Office Director; Mr Hayashi, Tokyo Regional Office Director; Mr Dielen, Lausanne Regional Office Director; Mr Howman, WADA Director General; Mr Andersen, Standards and Harmonisation Director, WADA; Ms Khadem, Communications Director, WADA; Dr Garnier, Medical Director, Lausanne Regional Office; Dr Rabin, Science Director, WADA; Mr Niggli, Finance and Legal Director, WADA; Mr Reedie, IOC Member and Chairman of the National Olympic Committee of Great Britain; Mr Stofile, Minister of Sport and Recreation, South Africa; Mrs Basser, General Manager, Sport and Private Sector, representing Senator Rod Kemp, Minister for the Arts and Sport, Australia; and Mr Larfaoui, IOC Member and President of FINA.

THE CHAIRMAN said that Mr Kasper, the President of FIS, had somehow managed to miss his flight, and was not sure whether he would be able to attend the WADA meetings.

He congratulated the staff for putting together such a fine set of background materials for the members, which made their work easier and more efficient. He assumed that the members had studied everything assiduously.

2. Minutes

2.1 Executive Committee Meeting on 20 November 2003 in Montreal

THE CHAIRMAN asked whether the members had any comments regarding the minutes of the Executive Committee meeting on 20 November 2003 in Montreal. Unless any comments were made by noon, he proposed that the minutes be adopted as distributed.

DECISION

Minutes of the meeting of the Executive Committee on 20 November 2003 approved and duly signed.

3. Director General's Report

THE DIRECTOR GENERAL wished to speak to one or two matters in relation to the report in the members' files, as well as matters that had arisen since the report had been written.

The management was attempting to provide more information to all Foundation Board members on a regular basis, and had initiated two major matters in that direction. The first was a regular bi-monthly Director General's report, which he had circulated in February and then in April. The second was a communications initiative; WADA was now circulating to all Foundation Board members on a two- or three-weekly basis, current issues in the world of anti-doping, along with accompanying articles. Ms Khadem was responsible for putting those together. In addition, draft Executive Committee and Foundation Board meeting agendas had been circulated, and if members wished to add any items, he proposed that they do this upon receipt of the agendas so that the management could compile the appropriate background papers and circulate them rather than have matters tabled at the time and find that there were Foundation Board members who could not respond because they did not have appropriate instructions or had not been properly briefed.

A couple of members had requested some procedures for a fast-track mechanism, to alter, in particular, the prohibited list. He thanked Australia for having sent to him a draft protocol in that respect. He would seek suggestions from others and put together an appropriate suggestion which would be before the members in September. There needed to be some process in place.

He had attended the CONSUDE meeting in Uruguay by video conference, and a meeting of the sports ministers of the Americas in Venezuela. He had made presentations at both of these meetings. Due to US and Canadian initiatives, WADA had made considerable advances in the collection of dues from the governments of that region. They had felt, and perhaps fairly so, that the Latin American component of the Americas had been somewhat neglected by WADA; he had conceded that to them, and had advised them that WADA would do all that it could to improve the situation. WADA would accept any invitation to meetings in that part of the world. The USA and Canada had agreed that they would meet 75% of the government contributions from that region, and he thanked the representatives involved for the very hard work that they had done to lead WADA into that position.

He had made presentations to the Council of Europe, at the Forum of Ministerial Advisors, which was a new forum established particularly for WADA, so that WADA issues could be discussed at that meeting and the ministers appropriately advised before attending the Foundation Board meeting. He had then made a similar presentation to the Council of Europe Monitoring Group the following day.

As to FIFA, all of the members had seen the progress that had been made, and FIFA had unanimously accepted the Code at its Congress in Paris. FIFA's medical rules had been altered, so that they were now in compliance with the Code. He had met with FIFA to discuss the legal rules, several aspects of which would need to be amended to ensure compliance. There had been one meeting, and there would be a major meeting on the weekend of 10 and 11 July to further establish the proper protocols and processes for FIFA to change its rules. There had been major discussions with FIFA over a period of time, and he was happy to speak further to these if any member wished.

As to the recent allegations in the USA, he was pleased about the process that had been put in place by USADA, and WADA commended USADA for being brave, and for

continuing to make sure that those athletes that were alleged to have cheated would be given appropriate hearings. In regard to the Olympic Games, WADA had worked closely with the IOC, and had had many meetings to work together to make sure that the IOC rules were properly in place for Athens. WADA and the IOC had enjoyed a very healthy and fruitful partnership in that respect. WADA had met with the IOC President, who was most concerned that no athlete would be competing in the Olympic Games with a cloud over his or her head; in other words, any allegation of a doping offence needed to be resolved if at all possible prior to the Olympic Games. USADA was doing its best in that direction, and he noted that Australia also had some issues in relation to several prospective athletes, and WADA had had liaison with the Australian Government, which had said that the proper processes were put into place.

Thanks to Dr Schamasch, WADA now had a very useful liaison with Interpol, and would be going to the Interpol headquarters in Lyon, France, in July, to make a presentation and to further what it could with Interpol.

The Jerome Young hearing had been completed in Lausanne the previous week. The decision was not yet available. However, as soon as it became available, the members would be made aware of it. This depended, of course, on what the decision was as to whether there would necessarily be further steps taken by the IOC.

He outlined the protocols that would be put into place for WADA to exercise its right of appeal. The management was firmly of the view that WADA needed to ensure that the IFs, NADOs and its other partners worked with WADA in this area. The management would draft simple protocols to show the IFs and the NADOs how WADA would proceed if it had a decision that it felt needed to be investigated and perhaps appealed. Part of that protocol would be discussion and immediate liaison with the anti-doping agency involved, the IF or the NADO; a request to obtain information so that WADA was in receipt of all of the appropriate material; a decision that might or might not be made jointly, depending on whether the IF agreed with the way in which WADA felt that it should be proceeding. WADA would certainly not lodge an appeal without prior discussion with the body involved. He was hoping that there would be cooperation in that area, and that WADA need not lodge appeals and then be forced to ask that the CAS direct that information be made available to WADA. He would circulate a protocol for discussion and comment and, until consultation was complete, this would not be published.

The items just mentioned were the updates in addition to the report in the files.

MR MIKKELSEN thanked the Director General and the staff for the excellent preparation of the meeting. Since the previous meeting, the secretariat had found it necessary to prepare very fast decisions on matters. He did not question the judgement of the secretariat in general on those matters; there might have been fair reasons for the choice of procedure, but he needed to underline that fast-track decisions should be taken only in extreme situations where they were absolutely unavoidable. In the political world, which he represented, he used to be subject to constitutional guidelines; in some cases, they provided very restricted frames for the use of special decisions and procedures for urgent matters only. WADA should always pay due attention to the principles of democracy, transparency and professional sustainability if WADA's decisions were to retain credibility. Under normal circumstances, consultation should be an obligation before decisions were taken. He had just seen a decision being made, and he was a member of the Executive Committee. The previous month, some issues had caused some discontent among governments and NADOs, and they included the first amendment of the list of prohibited substances. The decision had stated that a chemical definition of the stimulating effect of a substance in the future could stand alone without supplying scientific proof of enhancing effects. This decision had resulted in discontent among international leading specialists in the field, only to be increased by the span of time that there was to wait for sufficient evidence of an enhancing effect of THG. As to the second amendment for the standards of storing blood samples, this had turned out to be in conflict with at least one European constitution. He had been told that recommendations to the Executive Committee had not been endorsed by the relevant WADA expert

committee. As a conclusion, he therefore suggested that steps be taken to secure a closer and more frequent consultation procedure before decisions were taken and that the use of fast-track decisions implied exceptional, careful consideration.

He wished to finish by expressing his full appreciation of the fact that the secretariat had distributed proposals for a new list and standards for consultation with almost seven weeks prior to a deadline; that was very good.

With regard to FIFA's acceptance of the Code, he thanked the Chairman for the great effort made to convince FIFA to accept that Code. The media had informed him, and he knew that colleagues of his had also been contacted by the media, that WADA had special agreements with FIFA and that FIFA was getting exceptions, but he understood now that this was not the case. Sufficient information was essential in this area. He suggested that the Director General send short e-mails to Executive Committee members, as often as possible, or maybe daily, to keep them informed. He had read that FIFA had expressed its respect for the Code, but did that mean that FIFA also respected the Code unconditionally? Many were still left with the impression that the question of FIFA's acceptance of the Code had been a subject of negotiation with WADA and, from the declaration, it was unclear whether FIFA would implement the Code immediately. He hoped that the process of information could be improved should a similar situation occur.

THE DIRECTOR GENERAL thanked Mr Mikkelsen. The procedure issue was one that WADA accepted and understood. He was sure that everybody around the table understood the reason for the urgent amendment required for the list on this occasion. He did not think that any member of the management would be promoting the fast-track mechanism for anything other than something urgent. He did appreciate that the members needed to be aware of the way in which WADA would proceed under those circumstances. He asked the Executive Committee members to take advice from members of their regions so that they would be fully briefed. He took Mr Mikkelsen's comments on board. WADA would do its level best to ensure that communication with everybody would be as good as it possibly could be. Any suggestions would be welcomed. He would also appreciate feedback on the information that was given to the members. WADA was open to comments.

THE CHAIRMAN said that, with regard to FIFA, there was no doubt in his mind, or in the minds of all of the FIFA members, that the Code had been accepted and that the acceptance was unconditional. It had not been an easy job to get all of that done. He was sure that all of the members of the Executive Committee would appreciate how important it had been for FIFA to adopt the Code. If FIFA had broken away from the WADA Code, he thought that WADA would have faced significant problems in the future. FIFA was the biggest and most important IF in the world; it governed a sport that involved hundreds of millions of players, and for all of those reasons, this had been important. There had not been a great deal of information flowing from WADA until a deal had been struck. Ministers who had to deal with the political world would understand that, sometimes, it was necessary to proceed with the objective in mind. There had been a lot of smokescreen sent out by FIFA and the media, some of it invented, and some of it suggested by FIFA that there would be a separate agreement. In fact, until two days before the Paris Congress, FIFA had insisted on a special agreement, but WADA had refused to make a different agreement. The Code was the Code was the Code; it had been accepted by everybody, and there were to be no exceptions. IFs had the right to decide not to, but there were consequences to any such decision, one of which would be, assuming that the IOC followed the Olympic Charter, that that sport would not be on the programme of the Olympic Games. A number of vocabulary issues had come out of the congress. The agenda item under which FIFA had adopted the Code had been the *Adoption of the World Anti-Doping Code*. This had been described as *acceptance* but, in fact, it had been *adoption*, and in the agreement, or the resolution that everybody had signed (the IOC, FIFA and WADA) included a reference to *unconditional acceptance*. He thought that the deal was done; the medical rules were in compliance, and WADA was dealing with the FIFA procedural and legal rules. He thought that the back of this

particular matter had been broken, and that there would not be any problems. This had been almost as important as the adoption of the Code and the Code Declaration in Copenhagen. All of the WADA staff had worked very hard to make sure that FIFA would be on board, and he thought that WADA should be happy that FIFA was on board. There had been no separate deal, there was no understanding, and there was nothing other than the Code. Members could see the speech, which he had given to the FIFA Congress to help them move in the right direction, on the WADA website.

He congratulated the USA and Canada for their initiative in stepping up to give an example in the Americas. The fact that these two countries had agreed to take a full 75% of the share in the Americas was wonderful leadership, and he thought that it had already had a salutary effect in the southern part of the continent. There would be a finance report in a few minutes that would show the members that WADA was actually in much better shape than it had been in the history of the agency.

DECISION

Report by the Director General approved.

4. Operations / Management

4.1 Athens 2004

THE DIRECTOR GENERAL referred to the papers in the members' files that indicated the Independent Observer teams and the Outreach teams for the Olympic Games and the Paralympic Games. This was a matter of information only, but all of the members of the teams had significant expertise and enthusiasm, and he wished them well in the tasks that they would be carrying out on WADA's behalf.

The Operations and Management report on Athens spoke for itself. WADA had been working very closely with the IOC; it had a partnership with the IOC in relation to pre-Games testing, and had worked closely with the IOC in terms of its attendance and presence at the Olympic Games from the Executive Office. WADA would have a small executive team in Athens, and would use that opportunity to liaise with WADA's stakeholder friends from the IFs, as well as to meet members of governments whilst they were in Athens. WADA would be scheduling a brief morning meeting on 13 August, with those Foundation Board members present in Athens so that they could meet with WADA and the Independent Observer team members. He thought that this would be a useful exercise. This would not be a formal meeting; rather what he supposed the English would call a morning tea party.

THE CHAIRMAN stressed that the meeting in Athens would be for those members of WADA who were already in Athens. WADA would not be paying for members to travel to Athens; however, if they were there, WADA would buy the coffee. There would be one press conference on 12 August in the morning, which was to be WADA's only official media conference. Anybody in Athens would be more than welcome to participate in that.

DECISION

Athens 2004 update approved.

4.2 Terms of Membership for Working Group Committees

THE DIRECTOR GENERAL said that the working committees had been published, along with the terms of membership. The members could see those who would complete their terms at the end of 2004, meaning that there would be vacancies in committees, and WADA would call for applications for the end of the year. Those who had served were, of course, eligible to serve another term. It was useful to show the composition and the terms for the members' information.

THE CHAIRMAN said that everybody had some responsibility to see whether they could find some female scientists. The Health, Medical and Research Committee had only

one female member, and he did not think that this was a good signal. He knew that there were lots of very capable female scientists. WADA should open its vision a little more in this area.

THE DIRECTOR GENERAL noted that WADA was very reliant on the members to nominate people. WADA could not go out there and pluck them itself. All Foundation Board members needed to see this as an opportunity for their regions and organisations to have people represented on WADA's working committees.

MR LARFAOUI asked about the role of the independent observers in the working committees.

THE DIRECTOR GENERAL replied that some people, for example, Mr Sprunger, the IOC's Finance Director, had requested that they attend meetings as observers, but they could not vote. The other observer of the Finance Committee had been asked to observe the previous year for significant reasons. There would be an observer of the Ethics and Education Committee from ATHOC until the conclusion of the Olympic Games, to ensure that ATHOC understood all of the material.

THE CHAIRMAN said that Athlete Outreach would be located in the Olympic Village, so WADA needed the maximum cooperation from ATHOC in this regard.

DECISION

Update on the terms of membership for working group committees approved.

4.3 Status of African Regional Office

THE DIRECTOR GENERAL referred to the report in the members' files on the status of the South African Regional Office. WADA was extremely grateful to the South African Government for funding the office up until later in 2004. WADA would undertake an appropriate audit to ensure that, when there was a time for it to be considered as a fully funded WADA office, the appropriate information would be available. This decision would need to be considered at the Executive Committee meeting in September. The members would have all of the information so that they would be aware of the entire cost and responsibility involved. He was confident that the South African Government and West Cape Government would support the initiative, and that it would be possible for WADA to manage the offices without extraordinary expense. He already knew that rent would be free for the offices thanks to these two governments. He was also very grateful to Mr Stofile's predecessor, Mr Balfour, for his support.

MR STOFILE informed the members that the situation had not changed regarding the relationship between the Government and the WADA office in Cape Town. The fiscal location had changed, and the office had moved from the Department of Sport, which was struggling to get more offices. The South African Government had arranged for a better facility with the provincial government, and this was where Mr Swigelaar was now working. He looked forward to discussions in September with WADA, as he thought that the future of the office needed to be decided.

As to the report in the files referring to a measure of uncertainty as a result of the change of ministers, he confirmed that there was no uncertainty from the side of the Government and the Ministry. He was, however, acutely aware of the possibility of conflicts of interest, but thought that the possibility could be avoided by building a very strong relationship with the other African states.

On behalf of the South African Government and the Cape Town office, he wished to comply with the decision to represent the face of the continent. He also wished to make a formal presentation to WADA at some point.

THE CHAIRMAN asked Mr Stofile to make the formal presentation during the Foundation Board meeting. He also asked him to convey WADA's thanks to Mr Balfour for

his very strong support, presence and input. WADA welcomed Mr Stofile, and hoped that WADA's thanks would be conveyed to the former member of the Executive Committee.

DECISION

Status of African Regional Office update approved.

4.4 Translation / Languages

MS KHADEM referred the members to her written report on the translation into various languages of WADA publications. In addition to the two official languages, French and English, WADA was trying to present more material in Spanish in order to engage the Latin American colleagues. Other languages, such as Arabic and Chinese, were also very important. The Doping Quiz at the Athens Olympic Games would be available in 10 languages to the athletes in the Athletes' Village. WADA had also just finished translating the Athletes' Guide into Spanish, and would soon be making that available.

She encouraged the members to pass on anti-doping documents or materials if they had already translated them. Translation would always be a trial and error process, for a number of reasons, and she asked the members to help WADA to find the best translators possible. Also, if the members saw mistakes in the WADA translations, she asked them to point these out.

DR SCHAMASCH noted that the translation issue was extremely important. Legally speaking, WADA should indicate the reference text, for example, the Code should have a reference text, above all if there were slight variations between the translation and the original text.

THE DIRECTOR GENERAL pointed out that Article 24 of the Code explained this point, stipulating that the English version would prevail in the event of any conflict between the English and French versions.

MR BLAIS said that it was very important to have all of the WADA documents available in Spanish in order to further the very good relationship that had been initiated in the Americas.

DECISION

Translation / languages update approved.

4.5 Distribution of WADA Publications

MS KHADEM informed the members that, as WADA's profile grew, and the number of WADA publications grew, the interest of the public in WADA also grew. This was wonderful, but put a budgetary constraint on WADA that would only increase in the future. At one point, there had been some 13 to 14,000 website signatures for the Play True magazine. To distribute this to that many people for free would cost WADA in excess of US\$ 30,000, which was obviously not feasible at this point for one publication. The Communications Department was looking at ways of creating a subscription service for its publications. When it came to the stakeholders, however, this was slightly more problematic. There was a cost associated to providing copies of publications, and WADA needed to strike a balance. The estimated cost of publications, including design, production and mailing, was US\$ 3 each, and copies of the Code would cost US\$ 4 each. WADA already charged for the Code. For the other publications, she proposed payment by the stakeholders for anything in excess of 100 copies. There would be no income; it would be entirely on a cost recovery basis.

THE CHAIRMAN asked the members whether they agreed to the proposal, which was set out in the document in their files.

DECISION

Proposal to set a policy whereby stakeholders receive free of charge from WADA up to 100 copies of each publication, but pay for production and shipping costs for any quantity above that number approved.

4.6 Executive Committee and Foundation Board Meetings

THE DIRECTOR GENERAL noted that, in case there was any concern regarding the six- or seven-month lapse since the previous November meetings, he proposed that the meeting currently taking place be held in mid-May rather than in mid-June in the future. The report showed the cost of these meetings. He thought that the proposal was a useful idea; he did not wish to impose, but thought that it would be useful to see what people thought about how the meetings were conducted, and he also wanted to ensure that the annual report might be published earlier in the year if the Foundation Board meeting were held in May.

THE CHAIRMAN noted that the September meeting was more or less set, as the list had to be approved and distributed each year. Did the members agree to change the June meeting to May? These meetings cost a great deal of money, and the members should be aware of that fact, so it was important that the meetings be made worthwhile.

DECISION

Proposal to change the June meeting to May approved.

5. Finance

MR REEDIE informed the members that Mr Niggli would report on what had been happening and would provide the position concerning the government contributions, and he would then take them through the accounts.

5.1 Finance and Legal Update

5.2 Government / IOC Contributions Update

MR NIGGLI referred the members to the attachment in their files concerning the contributions position as at 16 June 2004. In 2002, WADA had received 88.66% of its budget; in 2003, WADA had received 84.26% of its budget; and, in 2004, to date, WADA had received almost 60% of its income, which was a tremendous improvement on the situation the previous year, whereby WADA had collected less than 20% at the same time in the year. He commended Oceania on always paying 100% of its contribution before 1 January; Europe had been very well organised and had reached 92 % that year, which was quite remarkable; Asia was soon to follow, with Japan's contribution; the agreement between Canada and the USA to pay at least 75% of the contribution for the Americas was an excellent initiative, and had a great impact for WADA. The total contributions that year would shortly be up to 90%, which was a level that had never been reached previously. He thanked all of the governments for their work, and the IOC for matching the payments. As the members were aware, the WADA Statutes had been amended, so the deadline for payment was now 30 June of each year. The IOC had asked for a report on payments at that date, and WADA was ready to provide it. All of the members had received copies of the new WADA Statutes, and they were also on the web site.

MR REEDIE said that many members would remember the delay in payment to WADA from Italy; the Italian minister had actually changed the law of Italy to make sure that payments could be made. This had successfully been done, and all of the arrears for 2002, 2003 and 2004 had been paid. Not only had they been paid, but they had been

paid in euros instead of in dollars. This was a policy that he commended to all of the governments. He was not sure that Mr Pescante knew just how much credit he had with WADA!

DECISION

Finance and legal update and Government /
IOC contributions update approved.

5.3 2003 Audited Accounts

MR REEDIE recalled the considerable debate and, ultimately the insistence by the IOC that WADA present its accounts in a format, or under an accounting convention called the International Accounting Standard. In the process of doing that, it had become the International Financial Reporting Standard. WADA had now agreed to present the accounts according to the rules of that standard, and those were the ones that the members had in front of them, headed PricewaterhouseCoopers, Agenda item 5.3. There was one significant difference in the method of presentation, which was that, under IFRS, WADA simply could not provide for all of the research money in the accounts; in other words, to take an amount of money for research and regard it as spent because it was committed, and put it in a separate account. This was only possible under IFRS for contracts that had actually been signed and, if WADA signed a research contract, it could deal only with the payment of year one in the IFRS system. Therefore, the members would see approximately US\$ 3.7 million, which WADA had regarded as spent on research, brought back into the accounts. He assured the members that it had been necessary to create a separate, almost manual system, in the office to keep a very clear account of all of WADA's research commitments. This was done regularly; it was just that the accounts that WADA had to show to the Foundation Board for approval were presented in a slightly different form. On page two of the accounts, under the *Equity* heading, the *Currency Translation Reserve* was a figure that was necessary to ensure that WADA kept in proper balance the SFr 5 million of WADA's capital. Clearly, currencies moved in value against each other all the time, so there was a currency translation reserve to make sure that the capital, which WADA had to have, as a Swiss foundation, was always SFr 5 million. The accounts lumped together quite a lot of expenses on the third page, for example, *Administration* was at 2.7 million, but that was the total, which was broken up for the members later on in the paperwork distributed. There were the accounts, audited by PricewaterHouse Coopers, and Mr Felix Roth would be present the following day to present them at the Foundation Board meeting, during which time the Foundation Board members would be entitled to ask questions about those particular accounts. He hoped that the Foundation Board would accept the accounts. They were presented in an unusual, new form, and would become a standard form.

THE CHAIRMAN asked if the members wished to make any comments or ask any questions. It would be useful, and he thought that it was standard practice, if the Executive Committee could recommend that the Foundation Board approve the accounts and the report the following day.

MR REEDIE went on to discuss the Detailed Balance Sheet , with which the members would be more familiar. It showed assets and liabilities on a balance sheet basis, and then, in detail, starting on page 4, it showed the more detailed figures. It showed the last quarter of the year, and it showed the full year. The total income in the year had been US\$ 19.4 million, and page 5 onwards showed how the members, as Executive Committee members, had agreed to spend it all. The end result, which could be seen on page 9, was that the total income had been just over US\$ 19.4 million, and the total expenses had come to US\$ 8.8 million; however, there was the whole issue of research grants to be taken into account.

DECISION

2003 audited accounts approved.

5.4 2004 Quarterly Accounts

MR REEDIE said that, with regard to the Actual Budget, Quarter 4, 2003, the aim was to give the members a comparison across the whole board of what had actually happened against WADA's budget, which was what the committee had thought would happen. Surprise surprise, the committee had been pretty accurate in some areas, and rather less than accurate in one or two others. The fact that WADA collected its dues in dollars and paid out in other, stronger currencies accounted for a fair amount of the budgetary errors and, no matter how expert the Finance Committee might be, it was not able to predict currency movements. Under the *Independent Observer* heading, WADA had had to stop spending money and had cut back dramatically, and there was proof in figures that the Director General and his staff had implemented what the Executive Committee had directed. The *Code* costs had been higher than budgeted, but the work on the Code had been of huge importance to WADA. *Information and Communications* had been higher than had been budgeted for. As to the *Director General's Office*, much less had been spent on ADAMS than had been assumed in May, for the simple reason that, as the team had gone into the project in ever greater detail, it had seemed to the team that what was being done might not work properly. This was why professional advice had been taken. The project would come to fruition. As to *Ethics and Education*, WADA had spent much less than predicted; and for *Health, Medical and Research*, the outcome had been reasonable, although there had been higher costs for a number of areas, particularly the laboratory accreditation system and the meetings that had taken place to produce the lists, which were considered absolutely vital.

Page 9 of the document showed a detailed analysis of the research commitments year by year up to 2006. There was US\$ 6.4 million committed to research, no matter what the previous year's accounts said under the accounting standard. There was also a very detailed working paper that kept track of all of the research payments. Under the heading *Operational Costs*, members would see that costs had been kept down; the regional office in Lausanne had spent more than the budget, again reflecting the fact that the Swiss franc was even more bad news to the American dollar than the Canadian dollar was. There was a very modest item for Cape Town, because the authorities in South Africa had taken on the costs; and the costs for the office in Tokyo were modest because they referred to a relatively short period against the budget. The final summary could be seen at the end of the report, and it showed that the revised budget done in May the previous year had guessed that WADA would spend roughly US\$ 14.5 million; in fact, WADA had spent US\$ 13.5 million.

He hoped that this was useful to show that, while the budgeting process was not perfect, it was getting better each time, and it proved that the staff was running according to the instructions of the Executive Committee.

MR BLAIS referred to the revised budget versus the actual budget, noting that the social charges were almost always higher. He would have thought that the salaries would be more predictable.

MR NIGGLI replied that this was a result of the exchange rates. WADA was budgeting in US dollars and was paying in Canadian dollars.

THE CHAIRMAN noted that there had been an 18% change over the previous year.

MR LARFAOUI asked why WADA paid for laboratory accreditation costs.

MR NIGGLI said that, in January 2004, WADA had taken on the responsibility of laboratory accreditation, which involved continued tests on the quality of the laboratories, etc. Continued monitoring was necessary to ensure that each laboratory maintained its quality. WADA had already paid the IOC in previous years for such responsibilities.

THE CHAIRMAN said that it was necessary to find some way of recording in the audited accounts that the Foundation Board and the Executive Committee had committed the sums of money to research, at least in note form. WADA was giving a false

impression; it looked as though WADA had made a profit of US\$ 10 million, which could not be further from the truth.

MR NIGGLI said that what had happened the previous time would not happen in the future. It was necessary to record what was committed by contract on a one-year period, and to show the total commitments made in the other accounts. In the IFRS account, it would not be possible to record the commitments.

THE CHAIRMAN was certain that there had to be a way of doing this.

MR NIGGLI noted that, because WADA was prudent in the way in which it signed contracts with the research teams, WADA made the second payment only after having received satisfactory reports on the first year's progress.

THE CHAIRMAN said that he did not want anybody to think that WADA did not need any money.

MR REEDIE suggested that, at the Foundation Board meeting, the Chairman make that very clear statement with Mr Felix Roth in the room. As a very senior accountant, Mr Roth would not incorporate in his audited accounts what WADA wanted him to say. He agreed that there had to be some way of adding to it, perhaps with a separate note, the explanation of reality. It was nuts; he agreed. However, perhaps the Foundation Board might state that it was grateful for such excellent accounts under this international reporting standard, but that it was necessary to find another way to make this clearer.

DECISION

2004 quarterly accounts approved.

5.5 Draft Budget 2005

MR REEDIE said that, every time the Executive Committee met, the most recent, up-to-date figures were shown. The members could see the figures for the first quarter of 2004, as well as the estimate of quarter expenditure against budget, so that the members could see how the income progressed, as well as how the expenditure progressed, as a percentage. The systems introduced were now sufficiently accurate to give the staff, in particular, a complete reporting update two weeks after the end of a period, and this had to be of value to the Director General and his team, who knew very quickly exactly how much money was coming in and going out.

The major issue that he had at the end of the financial section was that the governments had asked if it would be possible to have an advance warning on the income budget for the agency, which would allow them to budget in their systems for what their contribution would be. Therefore, the team had produced a detailed 2005 Draft Budget. The expenses on it were a first attempt of what the committee thought that the expenses might be, but all of that would be worked out in much greater detail and would be put to the members in greater detail after the Finance Committee had met in September, and the members would have a much more accurate set of expenditures at that time. However, he proposed that the income be based on the contributions from the Olympic Movement of just over US\$ 10.8 million, and contributions from all of the Public Authorities, at just over US\$ 10.8 million. Overall, this was an increase over a two-year period of around 7%. The Finance Committee had also done a little bit of research to justify that, by looking at what it believed to be the reduction in buying power that WADA had experienced over 2003 and 2004. Much of that was the effect of currency movements against WADA, and there was also a small element of inflation. There had been no increase in the overall rate of contributions for two years. He thought that the level of activity was now at a level that justified a small increase, and that WADA was beginning to spend its funds in a rather more effective way and, above all, was beginning to give Dr Rabin and his team in the science and research department the proper amounts of money that allowed them to make a serious difference in the world in which WADA operated.

This issue was the income budget to the agency for 2005. There had been suggestions made that that would be a ceiling and, certainly, from his point of view, he would be happy to accept that that nobody would be coming back half-way through the year and asking for more. This would be the ceiling that would be set well in advance and, particularly if governments accepted that, this would be the basis on which the invoices would be prepared, and he knew that the Olympic Movement would be happy to meet its contributions on the same level. It was a pretty straightforward situation and, certainly, as far as the Finance Committee was concerned, the members hoped that this proposal would be approved.

MR MIKKELSEN stated that it would not be acceptable to have a 7% increase in the budget. This was not productive, and the proposal did not correspond to the agreement concerning the development of WADA's costs. As a government representative, he was aware of the challenges presented by inflation, but the Foundation Board had decided on a ceiling, therefore an increase could not be proposed.

He strongly recommended that the Executive Committee agree on a lower increase of the income budget for 2005. He asked the secretariat to take a close look at the increases in actual costs of WADA's different activities and the services provided within the organisation.

MR LARFAOUI suggested calling the document a preliminary draft rather than a draft. The team should then take time to prepare a draft to submit in September to the members of the Executive Committee and then the Foundation Board.

DR SCHAMASCH noted that the Olympic Movement continued to question its partners, and did not have any responses at that point, so he agreed with Mr Larfaoui and suggested taking a decision on the issue in September.

MR BLAIS thanked the committee for preparing the documents. He would read this as the worst-case scenario. The reality would be that there would be some concern. He understood the spirit in which the document had been created. It would be important to articulate how the inflation was being driven, and articulate the currency, as this would be important for the Executive Committee members to explain the matter to the governments. WADA would not wish to reduce the buying power, but it would be important to have the articulation.

MR REEDIE said that WADA had been asked to set a ceiling some years previously, which had been done. The governments had then said that they did not want to have these commitments over five or six years, which was fair enough, but these figures were way below what the initial ceiling had been, therefore he was not quite sure what figures Mr Mikkelsen wanted, other than lower ones. He thought that the committee had tried to adhere to the instructions that had been given by governments, in that they should know well in advance the maximum figures that they would be invited to pay, in order to help the government processes.

As to the comments made by Mr Larfaoui and Dr Schamasch, they were effectively saying that they would rather wait and see the whole picture in September and take a decision then. They would certainly have more information on the expense side in September, as well as much greater detail, but this did not seem to fit in with the governments' requests for ceilings earlier in the year so that they could budget. The members would have to tell him whether the request for more information earlier on was more important or less important than waiting until there was a full budget.

In response to Mr Blais, WADA had the calculations done on how it defined buying power, and he would let Mr Blais see the basis on which the committee thought that it had lost US\$ 5.552484 million of buying power.

He was in the hands of the Executive Committee members. WADA would not founder in any way. If people wanted greater detail, then that was fine; it just meant that the governments would have less time to do their budgeting. If governments said that they

had seen what they thought was going to happen and could make the arrangements accordingly, then he would be happy with that.

DR SCHAMASCH asked whether, when the members had questions based on the budget, they should go to the Director General, who would then liaise, or to the individual departments. Would it be better to go directly to the Director General?

THE CHAIRMAN agreed that this would be the preferred option, and the Director General would then assign whatever responsibility that he considered appropriate.

He did not think that the Executive Committee or the Foundation Board should be profligate with money and be constantly seeking to double or triple the budget. WADA had a lot of work to do, and the expectations were going to be increasing. WADA should be looking to do more rather than less. This was a very minimal budget, considering the mandate of the World Anti-Doping Agency. He would like the members to think in terms of what they wanted to do, rather than taking a figure and saying that, whatever the figure was, it had to be less.

THE DIRECTOR GENERAL said that the management had worked for many hours to produce this draft budget; therefore, he would appreciate directions as to whether it was worthwhile doing this exercise. The following year, WADA would have added responsibilities under the Code. The monitoring expectations of everybody were huge. UNESCO was also asking WADA for assistance in the way in which the Convention went forward. Governments were asking WADA to spend some of its resources and energy on areas involving governments, and that was going to cost WADA in terms of money, time and energy. WADA had increased responsibilities, which would be accelerating over the next six to twelve months. WADA wanted to adhere to those responsibilities and respond appropriately, but it would need the money. He wanted to make sure that people were aware of this issue.

THE CHAIRMAN said that, over the next two or three years, WADA was going to have to take some appeals to the CAS. He knew that WADA was going to have to exercise its right to appeal in some cases. This would be expensive. The Foundation Board and the stakeholders had to equip WADA to carry out those responsibilities.

The figure of .769 million Canadian dollars seemed very optimistic to him, as he did not think that the dollar was likely to stay that high.

MR REEDIE thought that the presentation and the request might be repeated at the Foundation Board meeting. The initial sums showed that the actual effect of the previous years was a 29% adverse variance in currency between the US and Canadian dollar. This was nobody's fault: it was reality. He thought that he had to say to the public authorities represented around the table that he genuinely did not believe that, over a two-year period, on a minimal budget, with a pile of work to do, that something around 7% was beyond the possibility of the governments to think that they might, at some future date, have to pay.

THE CHAIRMAN said that his experience was that, when the amounts were minuscule, people liked to refer to percentages.

MR STOFILÉ said that he had also thought that 7.2% appeared to be high and, until he had heard that WADA had lost over 5% in actual buying power, he would have been vehemently opposed to what seemed to be a mechanical percentage rise. He proposed that it was not unreasonable to anticipate a rise, but asked for an explanation for the rise in the documents themselves.

THE CHAIRMAN noted that the explanation would be made clearer to the Foundation Board.

MR LARFAOUI did not understand the issue referred to by the Director General concerning UNESCO. Would WADA be paying UNESCO?

THE DIRECTOR GENERAL confirmed that WADA would not pay for anything for which UNESCO was responsible, but WADA did have responsibilities for monitoring the Code as applied by governments, which tied in with the Convention underneath that umbrella. This was not UNESCO's task; it was WADA's task, and that would start when the Convention came into place. This was an extra cost associated with monitoring.

DR SCHAMASCH noted that, in the draft budget, WADA should have put the US\$ 95,000 under the heading of government compliance with the Code rather than under the UNESCO Convention.

THE DIRECTOR GENERAL said that the rationale was that, the following year, that cost would be the attendance at the UNESCO meetings until the UNESCO Convention was in place. It would be possible to develop the issue further at the September budget meeting.

THE CHAIRMAN noted that he would not want anyone to think that WADA wanted a 7% increase based on a mechanical increase. If WADA was going to do the very minimum that the members thought must be done, the arithmetic conclusion was that there should be a raise of 7%.

MR BLAIS stated that people would focus on the increase, which was why WADA needed to spend a bit more time on the underlying rationale and be sure to explain the original budget plan, which had been much higher.

MR REEDIE said that the committee would prepare the necessary compelling document.

DECISION

Decision pending concerning draft budget
2005.

5.6 Finance Committee

MR NIGGLI noted that this paper was a matter for information. Two proposals had been made: one from France and one from the Netherlands. The candidate from France had been supported by Denmark and during discussions at the Council of Europe; therefore, there had been a decision made in accordance with WADA's Statutes by the Chairman of the Finance Committee and the Chairman of the Foundation Board, along with the Director General, and Mr Valéry Genniges from France had been appointed as a replacement in the Finance Committee.

MR LARFAOUI said that he was not objecting, but thought that the observers sitting on that committee, for example Mr Sprunger from the IOC, might be appointed.

MR NIGGLI replied that WADA had asked Mr Sprunger, but Mr Sprunger had wanted to remain an observer. This had not been WADA's decision.

DECISION

Finance Committee report approved.

6. Legal

6.1 Working Group on Sanctions

MR NIGGLI referred to the update on the Working Group on Sanctions, detailed in the Foundation Board report in the members' files that would be presented the following day. The group had collected some 70 cases from the various stakeholders; there had been a teleconference on 15 June, during which those involved had discussed and tried to categorise the different cases. The group would produce a report, which would be tabled at the next Executive Committee meeting.

DECISION

Working Group on Sanctions update approved.

6.2 Procedure for Election of WADA Chair

MR NIGGLI referred the members to the document in their files, which requested acceptance of a new procedure for the appointment of the chair of the Foundation Board. Only the scrutineers were missing from the document.

MR MIKKELSEN highlighted the need to remember the fundamental principles in WADA: partnerships. WADA was based on a partnership between the Olympic Movement and the governments of the world. He hoped that the members would be able to agree on a government representative to follow the current Chairman when the time came. It was not easy to find a suitable government member to follow the Chairman, as the Chairman had been doing a great job. He hoped that the Chairman would be willing to prolong his mandate in order to have a strong leader for the next two years. He suggested that a small committee be formed in order to define a profile for the next chair, looking at the Statutes in order to clarify some uncertainties. The committee should work until June 2005, in order to make sure that a new chair could take over after the Olympic Games in Turin 2006. In the meantime, he suggested that WADA appoint a vice-chair of the Executive Committee, in order to signal a partnership and to prepare the path for governments to take part in the leadership of WADA. It would be a very good signal to the rest of the world to have Mr Pound as Chairman and a governmental representative as vice-chair.

MS BASSER supported the comments made by Mr Mikkelsen. Indeed, WADA was a unique organisation, and all would acknowledge that WADA had grown strong under the current Chair's extraordinary leadership, and this would be a hard act to follow. At the same time, this transition to a new chair provided a very important time to see and be seen that WADA was a partnership with governments. The governments wished for the opportunity to nominate the chair, but the reality was that it was difficult for governments and, obviously, for a sitting minister, to take on that role. It would be necessary to cast around to see who would be the appropriate person and what issues that might raise. She would like to propose extending the current Chairman's term until after Turin, because she believed that the Chairman's leadership was essential over the coming years but, at the same time, there should be an understanding in terms of the formation of a government working group to bring forward, first of all, what some of the issues might be, to the November meeting, perhaps, and then hopefully have some nominations for consideration the following May.

MR BLAIS endorsed the previous comment and said that the governments were happy with the Chairman's leadership. This was a critical time; WADA was a new organisation with a new process, and now was not the time to change horses in mid-stream. He supported the suggestion that the current Chairman continue until after the Turin Olympic Games.

This was a partnership between the sport movement and governments, and the government structure was intended to reflect that. Perhaps the execution of that government structure had not occurred as much as it should have done. There was a need to recognise a vice-chair position in the interim to reflect that partnership aspect and, in the longer term, to have an alternation. It was difficult for a sitting minister to be positioned to have that succession planning in the long-term. The challenges of having to remain in the capital because of ongoing work in parliament or other business had been highlighted. There was not a great deal of continuity. The committee needed to look at how to amend the Statutes in order to have a government representative who would not necessarily be a sitting minister. He hoped that it would be possible to extend the Chairman's term until after the 2006 Olympic Games in Turin, to look at an interim solution to have a minister as a vice-chair pending the longer process, and to set up a

committee to look at how it might be possible to amend the rules of governance to allow a government representative, who would not necessarily be a minister, to act as Chair.

MR BURNS applauded, on behalf of the USA, the professionalism and candour of WADA. It was a crucial time for WADA and he thought that the Chairman deserved a great deal of credit for his leadership. He fully supported the proposal, but he did not wish to wait until November. He would want to send the message now to Athens and WADA before the Olympic Games, and thought that it would be helpful to have the Chairman's position clarified immediately. On behalf of his country, he thanked the Chair for his work.

THE CHAIRMAN declared that he was increasingly nervous as he heard people saying that he was doing a good job; it appeared to have been a eulogy. As to the idea of a vice-chair from the public authorities' side, he supported it. One had already been picked out, but had stopped coming to the meetings. If the public authorities' side could pick one, he would be delighted. The issue of the constitution was something that WADA would have to wrestle with. It might be necessary to have somebody who was truly independent in the future. Whether the chair should be automatically alternating was something that the public authorities might wish to consider. This was very important. Any faltering, and it would all be tied back to the governments. As far as he was concerned, the members could decide to keep him in office in November if they wished, and do both matters at the same time.

At the start, the government representation had been so important to the governments that they had wanted ministers wherever possible around the table. He understood the difficulty for the ministers and the demands on their time, but the issue had been so important in 1999, that ministers had actually wanted to attend the WADA meetings.

THE DIRECTOR GENERAL said, with due respect, that he thought that a process needed to be in place to ensure that the November meeting would result in the election or decision as to a chair for the oncoming years. A process would need to be in place in order to know what would be happening in November, which was the rationale behind the paper that had been prepared.

THE CHAIRMAN asked whether this was a process that the Executive Committee members would like to go forward to the Foundation Board.

MR BLAIS said that the Executive Committee was discussing voting the current Chairman right away, so as to not have to go through the process outlined in the papers. He was not questioning the importance of having ministers around the table, which was very important, but it was merely in terms of the next chair coming from the government side. What he was saying was that there could be a non-minister but a government representative on a long-term basis. It was very important to have ministers present around the table but, with the document in front of him, he thought that many of the members would feel comfortable to appoint the Chairman again immediately.

THE CHAIRMAN said that this was up to the Executive Committee members.

DR SCHAMASCH asked whether, when asked to review the agenda item 6.2, it might be possible to include a mention of the vice-president. Article 7 provided for this.

THE CHAIRMAN agreed that the Statutes did indeed provide for this; it was just a matter of filling the position. WADA could do this the following day so as to have a vice-chair in place by November. This could be helpful from a UNESCO point of view. He proposed that the members talk amongst themselves in order to make a decision the following day. They did not need to make him feel good by appointing him the following day.

DR SCHAMASCH said that, as a representative of the IOC, he would not be able to make a decision on the issue of a possible agenda change concerning the election procedure of the Chairman of the Foundation Board the following day.

DECISION

Decision concerning election of WADA chair to be taken at the meeting of the Foundation Board on 22 June.

7. Strategic Plan

7.1 Strategic Plan – Development and Update

MR WADE referred the members of the Executive Committee to the Development and Update document in their files. He wanted to provide them with a brief overview of the status of the Strategic Plan and, more specifically, focus on the Performance Indicators. The members could also see the Background Paper, which had been prepared on Performance Indicators, together with the Strategic Plan itself, which had the Performance Indicators in there. He did not wish to go through everything in the package, however wanted to focus on a few key aspects.

In terms of the Performance Indicators, WADA's emerging responsibilities with the new Code and World Anti-Doping Programme were huge, and it was necessary to have the time to do things right. It was necessary to keep the Performance Indicators simple; they needed to be easily understood and achievable, and there were two kinds of Performance Indicators: strategic and operational. It was necessary to ensure that both of these types of Performance Indicators were controllable.

With respect to the Strategic Indicators, they were broader and more general in nature, and were things that could be controlled. They were identified under each specific objective.

The Operational Indicators would be linked very tightly with the annual operational plans. The group would table the Performance Indicators for 2004 at the Executive Committee meeting in September, as well as those planned for 2005, and then it would go back to the November meeting with some performance measurements on what had been done for 2004, signing off the Performance Indicators at the operational level for 2005. It was important to remember that the two were very much linked, and had to be linked, as the Business Plan and the Strategic Plan were inter-related. Part of the exercise in putting together the operational plans would be to see if it was possible to identify any gaps between the Strategic and Operational plans. If there were any gaps, then some minor adjustments might be made to the Strategic Performance Indicators in the plan, which would be done as part of the exercise leading up to the presentation in September. It was also important to know that the performance indicators would be reviewed regularly. It might be necessary to change some of the wording in the Strategic Plan, which would not change the intent in terms of the content, but this would be fine-tuning concerning the wording and positioning. He would provide any updates in September. He thanked Mr Reddie and Ms Bassier for their involvement in the SPEG.

THE CHAIRMAN said that the members could see what there was in the Strategic Plan. It reflected the thinking and consultation. What was important for the Executive Committee, with all of the different perspectives brought, was what might be missing, in terms of carrying out WADA's mandate. He asked the members to look at it to see what might be emphasised differently.

MR STOFILÉ agreed with the document. The Strategic Plan referred to the imperatives of the initiative. He thought that more emphasis might be placed on countries and organisations, awareness and advocacy. In Africa, there were athletes who emerged from farms and very rural areas, and had no knowledge of WADA, let alone the list of banned substances. They also ate a lot of meat, thanks to American exports, and this meat was pumped full of steroids. He therefore emphasised the need to build partnerships between WADA and anti-doping agencies, as well as education and health ministries. If WADA simply focused on those athletes who were already registered, it would miss out on a

number of young people in Africa. He did not know how best to include this issue in the Performance Indicators.

MR BLAIS congratulated Mr Wade on his presentation. In Objective 5 under the Performance Indicators, Mr Wade had indicated 75% of levies received by June each year, and then there was a note concerning the UNESCO process. Might Mr Wade explain exactly the risk factor involved there?

MR WADE told Mr Stofile that he could not agree more with his comments. Mr Stofile would find in the Ethics and Education and the Communications updates that WADA did need to look carefully in certain parts of the world where this information was needed. Many things were being planned that would accommodate Mr Stofile's concerns, and he would also see the Performance Indicators tied to the Operational Plan at that level. There would not be a great deal of detail in the Strategic Plan; however there would certainly be details in the Operational Plan. He thought that, once Mr Stofile heard some of the programme updates, he would like what he heard.

As to the UNESCO process, it was one of the few Performance Indicators where it was necessary to be careful, as this was out of WADA's control. It would be necessary to think some issues through carefully. The update had been written, and now he saw that WADA was getting 90% funding. This note had simply been something related to things that were not directly under WADA's control.

THE DIRECTOR GENERAL said that the words in brackets would be taken out.

DECISION

Strategic Plan update approved.

8. World Anti-Doping Code

8.1 Activity Update

MR ANDERSEN referred the members to point 6 of his report, the Models of Best Practise, which were very important and necessary for the NADOs, NOCs and IFs. These were practical tools to enable harmonisation amongst these organisations. He had tried to be practical in terms of creating and making doping control regulations and procedures, and also in terms of standardising doping control forms throughout the world.

As to point 7, which concerned the Whereabouts / TUEs / Test Results, WADA received all positive test results from the laboratories; these results had to be processed and WADA had to see if the Code had been approved and implemented by the federations and organisations related to the positive test.

A more comprehensive report would be given the following day.

THE CHAIRMAN said that 10,000 copies of the World Anti-Doping Code had been sold, which made it a best-seller, at least in his country.

MR ANDERSEN noted that another 10,000 Code booklets had been made.

DECISION

World Anti-Doping Code activity update approved.

8.2 Code Compliance

MR ANDERSEN said that Code compliance monitoring was a huge area, and WADA was obliged to monitor according to Article 23.4 of the Code. It was necessary to have a system that was simple to use and simple to manage. He believed that this would have to be done by electronic means, but this would be decided at a later stage. A plan was being prepared to be submitted prior to the meetings later that year.

MR BLAIS said that, as they moved forward on the UNESCO Convention process, it might be interesting to make sure that, if there was an agreement on monitoring, the system could take synergies into consideration. This could be a cost-saver, certainly for future planning.

DECISION

Code compliance update approved.

8.3 Signatory Update

MR ANDERSEN referred to the NPCs, the NOCs and the NADOs. In terms of acceptance, 200 NOCs had adopted the Code. The other figures could be seen under the *Acceptance* heading in the report. Implementation was slightly more complicated. He referred the members to the table, which showed the dates of Code acceptance by each of the organisations.

MR DIELEN referred to the IFs. There was 95% acceptance from the Olympic International Federations. There was a meeting scheduled with the UCI on 23 July to decide upon acceptance and implementation of the Code. Two International Federations were missing from the Recognised Federations, and these were the International Golf Federation (which had scheduled acceptance for October 2004) and the International Automobile Federation (which had informed WADA that it would implement all aspects of the Code, but that it could not accept CAS arbitration). In terms of the GAISF members, 13 out of 20 had accepted the Code.

A first look had been taken at Code implementation, and there had been a review process, during which WADA had asked the IFs to submit their rules by mid-May; WADA had then looked at the rules, paying particular attention to the integration of the verbatim mandatory articles of the Code, as well as the implementation of the Code principles. This had not been a legal review. A draft report had been made for the IFs that had sent in their rules, and they had been asked for any clarifications or corrections.

He could give the members an interim report on the matter: 85% of the Summer Olympic International Federation rules had been finalised. There had been no remarks from 18 of them; six had to make some clarifications; and three were still missing: the ITU, FIFA (although the medical rules had been received), and the UCI (which still had to take a decision). 72% of the Winter Olympic International Federation rules had been finalised, and there were still some outstanding issues with the Bobsleigh Federation. Those missing were the IIHF and the ISU. 68% of Recognised Federations had sent in their rules, and five federations had to give some clarifications, most of which were related to the TUEs. As to the major games organisations, the IOC rules had been completed for the Olympic Games in Athens; the rules had been finalised for the World Games Association, which was awaiting the outcome of the Olympic Games to perhaps make some small modifications. The IPC's rules had been completed, as had those of the Commonwealth Games Federation.

MR REEDIE thanked Messrs Dielen, Andersen and Howman, as well as the Chairman. The various meetings of NOCs around the world, and the necessity to accept the Code was complicated for the NOCs as, if there was no NADO in the country concerned, the NOC had to be the NADO. It was great to have 200 NOCs out of 202 within one year, although he was not entirely sure that they all understood the subtleties and obligations that they had taken on. He apologised for planting the implementation question in Athens with a very bright Luxembourg lawyer; the meeting had gone on a little bit because of that. The NOCs had come to the party pretty well. He asked which two had not signed, and he would make sure that they knew that they had better do so before turning up in Athens.

THE CHAIRMAN said that, with regard to the governments and the Copenhagen Declaration, he thought that more than 120 had signed.

THE DIRECTOR GENERAL said that this would be discussed under agenda item 9.4.

DECISION

Signatory update approved.

8.4 Sanctions

8.4.1 Status of Sanctions Paper

THE DIRECTOR GENERAL noted that this was a matter that had been put on the table, because there had been requests from some of the IFs to accord some status to the paper that he had written for a conference the previous year, and which he had tabled at the November meetings. He had prepared some background, asking for views around the table as to whether there should be some status accorded to the paper. He sought views, as it might be seen as appropriate to say that it was an advisory paper, or to say that it was of the same strength or status as the comments printed in the Code itself. He was not making a recommendation but was seeking views because of the interest in the paper itself.

THE CHAIRMAN asked if there were any views on the issue. Had the members read the paper? He thought that more thought was needed on the matter, and asked the members to come to the September meeting prepared to decide on the status.

MR REEDIE said that it was legally very accurate, but he thought that, as a usage tool, WADA could probably make it slightly more user-friendly. If that could be done, then he would support the principle that was behind the question, that a little bit more status be give to the paper, because the whole issue of sanctions was still out there and still not fully resolved, and anything that could be done to knock that one on the head, the better.

MS BASSER said that she would support that suggestion. It would be useful to have a more readable version.

THE CHAIRMAN thought that the members would need to ask themselves in September whether this was what they thought that the Code needed. He asked them to arm themselves to come back in September with a "yea" or a "nay" and, in the interim, anybody with suggestions for improvement should let the Director General know.

DECISION

Decision as to the status of the sanctions paper to be taken at the September meeting.

8.4.2 Sanctions in Excess of Code Provisions

THE DIRECTOR GENERAL said that this was a matter that the management had felt appropriate to table, and he wished to draw the paper to their attention.

MR REEDIE suggested that, if WADA was going to produce a more user-friendly version regarding sanctions, then this issue should be included in the paper. He did not think that different edicts should be pushed out on different levels of sanctions. If the two issues could be knocked together, he thought that that would help.

MS BASSER asked whether, if they were not compliant, the governments would be obliged to withdraw funding from the sports concerned. What would the implications be if the sports were deemed to be non-compliant?

MR BLAIS thought that this was a difficult one on a number of levels. On the one hand, WADA sought harmonisation, but then the media thought that harmonisation was a watering-down of sanctions, so there was a communication challenge associated as well. The legal implications were evident. This was a particularly challenging issue.

MR LARFAOUI thought that the members had spoken about FIFA and the specific nature of possible dispensations. FINA had initially set its sanctions at four years, but WADA had asked for two years. The Code should either be applied or not. There was a need for clarification.

THE CHAIRMAN said that, if an IF had something in its rules that differed from a mandatory provision, then it was not in compliance with the Code. WADA would not want an IF deliberately adopting a rule that was not likely to be upheld, on the pretence of being tougher on drugs. He thought that WADA should say that there were areas of the Code that were mandatory, and that these had to be complied with.

MR LARFAOUI replied that this would be true, unless amendments to the Code were made.

THE CHAIRMAN thought that this was a possibility, but he would not want to do anything until the Convention was completed. In the short run, WADA should say that this was what everybody had adopted, and nobody could be exempt from what everybody had adopted.

THE DIRECTOR GENERAL said that the management had thought that the mandatory components should be adhered to and, certainly, for those deviations beneath the sanction level, WADA had been quite tough. Mr Larfaoui had mentioned FIFA. WADA was already talking with FIFA in that respect. In terms of excessive sanctions, WADA was attempting to persuade federations to change and adopt the rule.

As to what Mr Reddie had said, it would be useful to include this in the sanctions paper, so he would try to do that. He would try to communicate in a simple fashion.

As to the issue of compliance or non-compliance, this was very important as, while WADA did not have any jurisdiction in relation to what occurred if a body was not in compliance, the governments and the IOC did. WADA's duty was to supply the bodies with compliance documents, to state whether they were in compliance or not. WADA was looking at doing this in such a way so as to not set a level that would be impossible to achieve, but which was both pragmatic and maintained the harmonisation sought by the Code. The impact or effect of non-compliance was such that, for an IF, for instance, the IOC could determine to exclude the IF from the programme of the Olympic Games. The possible outcome was serious, therefore, and WADA needed to look at the issue seriously and report appropriately.

Mr Blais was right: there were some communication issues that were very important, not only from a legal point of view, but from an understanding point of view. At one stage, the USATF had said that it had a zero tolerance policy and that it would have life bans for all athletes who tested positive for drugs. WADA had communicated directly with that individual, but had had no response. What WADA was doing was maintaining the need for harmonisation, and this would be done in the way in which WADA prepared compliance reports. He thought that some quite useful ways forward could be taken from this discussion, and they would be adopted accordingly.

DECISION

WADA management to pursue issue
concerning compliance with the Code related
to sanctions in excess of Code provisions.

8.5 Clarification on Signatories to the Code

THE DIRECTOR GENERAL referred the members to the document in their files. The management suggested that there be a user-pay component if WADA accepted sports outside the Olympic Movement umbrella. He would be interested in comments as this would affect a number of sports and a number of countries.

THE CHAIRMAN said that the principle was whether WADA should agree that organisations that did not already contribute to WADA should pay for any monitoring activities carried out by WADA.

Given that the Executive Committee members had agreed to this proposal, should the members leave the matter to the management to negotiate the appropriate cost-recovery element, as some federations would be very small, and there would not be

much to do, and some could be quite large, and require more expenditure? So the principle was whether the members accepted the proposal and agreed to delegate to the management the financial aspects.

MR BLAIS asked whether the Paralympics were covered under the IOC.

THE CHAIRMAN replied that the Paralympics were part of the Olympic Movement.

DECISION

Proposal to determine that WADA's responsibility to signatories to the Code, where such signatories are not sports organisations that fall within the Olympic Movement umbrella, be undertaken on a cost recovery basis, approved. WADA management to work out the financial aspects.

9. Department / Area Activity Updates

9.1 Science

Accreditation / Re-Accreditation of Laboratories

DR RABIN referred to the departmental report in the members' files.

DR GARNIER gave the members an update on the process regarding the 2005 List of Prohibited Substances and Methods, also included in the departmental report. The new List of Prohibited Substances and Methods would be in force as of 1 January 2005.

Information regarding the TUEs were also included in the report. Over 1,700 TUE requests had been received, coming from eight national agencies and 17 IFs, illustrating that the process was well integrated in the activities of these organisations. Only 10% of the TUEs had come from the IFs.

Some 20 experts had been identified from the NADOs and IFs, upon whom WADA could rely for assistance. The mechanism had been set up and was working, and was in compliance with the provisions of the Code.

DR RABIN gave the members an update on the 2004 research programme, referring again to the report in their files. The interest in what WADA was doing in science was expanding. It was still necessary to pursue efforts to expand the interest in WADA's research programme beyond the existing anti-doping community, whilst maintaining a world-class quality with selected projects. The evaluation process of the projects would be based on the same process as in the previous year, with some members of the Health, Medical and Research Committee in charge of establishing independent panels to assess the projects in their own areas of expertise. These independent assessments of the projects would be reviewed by the Health, Medical and Research Committee on 10 September, so that the recommendation from the Health, Medical and Research Committee on 10 September, so that the recommendation from the Health, Medical and Research Committee for the approval of the 2004 research projects could be reviewed in September by the Executive Committee.

In terms of laboratory accreditation, since WADA had already conducted three proficiency tests for 2004, with one additional test to take place before the end of the year, this was a very intense activity for the Science Department, because of all of the logistics involved, but also due to the quality and amount of information that WADA provided to the laboratories. In fact, WADA looked at all of the information from the laboratories from an administrative as well as a technical standpoint, and provided general and customised comments to all of the laboratories, and this approach appeared to be widely appreciated by the laboratories.

In WADA's constant efforts to improve quality, independence and transparency in the accreditation process, WADA had commenced a partnership with the Independent Laboratory Accreditation Cooperation (ILAC). Two days previously, ILAC had held its executive committee meeting and had issued a supportive recommendation to the collaborative work with WADA, with the idea that the assessment of the accredited laboratories could be conducted by ISL-certified assessors, and WADA had trained about 15 of these assessors for the International Standard for Laboratories.

DR SCHAMASCH thanked Doctor Garnier and Doctor Rabin for their excellent work.

For the Olympic Games in Athens, there would be a TUE meeting, and the IOC had ongoing meetings to ensure that the Olympic Games would be in compliance with the Code.

MR REEDIE suggested that, in the consultation process before the September meeting, those responsible do everything possible to avoid the problems that had arisen the previous time regarding glucocorticoids. WADA members needed the full information in order to have a balanced view.

THE CHAIRMAN said that WADA, now that the financial situation had improved, was going to become an important funder of research. It was necessary to be careful in order to have a true independent assessment of projects, because it was a small community, and everybody scratched each other's backs.

DECISION

Laboratory accreditation update approved.

9.1.1 Suspension of the Seoul Laboratory

DR RABIN referred the members to the paper in their folders. He wished to add that there had been an exchange of e-mails between the Seoul laboratory director and himself, and the director of the laboratory had understood the situation, and had written that he would use the six-month suspension period to buy new equipment and implement all of the corrective actions that had been considered necessary. There had been a positive outcome to the situation.

DECISION

Update on suspension of the Seoul laboratory approved.

9.1.2 Accreditation of HFL

DR RABIN referred the members to the decision paper in their folders. From a technical perspective, there was absolutely no doubt that the HFL would be a good addition to the group of WADA-accredited laboratories. Having said that, he had been asked by the WADA Laboratory Committee to express the importance that the two laboratories receive fair support from the national public authorities, given that the UK had made the deliberate choice of having two accredited laboratories.

MR REEDIE was sure that the members had no idea how pleased he was to see the recommendation. He took on board very strongly the point made by Dr Rabin. There would be a very considerable skill involved in making sure that the older laboratory got sufficient business to maintain the quality of the staff and work carried out there, rather than just assuming that the new laboratory should get all of the business, so he was pleased that Dr Rabin had made that point.

MR LARFAOUI noted the IOC's support of the laboratory.

THE CHAIRMAN confirmed the huge IOC support. Did the members agree to the proposal? If so, the authorities could be notified accordingly.

DECISION

Recommendation of the WADA Laboratory Sub-Committee and Dr Rabin to grant WADA accreditation to HFL approved. HFL to be notified accordingly.

International Standard for Laboratories (New Documents)

9.1.3 Addendum to the ISL for Blood Testing

DR RABIN referred to the report in the members' files, which requested a decision concerning the proper handling of blood and blood-related samples. No comments had been received from any of the anti-doping laboratories regarding the document by 15 June, therefore the document was submitted as it was for the approval of the Executive Committee.

MS BASSER said that this was one of the examples of scientific issues about which she felt she had not had enough information. There was a scientific, legal and programme management issue involved here. As to the legal basis, she did not necessarily believe that the A and B samples were necessary for sustaining a positive analytical result. It was the integrity of the sample and the separation of the collection and analytical roles that formed the key issue. She would be more than happy to continue discussions with WADA, and it might be useful to seek another view as to whether there was a legal requirement for the A and B sample. As to implementation, these things were often difficult and complex to implement. Perhaps WADA could come back in September with an implementation plan and suggestions to support the laboratories that would be involved? She felt in a position to support the proposal then, but asked for more information and the detail and discussion on some of the implementation.

THE CHAIRMAN asked whether Ms Basser was prepared to go ahead then and there.

MS BASSER replied that she understood the imperative of why the decision was needed, but she would like follow-up regarding implementation and issues, as well as a plan to come back to the September meeting. She understood that there was a necessity for this to occur now, but would also like clarification on the legal issue regarding the A and B samples.

DR RABIN said that he was not a lawyer; therefore he was not able to give further legal information.

Everybody needed to realise that blood was a living matrix and could evolve over a matter of hours. The benefits of the test that was being developed were that the samples taken could be stored in the refrigerator for six to eight weeks without too many problems.

THE CHAIRMAN said that WADA did not want to be handcuffed into a situation where the B sample was no longer usable.

DR RABIN said that this was why, in the addendum, the analysis of the B sample was mandatory 30 days after the analysis of the A sample.

DECISION

Proposal to approve the document entitled *Requirements for Anti-Doping Analysis of Whole Blood, Plasma, Serum or other Blood Fractions* as an addendum to the ISL for implementation in WADA-accredited laboratories as of 1 July 2004, to allow for proper handling of the blood and blood-related samples in the framework of anti-doping tests

accepted, subject to the request made by Ms Basser for further information.

9.1.4 New Technical Documents

DR RABIN referred to the document in the members' files, which requested the approval of two technical documents. These two technical documents were clearly quite important in the way in which the laboratories moved in terms of reporting 19-norandrosterone and the endogenous steroids. He knew that the documents were really very technical, but hoped that the members had had the chance to share them with some of their experts.

MS BASSER asked about the cost benefits. She understood that it could cost some US\$ 300,000 and that it had a one in four success rate. She was wondering about the assessment and how a decision had been made regarding the cost benefit.

DR RABIN replied to the matter of the benefit. He highlighted the recent case of the cream used that contained testosterone and epitestosterone. It was clear that, with the previous system, only the T/E ratio had been referred to, and there had been nothing that could be detected or reported on in terms of adverse analytical findings with this approach. The previous year, there had been a move away from the very strict T/E ratio of six to integrate the possibility to look at the concentrations of testosterone only, or epitestosterone, or other precursors of these substances. Now WADA had a T/E ratio that was closer to four. There had been extensive discussions with the members of the Laboratory Committee, and it was clear that if, based on these documents, a laboratory saw an abnormal concentration of testosterone or epitestosterone, and it had the possibility to apply isotope ratio mass spectrometry if needed, that would be almost a guarantee that it would be possible to report on adverse analytical findings in a much better way than before. As to the cost issue, there had been a long debate in the committee and, as the members were probably aware, there were three laboratory directors in the WADA Laboratory Committee, one of whom was particularly insistent on the fact that there would be additional costs; another director was more neutral; and the third said that there was no additional cost when IRMS was built into the normal process. There had been a great deal of debate, and the experts had not agreed on the additional cost. He tended to believe that any new procedure would add a cost, at least at the beginning, until it became a part of the process. When he had discussed the issue with the laboratory directors, nobody had been able to say the exact percentage of samples with a T/E ratio above four and abnormal profiles that would be submitted to IRMS. It appeared that there would be a relatively low number of samples involved.

THE CHAIRMAN said that this was an area in which, anecdotally, many people had played with the six to one ratio, so the lower that this could be brought, the better.

DECISION

Technical Documents on *Reporting of Norandrosterone Findings and reporting and Evaluation Guidance for Testosterone, Epitestosterone, T/E Ratio and other Endogenous Steroids* for implementation by the WADA Accredited Laboratories starting on 13 August, 2004, approved.

9.2 Education

MR WADE introduced the members to the new Ethics and Education Committee Chair, Mr Scott Burns. He was delighted to have Mr Burns on the committee.

MR BURNS thanked Mr Wade and the Chairman. He had been the WADA Ethics and Education Committee Chair since December 2003. It was his government's intention to help WADA. There had been some difficult issues regarding financing. Mr Howman had

done some stellar work in Venezuela, as there had been some volatile issues and frank and candid conversations. He would work hard on the Ethics and Education Committee.

MR WADE referred the members to the Education Departmental Report and the Short-Term Education Strategy 2004-2005; the Terms of Reference for the Ethical Issues Review Panel; a document on the responsibilities of members on the Ethical Issues Review Panel; an overview of the Education Questionnaire; and an overview of the Partnership Certification Programme .

Education was not mandatory in the Code, but it was essential. Everybody needed to work together on this one. The main focus would be on providing up-to-date and accurate information on education that was consistent with the World Anti-Doping Code. Some of the key activities included the setting-up of a small functional ad hoc group, which would be in the business day-to-day, consisting of four or five people to provide regular and updated advice on current activities. The committee itself would meet once a year in person only, because of the substantial cost involved, although there would be three teleconference meetings to represent quarterly meetings of the group.

WADA was very privileged to have five leading world experts on ethics, whose names were in the report.

With respect to the Education Questionnaire, the members had been briefly informed in November 2003 in terms of to whom the questionnaire had been sent out. The key things that came from the questionnaire were that more than 50% were carrying out educational activities, but there was a general lack of funding out there. The main target groups with which most organisations at the national and international levels were dealing were athletes, coaches and support personnel, together with scientists and health professionals, which was good news, as this was consistent with the World Anti-Doping Code.

There had been a successful Supplement Symposium at the end of May, and he wished to thank Canada for its valued support. This was the first time that all sectors had been involved in coming together to deal with the issue of supplements.

The Council of Europe partnership continued, and WADA was developing model education guidelines, which would also include an approach to have very basic campaigns in certain countries. A working group was in place for that and the model guidelines would be in place for October 2004.

MR CTVRTLIK noted that, when talking about sanctions and information regarding nutritional supplements, it took time for decisions taken in WADA to trickle down to athletes and be ingrained in their psyche and change their habits. There was a need to keep things consistent and simple; they could not be simple enough. He could not hammer home the issue of nutritional supplements enough. He congratulated the Ethics and Education Committee on their efforts to hold another symposium, because it was necessary to completely change a mindset that a lot of athletes felt that it was necessary to take something extra to win.

DR SCHAMASCH referred to the Supplement Symposium, and congratulated WADA on reissuing the matter. Whilst it was recognised that supplements could be given under some circumstances, he thought that the double meaning could pose problems. He congratulated WADA on the setting-up of the Ethics Review Panel; how had the members been elected? He wondered why two Canadian members had been appointed? Did this truly reflect universality? This was a very important committee.

MR WADE thanked Mr Ctvrtlik for his comments, which were very relevant. WADA would make every effort to keep the momentum going.

As to what Dr Schamasch had said, he agreed that WADA should have been more careful regarding the language issue. The wording had initially been changed, but it had been agreed that the comment would be taken right out of the web site until there was sufficient information to enable greater accuracy.

As to the panel, the aim had been to get top-quality ethicists with experience in sport. There were two from Canada, one of whom was from Australia and had a lot of experience in the field of the ethical review of scientific proposals. The aim would be to rotate the members, and the management had in mind a Kenyan ethicist, who had not been available at the time. A person from Africa was, therefore, being considered, and would probably be on that committee over the coming year. More homework would be done to get somebody from the Asia region.

DR SCHAMASCH asked whether the last member had been approved by UNESCO.

MR WADE had said that this was a mere formality, but the formal approval had not yet been received.

THE CHAIRMAN replied that the two from Canada were women and were world renowned. Mr Scott Burns chaired a very important committee, as the war on drugs in sport was going to be won by education and prevention and not by the sanctions.

DECISION

Education report approved.

9.3 ADAMS – Anti-Doping Administration and Management System

THE DIRECTOR GENERAL referred the members to the document in their files. Mr Karam Birdi had been appointed as ADAMS Project Manager. He was independent, and came from CGI, which was a very important independent group in Montreal. His term expired at the end of the year, by which time he hoped that everything would be in place.

MR BIRDI thanked the Chairman and the management for their support. He would be making a full presentation the following day with details on the update. The objective of ADAMS was to provide a centralised service offering functionality for assisting WADA and its stakeholders in their operations and in fulfilling their obligations under the World Anti-Doping Code. The process was going very well. He was happy to say that he hoped that there would not be too many proposals coming in, but he was certain that there would be a minimum of six. The deadline for submission of proposals was the following day at 5 p.m. Montreal time. He assured the Executive Committee that he would do his best to meet the expectations of WADA. There would be frequent updating with regard to the progress, and the members would be given further information the following day.

THE CHAIRMAN declared that the ADAMS project would be an important aspect of what WADA did.

DECISION

ADAMS report approved.

9.4 Governments

MS JANSEN referred the members to the document in their files. The total number of signatories to the Copenhagen Declaration to date was 122. There had been an increase of six for Africa, nine for the Americas, seven for Europe, eleven for Asia, and two for Oceania. A total of 70 to 80 new signatures needed to be achieved between then and August. A number of countries had confirmed that they would shortly be signing the Copenhagen Declaration.

As to government payments, 17 new governments were making payments that year, some of which were also making back-payments.

With regard to the UNESCO Convention, WADA had made a presentation to 83 UNESCO delegates, as anti-doping was a new area for them.

MR BLAIS said that he was not presenting on behalf of UNESCO, as there would be a formal UNESCO presentation the following day. He thanked all of the staff involved in the

UNESCO issue for engaging the governments and delegations to build the knowledge; the variety of knowledge levels was quite surprising. This was extremely useful. Within the education mandate of UNESCO (the "E" stood for Education), there had been a round table of ministers for sport and physical education in January 2003 that had already asked UNESCO to open up work on developing a declaration. Almost two-thirds of the countries had committed to adopting a more formal agreement, the declaration being merely a political commitment. At the 2003 General Conference in October, the work on the Convention had started. Prior to that work, there had already been a meeting of Category Two experts to try to create a draft and give recommendations to the UNESCO Director General. The Director General had then asked for those involved to meet and come up with a draft. This had been a Category Six meeting, involving experts who had not been speaking on behalf of their governments. A more formal intergovernmental process had started in January, when there had been a meeting of an intergovernmental experts group. This had followed up from 10-14 May in Paris and, in between that, there had been a drafting group that had taken instructions from the first meeting to the second one. Considerable progress had been made, about which he was very happy.

There had been a clear feeling that the governments needed to respond to the very high expectations of the sports movement. It was always a challenge when people tried to change a text, but a point had been reached at which governments were now being asked what would prevent them from signing the document. At the previous meeting in May, there had been a draft convention with 75 paragraphs within square brackets, which meant that no consensus had been reached; at the end of the week, there had been about five or six paragraphs still within square brackets. There were a few issues still pending, which would be of relevance to WADA.

There were huge challenges internationally, which UNESCO had to tackle, from culture to education to science. There were limited budgets, and the feeling that this had to be done on an ongoing basis in a very efficient way. UNESCO was willing to help WADA, but there were some questions within UNESCO about the ongoing cost, and there was a need for dialogue between WADA and UNESCO about how to find synergies for monitoring government compliance to the Code and the Convention. An agreement had been achieved as to the broad objectives, and it was clear that there was a realisation that there was pressure in terms of time and that this was about harmonisation, and not everybody doing their own thing; but, at the same time, there was a recognition that each public authority dealt with this somewhat differently.

It had been agreed that the four standards would form part of the treaty, and then the Code would be appended as an information piece, but there had also been the realisation that the standards needed to be updated rather quickly, and so there had been some progress on having a fast-track process to approve those quickly. The next steps were to get rid of those final square brackets that were still pending. In September 2005, there would be a UNESCO General Conference, at which the issue would be discussed. There was a procedural requirement that a draft be distributed some 14 months prior to the General Conference. The issue would also be discussed at the UNESCO Executive Board meeting in October. The MINEPS IV Conference would be taking place between 8 and 9 December in Greece, and the Convention would be one of the items on the agenda there. This would be a ministerial level meeting, and the expectation would be that there would be a political endorsement by ministers at that time. There would be another Category Two intergovernmental meeting in January 2005, and the Director General would then send a copy of the most recent version of the Convention to all of the countries in order to collect comments to take to the General Conference in September 2005. At the end of that, governments could then open up the process of signature and ratification. This was an extremely tight time-frame, but he thought that UNESCO had gone a lot further than he would have believed a year ago. The ultimate objective was a matter of consensus.

THE CHAIRMAN looked forward to continued progress. This was really important, as everybody around the table knew. WADA members needed to continue to work with the

governments on their respective continents to make sure that the governments understood.

DECISION

Governments update approved.

9.5 International Federations

MR DIELEN referred the members to the documents in their files.

DECISION

International Federations report approved.

9.6 Standards and Harmonisation

MR ANDERSEN referred the members to the documents in their files. Further details would be provided the following day at the Foundation Board meeting.

DECISION

Standards and Harmonisation report approved.

9.7 Communications

MS KHADEM referred the members to her departmental report and Attachment 1.

There would be a single press conference in Athens at 10 a.m. on 12 August in the Press Centre. The members would be more than welcome to attend the conference.

A new initiative had been undertaken to send members press cuttings related to WADA issues every two weeks, and she would be very interested in hearing whether the members had any comments on this initiative.

DR SCHAMASCH referred to the newspaper articles mentioned by Ms Khadem, highlighting the legal copyright issues linked to the articles. Such articles could not be reproduced or sent from the IOC.

MS KHADEM replied that the lawyers might be able to address the issue better than she could. WADA was not reproducing articles, but was crediting them and sending them on to a much reduced group of people.

THE DIRECTOR GENERAL noted that WADA was using only publicly available material from the internet.

THE CHAIRMAN added that he thought that WADA was operating on the basis that it was easier to ask for forgiveness than to seek permission.

DECISION

Communications report approved.

9.8 Independent Observers

MR WADE referred the members to the documents in their files.

WADA would have Independent Observers present at the Olympic Games and the Paralympic Games in Athens. The team would be quite small, in order to be financially responsible, although it would maintain the scope of observations. WADA had a good pool of Independent Observers, with 60 people involved, which signified a good resource of expertise.

THE CHAIRMAN noted that an element in the report should be to address the size of the team and whether the job could be done properly.

DECISION

Independent Observers report approved.

9.9 Regional Offices

9.9.1 Lausanne

MR DIELEN informed the members that the Lausanne Regional Office continued to play a liaison role, especially with the IFs, the IOC and the IPC. Since 1 January, the office had also become an operations centre for the TUEs, as indicated previously by Dr Garnier. A number of meetings had been organised with IFs and other stakeholders.

As for the move to the House of International Sport, the plans were on track, and the premises would be ready at the end of 2005. WADA had now been allocated space in the entrance building, which meant that it would be independent from the International Federations. He would update the members on the progress at the next WADA Executive Committee meeting.

DECISION

Lausanne Regional Office update approved.

9.9.2 Tokyo

MR HAYASHI referred the members to the report in their files. He wished to thank everybody for their continued support of the Tokyo Regional Office.

MR TAKASUGI said that the Japanese Government was very grateful to WADA for its support in the opening and running of the Tokyo Regional Office. At the first intergovernmental meeting on anti-doping for the Asian region in Japan, there had been an exchange of views, and it had been decided that the regional office would be supported by governments to help those countries that were lagging behind in the area of anti-doping. He was aware that the regional offices did not have big budgets, therefore there would be an attempt to acquire larger budgets, and he thought that it would be important to give the regional offices some responsibility in terms of making judgements so that the activities could be more flexible.

DECISION

Tokyo Regional Office update approved.

9.9.3 Cape Town

MR SWIGELAAR referred the members to the update in their files. The Cape Town Regional Office had opened its doors on 1 November 2003; it had since changed premises. The office was currently funded 100% by Sport and Recreation South Africa, and was receiving assistance from the provincial government and the City of Cape Town. In terms of staff, he was the director, and there had been a recent appointment of an assistant from the Democratic Republic of Congo. The key responsibilities of the office were liaison and communication with the stakeholders as to the function and role of the office; the coordination of programmes, to ensure that the NOCs cooperated, which would be crucial in terms of the finalisation of the Copenhagen Declaration; and education, as a degree of harmonisation in the region was essential. The role of the office was to facilitate WADA's role in Africa. Since opening, the office had increased WADA's visibility on the continent; it had managed to improve the levels of interaction, cooperation and participation. As to the challenges ahead, some of them were generic, but there were some linked to issues such as the telecommunications infrastructure and the socio-political and economic circumstances and challenges that had to be faced. It was necessary to ensure the participation of all African countries in the WADA programmes. The issue of linguistic diversity was very important, as it was necessary to ensure that WADA would reach as many people as possible. The goals for the office included effective communication to intensify engagement with stakeholders. It was necessary to work with all of the WADA departments in Montreal in order to ensure

harmonisation and a common vision in the execution of programmes and projects. It was necessary to consolidate the stability of the office in Africa, which was a matter for WADA to decide in September.

DECISION

Cape Town Regional Office update approved.

10. Other Business

– Presentation

MR STOFILÉ said that he had been told by Messrs Swigelaar and Balfour of WADA's desire to have a symbol from the African continent in the meetings in Montreal, and he and his colleagues had tried to think of how best to make their continent remembered by the members. They had not been able to think of any better symbol than that of the man who had contributed so much to South Africa being where it was today, and who had helped in the readmission of South Africa's sports federations to the international community. The person he had in mind had been a very good amateur boxer and a rugby player of some sorts, so he had brought a photograph of what also became a very seminal event in the return of South Africa to international sport: a photograph of Doctor Nelson Mandela at the 1995 Rugby World Cup. This was South Africa's idea, and he hoped that WADA would cherish it for many years to come.

THE CHAIRMAN thanked Mr Stofile for his contribution to WADA.

THE DIRECTOR GENERAL thanked Mr Stofile for that very fond reminder of a famous victory by South Africa over his country. It would be a lovely reminder to him, every time he entered the meeting room, of how his country had not won! He also thanked Japan for the Judo outfit, and Canada for the hockey shirt. WADA was slowly increasing the sports paraphernalia that it had in its meeting room. If any other members had something that they would like WADA to hang in the offices, they were asked to forward it to WADA.

– BOA matter for information

MR REEDIE referred to communications matters and, in particular, an e-mail that had been sent concerning the situation of a British athlete. To put the record straight, there was a by-law in the BOA that said that any athlete guilty of a doping offence as established by the proper doping agency would lose eligibility for selection for the Olympic Games. The BOA had said that, if the athlete wished to challenge the validity of the by-law, it would cooperate to get the case before the High Court in London or the CAS, but had declined to pay the athlete's costs to take the case to the CAS. The BOA had thought it perfectly reasonable that, if the athlete wished to challenge the by-law, then it was up to him to find the modest means in order to do that. It seemed to him inconceivable that a one-day hearing would involve costs of hundreds of thousands of pounds. The athlete had decided not to challenge the by-law thus far.

10.1 Review of Draft Press Release prior to Distribution (follow up from November 2003 meeting)

THE CHAIRMAN noted that the governments had wanted to be able to review the draft press release prior to distribution following the Executive Committee meetings, and he asked them to designate somebody for this job.

MS KHADEM said that this issue had been raised in the context of releases issued subsequent to the Executive Committee, but the only release on occasions such as this would be made after the Foundation Board meeting.

THE CHAIRMAN asked the members to let them know who they would like to carry out this role.

DECISION

Governments to inform WADA management as to their selection of the person responsible for reviewing draft press releases prior to distribution following WADA Executive Committee meetings.

11. Future Meetings

THE DIRECTOR GENERAL informed the members that, for the meeting on 21 September, the documents would be distributed but the members would have less time prior to the meeting to read them. He wanted to make sure that the members were aware of this fact; he knew that it was not the optimal approach, but it was the only practical approach that could be taken. This meeting was necessary on 21 September as the List needed to be approved and then printed and distributed by the end of September in order to be operative from 1 January.

THE CHAIRMAN noted that there should be no complaints in September concerning a delayed distribution of documents.

DECISION

Executive Committee meeting to take place on 21 September 2004.

THE CHAIRMAN thanked everybody for coming to the meeting, congratulating the Director General and the staff members on their preparation of the files for the meeting. A lot of meaty items had been dealt with in such a short time thanks to the quality of the documents. He thanked the interpreters for making sense of what the members said.

The meeting adjourned at 1.50 p.m.

FOR APPROVAL

RICHARD W. POUND, QC
PRESIDENT AND CHAIRMAN OF WADA