

**Minutes of the WADA Foundation Board Meeting
18 May 2012, Montreal, Canada**

The meeting began at 8.30 a.m.

1. Welcome, roll call and observers

THE CHAIRMAN declared the meeting of the Foundation Board of WADA open. He welcomed all of the members and, as was the custom, particularly noted the members who were attending for the first time: Mr Ghoniem from Egypt, an official deputy, Dr Konbaz from Saudi Arabia, Mr Cárdenas from Panama, Mr Irurueta from Uruguay and Mr Stylianou, the official deputy, from Cyprus, representing the minister. He trusted that the members would find their first meeting productive.

He thought that the previous day's meeting of the Executive Committee had been a most productive day in the context of the broad and at times reasonably robust discussion in respect of the discussion paper that would be released on the Code revision. He asked the members to think of it in the context of it being the first draft that was going out in discussion paper form. There would be ample opportunity for the members to see what was in that and to comment on the matters raised there and any other matter. It was an 18-month process, and he said the same thing about the information to be received on the budget: it was the first cut of the budget and there would be some suggestions as to how this might be taken forward.

The roll call would be dealt with in the normal fashion, circulated around the room, and he asked the members to fill it in.

– **1.1 Disclosures of conflicts of interest**

THE CHAIRMAN noted that a number of members had yet to complete the forms, and members of the WADA staff would approach the members during the course of the morning and ask them to complete a form. He believed that it was important for good governance and asked for the members' cooperation.

He had a formal apology from the Serbian minister.

The following members attended the meeting: Mr John Fahey, AC, President and Chairman of WADA; Professor Arne Ljungqvist, WADA Vice-Chairman, IOC Member and Chairman of the WADA Health, Medical and Research Committee; Dr Pascual, Chairman, IPC Anti-Doping Committee; Professor Dvorak, representing Mr Joseph Blatter, IOC Member and President of FIFA; Mr Willi Kaltschmitt Lujan, IOC Member; Mr Richard Pound, IOC Member; Dr Schamasch, representing Dr Robin Mitchell, IOC Member; Mr Patrick Chamunda, IOC Member; Professor Eduardo Henrique de Rose, President, PASO; Mr Craig Reedie, IOC Member; Mr Richard Young, representative of ANOC; Dr Tamás Aján, IOC Member and President of the IWF; Mr Patrick McQuaid, IOC Member and President of the UCI; Mr Francesco Ricci Bitti, President of the International Tennis Federation and Member of the IOC; Mr Gian Franco Kasper, IOC Member and President of the FIS; Mr Christian Thill, representing Mr Anders Besseberg, President, IBU; Ms Angela Ruggiero, representing Dr Rania Elwani, Member of the IOC Athletes' Commission; Ms Claudia Bokel, Member of the IOC Athletes' Commission; Mr Adam Pengilly, Member of the IOC Athletes' Commission; Ms Beckie Scott, Member of the IOC Athletes' Commission; Mr Pampas Stylianou, representing Mr George Demosthenous, Minister of Education and Culture, Cyprus; Mr Jacek Foks, Undersecretary of State, Ministry of Sport

and Tourism, Poland; Mr Uffe Elbaek, Minister of Culture, Denmark; Ms Maud de Boer-Buquicchio, Deputy Secretary General, Council of Europe; Mr Vincent Meriton, Minister of Community Development, Youth, Sport and Culture, Seychelles; Mr Pedrito Fulede Caetano, Minister of Youth and Sports, Mozambique; Mr Osama Ghoniem, representing Dr Emad El Bannany, President, National Sports Council, Egypt; Mr Tenzo Okumura, Minister in Charge of Sports, Japan; Mr Nishel Kumar, representing Mr Dato Ahmad Shabery Cheek, Minister, Youth and Sports, Malaysia; Dr Mohammed Saleh Al Konbaz, President, Saudi Arabian Anti-Doping Committee, Saudi Arabia; Mr Jiang Zhixue, representing Mr Duan Shije, Vice Minister, State Sport General Administration, China; Mr Bill Rowe, representing Ms Kate Lundy, Minister for Sport, Australia; Professor David Gerrard, representing Mr Murray McCully, Minister for Sport and Recreation, New Zealand; Mr Lane MacAdam, representing Mr Bal Gosal, Minister of State (Sport), Canada; Mr Patrick Ward, Acting Deputy Director for Supply Reduction, ONDCP, USA; Mr Ernesto Irurueta, representing Mr Miguel Angel Rimba, President, CONSUDE; Mr Ruben Cárdenas, President, CONCECADE; Mr David Howman, WADA Director General; Mr Rune Andersen, Standards and Harmonisation Director, WADA; Mr Frédéric Donzé, Director of the European Regional Office and International Federations Relations; Mr Kazuhiro Hayashi, Asia/Oceania Regional Office Director; Ms Maria José Pesce, Director of the Latin American Regional Office; Mr Rodney Swigelaar, African Regional Office Director; Ms Julie Masse, Communications Director, WADA; Dr Olivier Rabin, Science Director, WADA; Mr Rob Koehler, Education Director, WADA; Mr Alan Vernec, Medical Director, WADA; and Mr Olivier Niggli, Finance and Legal Director, WADA.

The following observers signed the roll call: Javier Odriozola, Hajira Skaal, Torben Hoffeldt, Bente Skovgaard Kristensen, Kari Töllikkö, Ole Sorensen, Tanja Vogel, Rafal Piechota, Mikio Hibino, Shin Asakawa, Yaya Yamamoto, Ichiro Kono, Hidenori Suzuki, Takao Akama, Françoise Dagouret, Graeme Steel, Joseph De Pencier, Michael Petrou, Louise Barton, Pierre Masson, Andrew Ryan, Peter De Klerk, Arsenio Sarmento and Bjorn Unger.

2. Minutes of the previous meeting on 20 November 2011 (Montreal)

THE CHAIRMAN drew the members' attention to the minutes of the previous Foundation Board meeting. The minutes had been circulated some weeks previously. Nothing had been reported back to him. Were the members happy that he sign the minutes as a true and correct record of the proceedings of the meeting of 20 November? Did any matters arise out of the minutes that anybody wished to raise?

DECISION

Minutes of the meeting of the Foundation Board on 20 November 2011 approved and duly signed.

3. Director General's report

THE DIRECTOR GENERAL informed the members that they would see a very full report in their files, so he would not go through each item, but he would highlight several to ensure that the members were alert to them.

WADA had 170 countries that had ratified the UNESCO convention, and the members would see a list in his report of those that had yet to do so. Encouragement to those countries was welcome by WADA, and he looked forward to receiving the full complement in due course.

A total of 63 projects had been funded from the UNESCO voluntary fund, all in needy and deserving countries to develop their anti-doping programmes, education and otherwise. The fund currently stood at 3.1 million dollars.

WADA was advancing its relationship with Interpol and the WCO, and there would soon be a secondment to the WCO from a member country, and he looked forward to working with that person in the same way as WADA did with Matthieu Holz, who had been seconded to Interpol by the French Government.

The members would see in his report some comments about some of the major countries and their NADOs. WADA reported regularly on these countries because it was felt that they needed assistance in developing their programmes, and that they were important in terms of sport and economy, and WADA would continue to do that. Highlighting some of the progress made, WADA was still working very closely with Russia and Brazil; they would be hosting very important events in the coming years, and WADA wanted to ensure that their national anti-doping programmes were the best that they could be. Both were still works in progress. A team would go back to Brazil in early July and WADA would report to the Executive Committee in September about progress made there; likewise, WADA would make another visit to Russia for that purpose. Ghana had been added to the list because it was one of the big countries in Africa that had yet to partake in national anti-doping activities. WADA would provide it with help to make sure that it got started properly. Ghana was not a member of any of the RADOs.

He mentioned two countries that WADA had taken special notice of in the past few months. Jamaica had had a change of government and had therefore made changes to the way in which its national anti-doping agency ran. WADA was a little perturbed by the change in governance and was liaising with the new minister to see that what had been put in place with Jamaica's previous help was resurrected. There had been a change of government in Spain and the new minister had immediately invited WADA to Spain and to assist Spain in several areas. WADA had done that. Spain was revising its legislation appropriately with WADA's help, looking at its national anti-doping programme in a new way, and again WADA had visited to provide the benefit of its expertise and guidance.

Looking at management issues, WADA was being asked more and more to provide expertise at result management level, and when he said result management level, he meant first-instance level in many cases. This meant that the resources available to WADA in terms of staff were stretched, and he alerted the members to the fact that it was probable that WADA would need to hire more scientists and perhaps more lawyers, because the scientists it had were spending more time in front of tribunals than dealing with the scientific issues with which they had to deal on a daily basis, and the lawyers were asked to provide on many occasions assistance to the lawyers who were prosecuting cases.

WADA continued to liaise with the major leagues in the USA. They continued to try to make advances in their anti-doping programmes; there were a couple of hiccoughs in those programmes due to the approaches that their respective players' associations had taken, and WADA was now working closely with them to see if those issues could be alleviated, and the progress that they were making, particularly with the testing of Hgh, could be continued.

Two WADA teams would be going to the London Olympic Games and Paralympic Games. They were set out in his report. The Independent Observer team for the Olympic Games would be headed by Mr Bouchard, one of WADA's former alternate members from Canada, and the Paralympic Games Independent Observer team would be headed by Mr Solheim, who was the Chief Executive of Anti-Doping Norway.

The World Conference on Doping in Sport dates had been cemented. WADA would convene in Johannesburg in November 2013. The Executive Committee would meet on 12 November, the conference proper would start on 13 November and that would culminate in a meeting of the Foundation Board on 15 November. WADA was working very closely with the South African Government and the city of Johannesburg and would give more details, finalise issues such as agendas and so on, closer to the time. WADA would be modelling the conference on the Madrid conference, so there should be no surprises for the members.

WADA was always under pressure in relation to costs, and it was important to highlight the fact that WADA was doing its best to reduce costs. The members would see that the annual report was being published only electronically. WADA was moving towards using iPads at meetings. These had been trialled at some working group meetings and WADA would hopefully be in a position to use iPads at the Executive Committee meeting in November and, if that worked appropriately, WADA would then move to use them for all meetings, and that would prevent a lot of unnecessary printing and publishing of the written documentation.

WADA was of course always subject to legal costs and he said that substantial legal fees had been incurred in the Contador case and in relation to the appeal made by the BOA after the Foundation Board members' decision the previous November to declare it non-compliant. That appeal had been rejected totally by the CAS, and he had a copy of the decision should any of the members wish to look at it. The previous day, he had received a letter from the BOA stating that it had since revoked the rule, so that would be something for the members to think about later in the agenda when looking at compliance.

He emphasised the symposium to be held in Stockholm in September, honouring the Vice President, Professor Ljungqvist. All of the members were invited, obviously not at WADA's expense. The members would see the programme in their papers; it was very extensive, and he was looking forward to a very good outcome from it.

Some of the projects in which WADA was currently engaged were engineered to try to make anti-doping practices better, more efficient and more cost-effective. WADA was introducing what it called Better Practice, and that would be trialled with some of the IFs with which WADA had already had discussions. WADA would talk to them the following week at the SportAccord meetings and WADA would work closely with them to see that appropriate guidance could be given and expertise used appropriately. Everybody had noticed over the past few years the disconnect between science and practice. A lot of money had been spent on research and improving analyses, and yet sometimes these were not being used, so WADA had to make sure that all of the money it spent on making the life of a cheat more difficult was actually used in practice, and the members would have heard him say previously that, if testing programs could get only 36 positive EPO cases in 2010 out of 258,000 samples, either the information was woefully wrong and athletes were not using EPO, or the antidoping programs in place were not that good at detecting them.

WADA would improve statistics and needed the members' help on this, as some of WADA's statistics relied on information coming from the members. WADA had engaged independent statisticians to guide it in this area and he hoped by the end of that year and the beginning of the following year that the way in which it could present statistics would give the members an idea of where things were going and what should be concentrated on in terms of testing. WADA was also looking at risk assessment and had engaged independent consultants in that area. Many people made a lot of money out of risk assessing various parts of society and WADA felt that it should be engaging them in this area and had done that.

WADA was also looking at moving out of the 19th century in terms of doping control forms, and substituting these for paperless or electronic forms. This had a number of advantages, including an immediate link to ADAMS, so that WADA got information as soon as an athlete was tested, and so on, so WADA would be advancing that and he hoped to be able to report in a more positive fashion in November as to how that had culminated.

The IOC would be retesting some of the samples that it had stored for nearly eight years from the Olympic Games in Athens, and had asked WADA for expertise and guidance on how that might be done, and that was a very worthy project.

WADA continued to know that the existence of athlete unions was something that it must deal with. WADA had had several meetings with the major athlete union, UNI Global, which now represented a large number of team sport athletes in particular and wanted to be heard. He knew that the IOC athlete commission had met with the union. WADA was listening to the union. It was being sponsored by the European Commission and had held its meeting in Strasbourg the previous week, financed by the Commission. It was a government exercise in that part of the world and WADA was very alert to that.

He would be happy to deal with comments or questions on his report.

MR RICCI BITTI said that he had three remarks. Again he reiterated the interest of the sports organisations in knowing not only the number of countries that had signed the UNESCO convention (a very interesting but very formal part of the commitment), but also those that had put in place a NADO and legislation supporting the activity of the NADOs. He was very pleased that the report included the development of NADOs in major countries; this was really considered vital to the long-term success of the programme, as he saw complementary cooperation between the IFs and the NADOs as key to the long-term success of anti-doping programmes.

The second remark related to the concern of the sports organisations about the select menu. There was a general feeling that a lot of money was spent and the organisations would like this money to be effectively spent, so he asked whether WADA might be able to play a role in giving evidence on being more quality- than quantity-oriented. He thought that the first part of the journey had been completed and WADA was perhaps currently at a crossroads. He shared the concern of WADA in relation to the lack of EPO or other substances being tested for, but this involved investment and an acceptance by the organisations to spend more money or better spend the money, so he urged WADA to give some guidelines regarding this particular matter.

The third issue was a growing concern, and perhaps this could be dealt with during the legal report, in relation to the draft legislation on data protection in Europe, and this remark was addressed more to the government authorities represented around the table. This draft legislation could jeopardise the efforts of ADAMS, on which the entire system was based. The impossibility of exchanging information was something that, in the long term, could kill the system. He warned the government representatives that the sports authorities were very concerned about that.

MR POUND picked up on one of the aspects just identified by Mr Ricci Bitti. It seemed to him that WADA really needed a pretty vigorous programme on it regarding the effectiveness of WADA in the fight against doping in sport. There was empirical evidence that doping had not been reduced, that it might well be in double digits among athletes in the world, and WADA was getting a 1% adverse analytical finding result, so either WADA was doing something wrong or it was not doing something right. He heard around him nothing but talk about money, that it would be perfect if WADA had more money, and he did not think that that was the right attitude. On an urgent basis, he suggested

that WADA establish a working group to assess the paradigm in which WADA was operating with outside representatives (he did not think that it should be in-house, because everybody sat around breathing their own exhaust), and come forward with a report with recommendations about how to do this in a perfect world at the next Foundation Board meeting in November. WADA was really at a crossroads, and a whole bunch of things would be heard in the legal report that were matters of enormous concern to the sport system as a whole and WADA needed to figure out what to do and maybe posit the fact that there would not be any incremental money; WADA should do it within the budget on which WADA now operated, otherwise there would be a lot of extraneous objections based simply on money.

In relation to the Director General's report, it was very unfortunate that WADA had had to spend a lot of the money that could have gone into the fight against doping in sport to defend a situation that had no merit whatsoever and was known from a legal perspective to have no merit by the BOA.

THE CHAIRMAN invited others to comment on Mr Pound's recommendation.

MR ROWE emphasised the importance of the relationship that WADA was developing with the WCO; Australia had begun a relationship with its customs organisation in the late nineties, and there was currently underpinning legislation to enable the flow of information. That relationship was absolutely fundamental to the capacity of effective investigations, along with relationships with law enforcement agencies and pharmaceutical regulators, so he congratulated the management on the development in that area.

Relating to the legal costs referred to, he asked about the costs of the Contador and BOA cases.

PROFESSOR LJUNGQVIST thanked the Director General for mentioning the upcoming Stockholm symposium. The members had before them a preliminary programme, which was close to being finalised. It would be finalised within the next few weeks and would then be circulated and posted on the website. This would be the first time that the five organisations concerned, namely the IOC, WADA, Interpol, UNESCO and the WHO, would come together and discuss doping as a public health issue. UNESCO had appointed its speaker, as had UK Anti-Doping, which would report on the experience of the Olympic Games in London. The members were very welcome to attend the symposium and, if they could not come in person, they were welcome to nominate one or more people to attend the symposium in Stockholm on 21 and 22 September.

MR PENGILLY said that, as an answer to Mr Pound's comment, the athletes would certainly support his recommendation. On a related note, there was frustration that statistics that should be provided under the Code by the ADOs were not always provided. This obviously meant that there was less evidence available to create good practice; therefore, he thoroughly supported the recommendation.

THE CHAIRMAN asked whether the suggested recommendation made by Mr Pound be pursued. He understood that the recommendation was that the Foundation Board establish a working group including outside representatives to report with recommendations to the next Foundation Board meeting on how to do things better in a perfect world, if there were a perfect world, keeping this examination within the existing budget. He thought that it reflected the frustration that many had in relation to those figures, in terms of outcomes, which came only from the laboratories, as WADA did not get the details it would like from the ADOs and others that were supposed to report to WADA, despite the efforts made each year asking for them. He thought that WADA knew broadly what was actually happening, and of course it did not suggest that WADA was having the success that it believed it should. It was his view, and he had had it all the

way through, that there were a lot more people out there cheating than WADA was catching, whatever that figure was. The simple fact was, he thought that it was a good suggestion that WADA now have a look at seeing how it might do things better or differently, in order to get a better outcome. He could see that there was broad agreement for that.

THE DIRECTOR GENERAL told Mr Ricci Bitti that WADA was engaged with UNESCO in a research project that would hopefully be made available to the members at the November meeting and perhaps before that in relation to the legislation that had been established in countries that were parties to the treaty. That research project had been under way for several months and the chief author was Professor Houlihan. He hoped to be able to report favourably on that the next time.

He shared Mr Ricci Bitti's view about NADOs and thought that they needed a lot of assistance, and that dovetailed into the project that WADA had with the RADOs. WADA wanted to make sure that the NADOs and the RADOs were able to operate effectively and efficiently. He took on board the comments in relation to better practice; it seemed that the recommendation that Mr Pound had made led on from that, that WADA needed to look closely at better ways that testing programmes could be put into place. WADA had a programme that it was putting into place called Better Practice, but all the help WADA could get would be gratefully received because, at the end of the day, WADA was not doing the testing; it was all of the ADOs, and WADA should be giving them as much guidance and help as possible, with assistance from the potential working group that the members had just approved.

He thought that the issue on data protection would be fully discussed under item 5, so he would not comment on that.

He thought that Mr Pound had the answer to his recommendation already, so he would not make any further comment in relation to that, other than to say that the management would implement it and would look at establishing an appropriate group to look at ways and means of making sure that the sophistication of those who were doping was matched by the sophistication of those who were trying to detect them.

He responded to Mr Rowe that WADA had spent about 400,000 dollars on the Contador case and about 200,000 dollars on the BOA case. Those were facts.

He appreciated WADA's relationship with the WCO. WADA had been motivated by Australia's partnership with its customs people in Australia. Already in Australia, 40% of regular anti-doping rule violations came from information passed to ASADA by the customs authority or the police. That was a significant number that WADA should be looking at across the world.

He thought that everybody had a copy of the leaflet mentioned by Professor Ljungqvist.

What Mr Pengilly had said had already been endorsed by the Foundation Board. WADA was working very hard on statistics but could work only with what it got. WADA did need more in that area, and this gave him another opportunity to encourage all those concerned to provide it. It was a requirement under article 14 of the Code; WADA had never enforced that, as it had not been told to, but it could look at doing so in the future.

THE CHAIRMAN clarified that the terms of reference would be put together by the Director General in consultation with the Vice President and himself and that would be put into action at the earliest time within the bounds described in the members' comments.

DECISIONS

1. Recommendation by Mr Pound to establish a working group including outside representatives to report back to the next Foundation Board meeting with recommendations for improvement approved.
2. Director General's report noted.

– **3.1 Executive Committee meeting update**

THE DIRECTOR GENERAL reported to the Foundation Board that the Executive Committee had approved two revised technical documents for laboratories. The first was a revised document for decision limits on threshold substances, and the second was a revised document on the minimum levels for detection and identification of non-threshold substances. They had been updated and approved accordingly.

The Executive Committee had approved the payment of half of the costs associated with the 2012 blood external quality assessment programme for laboratories. The sum required for that was 65,000 Swiss francs; it eased the full cost that would otherwise have fallen fully on the shoulders of the laboratories, and was taken out of current budget, so there was no increase required there.

The Executive Committee had approved a number of social science research projects, and the total amount of research funds required was 209,901 dollars.

A number of recommendations had been made by the Executive Committee during the course of the meeting the previous day, but they would come forward during the course of the Foundation Board meeting so he would not outline them all there.

DECISION

Executive Committee meeting
update noted.

4. Operations/management

– **4.1 Endorsement of Foundation Board composition for Swiss authorities**

THE CHAIRMAN stated that WADA was bound under Swiss law to file biannually with the registry of commerce confirmation of the membership of the Foundation Board. The members had the current membership in their files. Could they confirm that they were satisfied with that list for it to be filed in the normal fashion?

Taking the opportunity of endorsing the Foundation Board composition for the Swiss authorities, MR FOKS wished to make a short statement on behalf of Europe and the European Union in particular. He had the pleasure to announce that, on 29 November 2011, the Council of the European Union had adopted a resolution establishing a new representation scheme of the European Union member states on the WADA Foundation Board. According to the resolution, the representatives of the European Union member states on the Foundation Board would be at the ministerial level and the seats would be allocated as follows: one seat would be allocated to one of the member states forming the incumbent trio presidency, one seat would be allocated to one of the member states forming the future trio presidency, one seat would be jointly allocated by the member states meeting within the Council to a person responsible for sport at the ministerial level

with the appropriate experience and knowledge. To ensure continuity of European Union member state representation on the WADA Foundation Board and in accordance with WADA rules, the term of office of the aforementioned representatives would be three years. The arrangements regarding the European Union member states' representation on the WADA Foundation Board as described would take effect as of 1 January 2013. The names of all members of the WADA Foundation Board who were representing the European Union member states were to be notified via the general secretariat of the Council of the European Union to WADA.

THE CHAIRMAN thanked Mr Foks for the clarification.

DECISION

Proposed Foundation Board composition endorsed.

– 4.2 Operational performance indicators

THE CHAIRMAN said that this item was effectively a rake-up on an annual basis of the strategic plan; it was there for information but, as always, if they had questions or comments, the members were welcome to take the floor.

DECISION

Operational performance indicators noted.

5. Legal

– 5.1 Legal update

THE CHAIRMAN said that the members had before them a report that was, as always, comprehensive; nevertheless, he asked Mr Niggli to highlight the matters to which he wished to draw the members' attention.

MR NIGGLI referred to item 1 in his report, in relation to the proposed draft European Union legislation. The current situation was that there was still a similar issue to that faced five years previously when the discussion had begun, and the members would remember that one of the concerns expressed at the time had been the possibility for European organisations to transfer data to the WADA server, which was based in Quebec, Montreal. A lot of work had been done on that front over five years and a visit had been paid to Brussels by the commissioner for data protection from Canada (the federal government) and the responsible data protection commissioner in Quebec. Both had gone to Brussels and had met with the article 29 working party. There had been a good discussion and the outcome had been clearly that there was no legal issue in relation to Quebec law and the way in which data were protected in Canada. Canada was recognised formally by the European Union as being adequate, and it was only Quebec that had been called into question. Currently, 22 out of the 27 European Union countries were actually using ADAMS and transferring data to Quebec, and he gathered that, if it were a real issue in Europe, this would not be happening; however, formerly the Commission had stated that it would include Quebec on the list of countries recognised as providing adequate protection, and this was a process that had to take place within the European Union, the work of the article 29 and article 31 working parties and the European Commission. Unfortunately, that formal recognition was not yet in place, and the consequence of that was that a few countries were claiming that, until this happened, they could not transfer data to Quebec, and could therefore not use ADAMS. WADA and the IOC faced this problem and this posed a number of issues, as information regarding a

number of athletes in relation to the London Olympic Games could not be transferred to the IOC through ADAMS and it made things a lot more complicated. He hoped that the process would be completed as quickly as possible. WADA had been told by the European Commission that work had started at the Commission level but there was not yet any outcome. He hoped that this could be sped up as there was no legal impediment; it was simply a matter of getting the process done.

As to the future, the purpose of the report was to draw the members' attention to what would potentially be a problem a few years down the road if WADA did not address it immediately. It was currently being discussed on a European level and there might be a chance to change the course of things. Simply put, if one wanted to collect data, one had four bases on which to do so. The first was consent; one obtained consent from the person providing the data and one processed the data on that basis. This was what had been used primarily in sport for many years and this was what most ADOs relied on. If one did not rely on consent, the other option was to have legislation in place that would allow one to collect data and process them; but, in order to do that, the country had to have legislation in place. The two other options were having a contractual relationship, which followed a model that was being put forward by the European Commission, or being in a situation in which there was public interest that would justify the processing of data. The contractual agreement was probably not applicable in the fight against doping in sport because it meant having agreements with every single athlete, and it was simply not realistic. The public interest had not been recognised or accepted thus far by data protection regulators as applying to anti-doping; this might change but was not currently available. One was therefore left with two options: either a legal basis or consent. The proposed regulation currently being discussed on a European level included a new component in this notion of consent, basically saying that consent would be acceptable and recognised only if there was no significant imbalance between the person giving data and the person collecting data. The members would see that, between an athlete and an IF or NADO, there was probably a significant imbalance. The consequences would probably therefore be that consent would not remain a valid ground for the collection of data in Europe and one would be left with only one alternative, which was to have proper legislation in place. There were currently only a few countries with legislation in place which would allow for anti-doping activities to take place and for data to be exchanged on that basis. It was therefore necessary to be aware of this issue because either something was done in order to create an exception for the consent issue and for that to continue or governments must have legislation in place before the new regulation came into force, and it was necessary to act immediately; otherwise, it would be too late. His recommendation was that European Union member states take that into account in their discussion with the European Commission, raising the issue with the European Commission or at the level of the European Parliament, and that sports organisations do the same within their sphere of influence, and WADA would try to hold dialogue at the appropriate level, with the European Commission, the European Parliament and the member states in order to see how a realistic solution could be found. This issue of consent and collecting data was an issue for anti-doping and it might be an issue in fields other than anti-doping, as data were collected by sports organisations not only for anti-doping purposes, but also for many other activities within their spheres of competence.

He made a general remark about cases that were being seen more and more frequently in relation to methylhexanamine. This was a stimulant, it was part of food supplements, and WADA saw more and more of those cases coming up. It was very concerned about it, as a lot of cases had been treated as cases of minor importance and lesser sanctions had been given for this substance. WADA realised that this was in fact not the case. The supplements were taken to enhance performance, they were not taken

by accident, they were not cases of contaminated supplements, as the supplements did not contain the substance by accident; they were supplements that contained the substance on purpose, and a very simple search on the Internet would inform athletes that they did contain the substance. WADA had been appealing a number of these cases before the CAS as it was thought that they deserved two-year bans and not a lesser sanction, but he drew everybody's attention to the fact that these were serious cases and more and more were being seen.

He drew the members' attention to the court cases that had been resolved. Items 3 and 4 more or less went together, and referred to a decision rendered by the Belgian State Council, cancelling the publication of the Belgian law on anti-doping published at the time which had dealt with the whole issue of whereabouts in the Flemish community. The decision from the state council to cancel the law was a result of the fact that the process followed by the government had not followed the Belgian regulation, but the consequences were that the law had been deemed never to have been in force. The decision relating to the appeal made by WADA regarding two tennis players, Wickmayer and Malisse, had been based on this law so, once the law had disappeared, WADA had had no other alternative than to withdraw its appeal, since there was no longer a legal basis to support the initial decision.

Regarding Mr Cañas, a tennis player who had gone to the European Commission and then appealed to the European Court of Justice, his case had been dismissed after a lengthy process, since the court had determined that the case was no longer of interest, since he had been retired from the sport for a long time, so the matter was now finally closed.

MR ELBAEK stated that he was happy to be present; it was his first time at the Foundation Board meeting and he was looking forward to working with his colleagues. They were dealing with an extremely important issue, which meant that the meeting was very meaningful. Regarding what Mr Niggli had just said, looking at the decision process in the European Union system from the outside, it could appear complicated, so he wanted to go through the case with regard to personal data protection. The key word for him, and that was also what he had understood from Mr Niggli, was that an open dialogue was important between the different European Union levels and WADA. He read out the paper as, from the outside, it was sometimes complicated to understand at what point in the process the European Union was. Speaking on behalf of the European Union and its member states, he had noted the concern raised by WADA concerning the European Commission proposal for a new regulation on personal data protection. Rules on personal data protection were extremely important in a modern and democratic world, and technological development made it important to improve rules in that area, so that they fulfilled the requirements of a modern world. The data protection rules were important in order to guarantee rights as citizens, and also in more specific areas, for example, for athletes who were subject to the rules, and naturally the personal data protection rules from the outset were general and covered many areas of society. Having said that, the European Union of course heard the concerns raised by WADA. It might be a good idea to give a brief status on the proposal. In January that year, the European Commission had put forward a proposal for a regulation on personal data protection which, if and when adopted by the Council of the European Union and the European Parliament, would replace the existing directive. The proposal was currently being discussed in the European Council by the European Union member states, and in the European Parliament. It was a very long and complex proposal and it covered most areas of society. His guess was that it would take many months to go through the proposal, and that the proposal was so complex that the member states would have many questions about it, requiring clarification and adjustment of the proposal. The

procedures for adopting legislation within the European Union required agreement among the three parties, the Commission, the European Parliament and the Council, and, before the three parties could start negotiating with one another, there was a long process within the European Parliament and the European Council, during which time they would need to work out what to think. This procedure had just started. The countries that were members of the European Union and WADA signatories shared the concerns raised by the Foundation Board. It was important to secure a regulation that took into account the needs of the anti-doping world. The European Union member states would therefore take into account the needs of the anti-doping world when they decided on the approach to take on the proposal, and also found it important that WADA be active in the process. There should be a common interest. He would like to hear how the members expected to proceed. That was the formal statement and, as he had underlined, it was a complicated process and the discussion was ongoing in the European Council and the European Parliament, and he thought it was very important for WADA to be active in this dialogue. He was really curious to hear the members' standpoint and proposed action. It was a balance between personal protection on the one hand and the fight against doping in sport on the other, and it was not an easy matter.

MR REEDIE said that he had been asked on behalf of the sports movement to comment. He would not comment in detail because Mr Niggli had set out the circumstances very clearly, but wanted to reinforce the concerns about the present and future situation. The present situation of five countries not using ADAMS after five years of discussion and negotiation with the appropriate authorities was concerning; for example, the IOC would mount an enormous anti-doping effort in London during the Olympic Games paid for by the organising committee, but it was making it really complicated to get the transfer of data needed from the five countries, and the Olympic Games were 69 days away, so if this was an issue of process he would be very interested to hear whether his friends from the public authorities could accelerate that process as quickly as possible in order to get through the London situation, and then it would be possible to move forward. He was rather encouraged by the previous speaker's remarks about sharing a common interest. WADA did not currently have a policy to discuss the matter; he understood clearly the concerns and had asked Mr Niggli to put on paper a clear statement on where it was thought that the difficulties would lie for sport, and it would be necessary to share that with interested parties in sport, and he was encouraged to hear that it was thought that that contribution would be of value to the discussions to be held with the European Commission, the European Parliament or any other forum. He thought that it should be quite clear that, if an alteration to what looked like the current draft regulations could not be achieved, the anti-doping world would have very considerable difficulties and, quite apart from anti-doping, sport might have very considerable difficulties, so there was a lot to discuss. He regarded it as very important and was very encouraged by Mr Elbaek's comments, and this needed to be taken forward. He would be interested to hear from other public authorities representatives present.

MS DE BOER BUQUICCHIO said that she wished to supplement the comments made by Mr Elbaek from the perspective of the Council of Europe, which covered a wider area than the 27 member states of the European Union. The Council of Europe, on the basis of its human rights approach, with which WADA was familiar, could provide expertise, in particular on the basis of the Council of Europe convention on data protection, which was currently being updated to take into account developments, in particular in the IT area, since the convention had been drafted a long time previously. The Council of Europe, on the basis of its expertise, was ready to provide the necessary legal expertise to examine these issues, which had very serious implications and, as suggested, it was not just anti-doping but also other fields that could be very much affected by the draft regulation, so

the Council of Europe could offer its legal expertise to WADA but was also available to member states of the European Union and to the European Parliament to discuss these matters.

DR PASCUAL said that he had a couple of comments regarding the legal report. The IPC had become increasingly aware of these poorly managed cases from the point of view of result management, not only with decisions that were controversial, but also with others that had been clearly non-compliant with the Code, so he welcomed any initiative to help RADOs and anti-doping organisations to understand or run the processes appropriately, because a lot of money was spent on appealing decisions that were clearly outside the scope of the Code.

Regarding case 18, some countries or organisations appeared to be bargaining with respect to the sanction if the athlete participated in educational processes; he did not know if this issue was being tackled in the new draft of the Code but, if it was not going to be, it needed to be made clear to everybody that bargaining should not take place during the sanction process, even if it was probably a very good approach in the fight against doping in sport, but it was not covered by the Code.

MR POUND said that he shared the concerns raised by Mr Reddie, and the minister's formal statement was helpful except it was very hard to say what role WADA would play in a game that it did not yet understand. WADA should get sorted out for the Olympic Games in London; it had had long enough to do so, and here it was necessary to appeal to the political side of the equation. The public authorities representatives should instruct their civil servants to get this done; it was not rocket science. The larger issues were far more important than simply doping. As for the four bases identified by Mr Niggli, consent was frankly probably the easiest way of getting this resolved, while legislation was unnecessarily costly and complex, and should be a last resort. The contract concept and the consent were very close because many of the agreements involving sport (including anti-doping) were done through licenses and agreement to abide by certain rules as a condition of participation in the sport or the event. He would stay away from public interest, as that just opened up a ten-year debate that would never be solved. The key to him in all of this was that, if there was legislation on consent, it had to be taken in the context to which it applied and the context for sport and anti-doping was that sport was not going to work if there were no anti-doping rules that could be enforced internationally. It was not just Europe; it was all round the world and it had to work all around the world. WADA was becoming more effective in identifying doping through a biological passport, but the data had to be available because, if they were not available, that system would not work, so he urged ministers to think about the context in which they were about to legislate, the specificity element of the treaty and how it applied to sport. Frankly, there was a bigger issue because, if the view was taken that one could not have informed consent because an individual athlete vis-à-vis his or her IF was in an unequal position with regard to doping, what about all the other sport rules? The very structure of sport could be in jeopardy if a contextual approach was not taken to whatever legislative solution there might be. It was a far more important issue than was perhaps apparent, listening to this civilised discussion; it was a very serious and urgent issue that had to be resolved, and WADA might need the intervention of the public authorities to make sure that it did not go off the rails.

MR ELBAEK responded that it might be too early to close the dialogue. He had been listening very carefully to the various remarks, but he had to underline that it was necessary to be aware not to go down the wrong alley, and also it needed to be seen from a human rights perspective, so he could not underline enough that there was a

common task, and it was complicated, difficult and messy, and it was necessary to be smart and wise together to solve the issue because, if decisions were taken too quickly, the consequences could be very dangerous from a human rights perspective. On the other hand, it was necessary to secure a safe and clean sport. He was listening, and he looked forward to constructive feedback and said that the members knew his telephone number.

MR POUND picked up on what Mr Elbaek had said. There was quite a difference between the data required for the administration of sport and anti-doping and having all of one's personal data appear on Google; there, he certainly agreed that there was a privacy issue, but there was no realistic expectation of a narrow band of disclosure for the purposes of sport.

MR STYLIANOU said that obviously this was a rather complicated matter and he believed that the way ahead was definitely to ensure that there were no hindrances at the Olympic Games in London, but obviously he agreed with the position of his colleague, Mr Elbaek, that it was necessary to address the issue of human rights. Of course, in one way, and he was not deviating from the European position, was this legislation going to be applied if it came into force retrospectively? How had anti-doping been operating to date? What about data transfer and personal data transfer? It was a very difficult matter and he thought that WADA should answer the question. It needed to ensure that doping was not encouraged by any legislation that was going to come into force.

MS BOKEL said from the point of view of the athletes that it was extremely important that the legislation not interfere in the fight against doping in sport. The athletes believed that this had to be done together, that clean athletes were needed, and that there should be no interference of legislation.

In response to a question asked by his colleague about how sport was currently operating in relation to data, MR MCQUAID said, as a representative of ASOIF and as the president of a federation that was heavily involved in the ABP, that his IF collected data through ADAMS, used that data for anti-doping purposes, and worked with WADA and other anti-doping agencies to use data to target athletes; it was a fundamental part of their work on a daily basis and, if it were taken away from them, his sport would collapse, and all sport would collapse. There had been talk about human rights; clean athletes also had rights and he was there to protect those clean athletes by putting the strongest anti-doping programmes possible in sport, and it was fundamental to the future of sport and sport was fundamental to society and he appealed to the representatives of the public authorities who had access to the decision-makers to bear that in mind because, without that, sport would be in serious trouble.

MR RICCI BITTI said that he had one comment. He was encouraged by what he had heard from the minister from Cyprus, but WADA had been founded ten years previously by two very different parties: sport authorities and governments and, in his opinion, it had worked reasonably well to date, but WADA was now at a crossroads and the colleagues from the European Union should understand that WADA had to split the ideological levels. He had all respect for the problems arising from new technology in terms of data protection but, on the other side, there was an operational level, and what he urged the minister who had just spoken very positively to understand was that an ideological level could not stop WADA from operating and understanding the specificity of sport. With all respect for the data protection problem, he believed that this had to be understood on the other side, otherwise the principle of the partnership would be endangered if the two sides did not understand one another. He understood that the public authorities had problems from a legislative point of view, because the world was changing, and the IT world in particular was changing; he understood completely but, on

the other side, if WADA wanted to fight against doping in sport, it needed to exchange the data required globally and internationally.

MR PENGILLY said that there had been one or two comments about human rights and surely he had a human right to compete in a dope-free environment, and he would hate to think that his government had created legislation that made it easier to cheat and harder to do things the right way. Surely the representatives were there to protect clean athletes.

THE CHAIRMAN said that the problem was in the continent of Europe; the same concerns had not been expressed in any other areas of the world in respect of this issue in recent years or currently in the context of the review, so it was necessary to keep it in context, but it was a problem. Before asking Mr Niggli to respond, for the immediate problem raised by Mr Reddie, the Olympic Games and the five countries from Europe not using ADAMS, he handed the floor to the Director General.

THE DIRECTOR GENERAL said that WADA had a list of the contracts for all the NADOs for ADAMS and could tell the European Union representatives which five countries had not signed contracts, in the hope that the representatives might be able to use their persuasive powers to get that completed and the information transferred prior to the Olympic Games in London, so he would be very happy to work with the European governmental representatives and provide that information.

THE CHAIRMAN said that perhaps something could be worked out by the governments of Europe as he was sure that they would wish to assist.

MR NIGGLI responded that he thought that the discussion had gone in the right direction; everybody understood the issue and wanted to try to find a practical solution. Everybody wanted the system to work, and that was why the issue was being raised. WADA would help as much as it could, but its influence in Brussels and on the process was a lot more limited than that of member states and he thought that the member states had a primary responsibility. He had heard the Council of Europe representative and thought that it would be great if the Council of Europe could help. WADA was there to help but relied heavily on Europe to try to find the right solution. In response to the question on how had it worked to date, consent was what had been used to date; there were only a few countries with legislation, so consent was what was primarily used in the field of anti-doping; that was the reality out there.

Another question unrelated to that, asked by the IPC, referred to the fact that there were a number of cases that were totally outside the scope of the Code and obviously wrong and that was why they had ended up in the report, because WADA was appealing them. He thought that WADA was facing two kinds of situation. In some parts of the world, the decisions were the result of ignorance or maybe misunderstanding of how things worked, and WADA was working with the regional offices and RADOs to try to improve the level of understanding and the quality of the decisions, and he thought that that would help. In other cases faced by WADA, obviously there was some willingness from parties to be more lenient because they wanted to protect their athletes, and that was why WADA was appealing them.

DECISION

Legal update noted.

6. Finance

– 6.1 Government/IOC contributions

MR REEDIE observed that, for those people in the room who might not be familiar with the system, the principal source of revenue was contributions from public authorities. The details of the contributions were arranged by each region and these contributions were matched dollar for dollar by the Olympic Movement. The papers that he had were dated 16 May; there were previous papers in the files dated 24 April, so this was about as up to date as possible. By 16 May, WADA had collected 83.97% of the contributions invoiced, which was pretty encouraging. The report also showed the members in detail those countries region by region that had paid and those that had not and, if the representatives came from the second category, he would be pleased to hear from them.

DECISION

Government/IOC contributions update noted.

– 6.2 2011 year end accounts

MR REEDIE said that there was a general financial overview of the year, the detailed accounts and, at the back, the paper used internally that went to the Executive Committee and showed the actual performance of the agency in all its areas against the budget, which had been agreed one year previously for the period of 2011. In general terms, he thought that the outturn was good. If the members remembered, WADA had budgeted for 2011 on a loss of just over 2.3 million dollars, and the Finance and Administration Committee had actually been able to bring the accounts in at a loss of just over 475,000 dollars. The reasons for the changes were that WADA had generated additional income of just over a million dollars, and most of that came from a very high and successful rate of government contribution collection. It had been a record year and WADA had collected about as well as was possible.

The Finance and Administration Committee each year looked at expenditure levels and had managed to reduce expenditure by just over 881,000 dollars, so the area of money he called unallocated cash was the money that had actually been subsidising the agency for two or three years, and that had improved by just under 1.9 million dollars.

The Finance and Administration Committee had looked at lots of the details, and they were covered in the budget against actual document. WADA was a little bit low in laboratory accreditation; he had hoped that the laboratory in Mexico would be accredited, but it had not been. There was a pretty high figure on litigation, as Mr Niggli and others had mentioned. There was a litigation reserve of 1.5 million dollars, but it was his view and he thought that this had been agreed with the top table that, since the deficit was much lower than expected, the litigation costs would simply be absorbed in the annual accounts rather than taking them from the reserve, which would be kept for if there was a really large case to be handled.

The Finance and Administration Committee had looked at some of the financial expenses; they were a little higher, mainly because WADA had been hedging currencies, and that cost money but, overall, the Finance and Administration Committee was bringing in accounts that he thought were in an acceptable form.

The accounts were presented under the IFRS; there were 23 pages of them set out in very considerable detail recording all the activities of the agency. The Finance and Administration Committee had also received an absolutely clear audit report from the auditors and he thought it was appropriate, before actually putting the accounts to the

Foundation Board for approval, to ask Linda Beauparlant from PricewaterhouseCoopers to present her auditor's report.

MS BEAUPARLANT stated that she wished to start by saying that PricewaterhouseCoopers was very proud to have been chosen again to audit WADA's accounts and thanked the members for their confidence and trust. She had been working together with one of the associates in the Lausanne office on WADA's accounts. The objective of her presentation was to provide a status report on the audit, make a few comments on the financial statements and highlight a number of points. PricewaterhouseCoopers had completed its audit activities for 2011 and concluded that, for the year ending 31 December 2011, the accounts gave a true and fair view of the financial position, results of operations and cash flows in accordance with the IFRS and complied with Swiss law and the foundation deed. It also confirmed that the in-house control system existed when it came to established financial statements and their presentation according to what had been prescribed by the Foundation Board. There had been no gaps or anything that needed to be raised before the Foundation Board. She was ready to finalise the opinion on the statements subject to the approval of the Foundation Board members. It was important to note that the financial statements were submitted in US dollars and Swiss francs; in accordance with Swiss law, they had to be presented in Swiss francs, but accounting was done in US dollars because that was how the agency functioned. In terms of the balance sheet, it was very stable, with an increase in liquidity and short-term investment of 2.5 million US dollars, and reduction of long-term investment of 2.7 million dollars. Regarding the activities, overall, there had been an excess of expenses over income, 476,000 dollars for 2011 as compared to 643,000 dollars in 2010; this drop in the loss was because of an increase in income of 690,000 US dollars and an increase in expenditure of 260,000 dollars. The favourable activities for 2011 were counterbalanced by effects activities for 200,000 dollars. In terms of operational expenditure, there had been an increase in salaries and other staff charges and a reduction in research grants. These were the highlights of the audit activities. In closing, she sincerely thanked the management and staff at WADA for their support, more specifically, the Director General and Ms Pisani.

MR REEDIE formally proposed to the Foundation Board that it adopt the accounts presented for the year ending on 31 December 2011.

THE CHAIRMAN thanked the members for their support.

DECISION

2011 year end accounts approved.

– **6.3 2012 quarterly accounts (quarter 1)**

Moving on to a little bit of crystal ball-gazing, MR REEDIE said that the current position up to the end of March was shown, along with the quarterly accounts, and these were in a sense misleading as they frequently represented large amounts of income generation in the first quarter of the year and only 25% of expenditure so, although the figures looked good, they tended to balance out as the year went on. The report showed actual against budget calculations; these came to him on a monthly basis, but it could be seen after three months that things looked as if they were running pretty much as would have been hoped.

DECISION

2012 quarterly accounts noted.

– **6.4 2013 draft budget - preliminary planning**

MR REEDIE said that he had been asked by the management in particular to put before the members a draft budget for 2013. He should say that this represented a little bit of a wish list. None of this had gone past the Finance and Administration Committee. One of his committee members had asked him if he would have the opportunity to comment on it, and he had replied that the member certainly would. The meeting of the Finance and Administration Committee would be held in Lausanne in June. Things had to be done a little earlier that year due to the Olympic Games in London. Just as importantly, the projected cash flow was shown, and the members could see that the figure of unallocated cash would disappear over a relatively short period unless WADA increased its revenue, and its principal source of revenue was contributions from governments matched by the Olympic Movement. He had been asked the previous day at the Executive Committee meeting if the Finance and Administration Committee would present options and the answer was that it would, but it would like to look at all of the figures first. It could show options on revenue fairly easily. It would go through the expenses of the agency with a fine-tooth comb as it always did and as the members would expect to see if any savings could be made, and would bring the options back to the Executive Committee to be held in London in September that year. He did, however, repeat the comments that he had made the previous day and previous year, that, from a financial point of view, even allowing for the fact that these were tough times, WADA should try to make sure that there was at least a regular increase in contributions each year to finance the operations of the agency. Everybody would begin to understand that the additional work and efforts required needed to be financed, and he thought that that was the kind of philosophy that the Finance and Administration Committee would bring to the meeting in September.

He had received advice the previous day from a number of different sources, ranging from way on the left to way on the right. It was interesting advice and would be taken into account. He would come back to the Executive Committee meeting in September and then the Foundation Board would have the opportunity to agree on the budget for 2013 at its meeting in November.

THE CHAIRMAN thanked Mr Reddie for the comprehensive assessment of the finance area. He would be happy to hear from the members on any of the four items. He suspected that the budget was the one on which the members would wish to focus. A draft budget had been put before the members and the suggestion of options made would be brought forward after deliberation and an assessment with that fine-tooth comb of the requests made by the various departments by the Finance and Administration Committee when it met in June; so, in September the Executive Committee would have before it the options available in the manner described.

DECISION

2013 draft budget noted.

7. World Anti-Doping Code

– **7.1 Code implementation and compliance report update**

MR ANDERSEN referred the members to the revised addendum to document 7.1. There had been a further update on that document that morning: under Africa, Ghana would be added to the list of compliant countries, because WADA had been informed that morning (that afternoon in Africa) that Ghana was undertaking the necessary doping controls, so he was happy to add Ghana to the list of compliant countries.

On 20 November the previous year, the Foundation Board had approved the first Code compliance report, and also the previous year, of the 303 signatories, 244 anti-doping organisations had been declared Code-compliant. As of that day, the number of 244 had moved to 282 anti-doping organisations that were compliant. He thought that this was a significant advance worth noting.

He would report on compliance at each of the Executive Committee and Foundation Board meetings in years to come. The official Code compliance report would be tabled in November 2015. This might mean reports on new forms of compliance, as he would report that day, but it might also mean reporting on possible non-compliance or new non-compliance.

With regard to the list of various continents, he highlighted the new advances for Africa; obviously it had not been possible to include Ghana on the upper part of the slide, but there were currently 30 new members of the Code compliance community and nine remaining countries. He indicated the NOCs that had achieved compliance (NOCs acting as NADOs), and WADA was very grateful to the Olympic Movement and specifically ANOC, which had been instrumental in pushing the NOCs to become Code-compliant. The members would see the figures for the Americas, with three new compliant countries and four remaining non-compliant ADOs. For Asia, there were six more Code-compliant ADOs, and three remaining. WADA was now working specifically with the Democratic People's Republic of Korea together with China in order to assist the Democratic People's Republic of Korea to achieve compliance as soon as possible. For Europe, there were eight new ADOs and two remaining; and finally, for Oceania, there were three new Code-compliant countries and zero remaining countries.

As for the IFs, as the members would have noted previously, all the Olympic sports and IOC-recognised sports were Code-compliant, and there were currently five new IFs within that category that were SportAccord members but not part of the Olympic Movement and IOC-recognised IFs. There were three remaining IFs with which WADA was working in order to deem them compliant.

He showed the members the overall picture of the situation. Of the 303 signatories that WADA was monitoring, there were 282 compliant ADOs and 21 ADOs that were non-compliant. He thought that this showed that there had been considerable work conducted, and he specifically pointed out the regional offices, which had been instrumental in assisting the various ADOs around the world, and the RADOs had also been instrumental, along with the RADO office in Montreal. He had mentioned assistance from the Olympic Movement and ANOC assembly and administration that had been very helpful, as had SportAccord. Now that WADA was almost at 100% (92% compliance), it would concentrate on developing more efficient and effective programmes based on intelligent use of resources, intelligent testing and testing programmes.

MR MERITON thanked Mr Anderson for his report and said that he was proud to note that many African countries were Code-compliant; however, more needed to be done to ensure all countries reached Code compliance status and retained this. In addition to ANOCA, the Association of National Olympic Committees of Africa, the RADOs had been playing a significant role in assisting countries to meet the Code compliance status, and he pointed out the testing programme that WADA was so generously supporting Africa with. He thanked WADA on behalf of the region for its continuous effort to empower and support it in meeting its obligations. There was still a long way to go, but he was convinced that, with the ongoing and increased support being provided by the agency, it would have a continued positive role to play. He did, however, wish to point out that there were very real challenges faced by some countries in the region to complete the task ahead. The socio-political situation in many countries prevented the authorities

from completing the tasks set as objectives. Guinea-Bissau had recently experienced a coup d'état, and other countries had other challenges; however, everything possible was being done in the region to help the colleagues and authorities, bearing in mind the autonomy and inhibiting factors that might exist. He assured WADA that, in the region, with the support of Mr Swigelaar, everything possible was being done and he would hopefully report in November that more countries in the region were Code-compliant.

THE CHAIRMAN informed the members that a decision was required for the Foundation Board to approve the signatories as being deemed compliant with the World Anti-Doping Code, and those signatories were the ones listed in the revised addendum to item 7.1.

DECISION

Code implementation and compliance report update approved.

– 7.2 Code review

THE CHAIRMAN said that he had mentioned briefly at the start of the day's proceedings that what WADA was doing was exactly what it had done six years previously when the first review had occurred. There was a Code drafting team, a group of technicians who had been working on a discussion document; in fact, they had concluded working on it at about midday on Wednesday. The Executive Committee, which was the steering committee, had been given that in some detail the previous day over some hours, and the Executive Committee of course had determined the policy and what should go forward, and whatever went forward at that stage had no status other than for discussion. It had not been possible for a number of reasons to provide papers to the Executive Committee before Wednesday night, but that should not be taken as being the way in which WADA would proceed. From that point on, it was proposed for there to be a discussion paper circulated by 1 June. That would call for submissions and, whilst a number of submissions had already been received, WADA anticipated that many more would be received and comments would be made particularly about matters in the discussion paper, no doubt because people's attention would be focused on that discussion paper. There would be a further report at each of the meetings and, ultimately, recommendations would be made by the Executive Committee to the Foundation Board for approval in November the following year at the world conference in Johannesburg. The process was only starting in a public sense, with the meetings of the previous day and that day. The members would have many opportunities to express a view. He asked the members in each instance to consider all of the Code in the light of how WADA could be more effective in catching cheats; that was where the main emphasis ought to be placed, and the practical experience of so many of the members could surely assist there. With that, he asked Mr Andersen to give the explanation to the Foundation Board of where WADA was at following the previous day's discussion.

MR ANDERSEN said that the Code review process had started on 28 November 2011, when the first consultation round had opened. By the deadline of 15 March that year, WADA had received 91 official submissions from the sports movement, public authorities and others around the world. A total of almost 1,400 individual comments on specific articles had been submitted by the stakeholders. WADA had sent reminders to stakeholders one month prior to the deadline of 15 March and one week prior to the deadline in order to receive more comments. WADA had presented the Code review process on various occasions at meetings and symposia around the world encouraging as many stakeholders as possible to provide input to the process. The Code drafting team consisted of Mr Donzé, the IF and European Regional Office Director, Professor Ulrich

Haas, a law professor at the University of Zurich, Mr Kemp, the Senior Manager for Standards and Harmonisation, Mr Niggli, WADA's Legal Counsel, Mr Sieveking, Senior Manager for Legal Affairs at WADA, and Mr Young, who was a Foundation Board member.

The process to date had included careful review by all members of the Code drafting team of the stakeholders' submissions and around eight full days of meetings of the drafting team, which had discussed stakeholders' comments and reviewed and revised multiple versions of the first discussion document that had been presented to the Executive Committee the previous day.

When a first draft of this was up on the WADA website on 1 June, he would make certain to consult with various stakeholder groups from sport and various parts of the world, including governments, athletes and other important stakeholder groups. He encouraged the members of the Foundation Board to actively participate in the initiatives.

The second Code review consultation phase would begin on 1 June, and WADA would accept submissions until 10 October that year. At the same time, WADA would ask for stakeholder submissions relating to the four international standards, the International Standard for Testing, the International Standard for Therapeutic Use Exemptions, the International Standard for Laboratories and the International Standard for the Protection of Privacy and Personal Information. Changes to the international standards would be proposed to the Executive Committee as of November 2012, and a working document would again be presented. All the international standards would therefore be aligned with the revised 2015 Code.

This was only a discussion document, which had been presented the previous day; a draft version would be posted on the website at the beginning of June. WADA would in all probability receive even more input from many stakeholders from around the world. Mr Young would take the members through some of the significant changes to the current Code that were being proposed.

MR YOUNG said that, after a lengthy consultation process, the Code had first gone into effect on 1 January 2003; at that time, it had been made clear and agreed that the Code would be a living document subject to change based on collective experience. Again after a lengthy consultation process, the Code had been amended effective 1 January 2009, and WADA was starting that process again. In the almost ten years of existence of the Code, there had been approximately 400 decisions of the CAS applying or interpreting the Code, hundreds of other decisions at the IF or national level and, by and large, the decisions had got it right and created the kind of harmonisation that had been expected of the Code. The general approach in the drafting process was, if there was nothing wrong, it would not be fixed; the team had not tinkered with the numbering, the organisation of the Code and the like. There was a lot of good precedent out there that it made sense to preserve; people had become familiar with the Code, so the team had not tried to change that. With that said, even in the first round of consultation, the team had received a lot of very useful comments, which had been incorporated in the first draft, which the members would see on 1 June. Examples included comments to make the Code clearer, comments to fill in loopholes in the Code that had come out in the course of all of these cases, a few comments to correct situations where the CAS and other reviewing bodies had interpreted the Code and had not got it right, and so that would be corrected to make sure that the intent was clear, and then a number of comments to make the process better based on experience and address things that had not been addressed thus far in the Code and, when the members saw the document in June, they would be able to identify a number of those on their own. He would give a handful of highlights. There had been comments that there ought to be more specific

reference to respect for the principles of proportionality and human rights in the application of the Code, and that had been added. There had been comments that the window in which an athlete could accumulate three missed tests or three filing failures of 18 months was too long, that it would be better if it were 12 months, and one could still have an effective system to catch people who were trying to avoid being tested; that had been changed to 12 months. A new article creating a new anti-doping rule violation called prohibited association had been added to deal with the problem of athletes using coaches or trainers who had been banned for life, or athletes using doctors who had been disciplined or criminally convicted of being involved in doping, so where an athlete used one of these people knowing that they had been convicted or being in a position in which they should have known that a person had been convicted, that would be an anti-doping rule violation. There had been a change in the criteria for putting a substance on the Prohibited List. There were currently three criteria: potential to enhance performance, potential to adversely affect health and spirit of sport. The change made potential to enhance performance a necessary criterion to be accompanied by one of the other two.

To address the issue of not all samples being tested for the appropriate prohibited substance, the example of EPO had been mentioned earlier in the Director General's report. There had been a change to require laboratories to analyse all samples using all methods for prohibited substances unless WADA authorised differently, and that would involve a process between WADA and the sports and testing agencies to make sure that not only was sample collection being done intelligently but also the menu of what was tested for was being done intelligently, all with proper regard to the number of samples collected and the cost of the process. There had been changes to add more flexibility in sanctioning for contaminated products and for substances of abuse where the situation did not involve performance enhancement. The circumstances where an athlete or another person could receive a sanction of four years' ineligibility instead of two years' ineligibility had been expanded. Also to deal with the more serious doping violations, the statute of limitations for them had been extended from eight to 14 years, because it often took an extended time for those to come to light. A provision had been included that replaced the former IOC Osaka rule, so now it was hardwired into the Code. Provisions had been added based on a number of comments from stakeholders, including special protection for minors in the way in which the Code was applied. The draft the members would see on 1 June eliminated the collection and testing of a B sample. Finally, the version the members would see would provide that, at the end of an athlete's period of ineligibility, there would be a short period during which the athlete would be allowed to resume training, but not competition.

This was obviously a first draft; he looked forward to receiving comments from stakeholders. Based on his personal past experience, he could tell the members that, every other time he had thought a draft looked pretty good, the input received from a transparent and open process and feedback from all those interested had made the document way better than he could ever have imagined and he expected that that would be the case this time as well.

THE CHAIRMAN asked if any of the members wished to make comments.

MS DE BOER-BUQUICCHIO said that she was very grateful for the information received from the point of view of procedure and she was very interested in what Mr Young had said about lifting the veil from the future document that nobody had seen. What she retained from the information received was that there had been a major effort to consult all stakeholders and she commended WADA on having made a detailed analysis of the contributions received from the stakeholders. She had listened to the outline of the process and she thought that the fact that there would be various stages before final adoption was very important. Going forward, with regard to the experience

the previous day at the Executive Committee meeting during which members had had to deal with the paper on the spot, having not been given any time to consult it, even though it had been for discussion only, she would appreciate that, for successive documents, assurances be provided by the WADA management that these would be made available well in advance to give stakeholders ample opportunity to assess, analyse and consult before taking a formal position on the documents. On the whole, the process looked very promising.

THE CHAIRMAN responded that it had been necessary to make a start somewhere and, for the document to have some status, the Executive Committee's endorsement and input had been required, which was what had happened the previous day. That document would now go out, but the other drafts would proceed in a most public fashion over a significant period of time. There was no intention to release a document in any shape or form that had not been seen or contributed to in advance over the next 18 months, so he assured Ms de Boer-Buquicchio that that would happen.

PROFESSOR DE ROSE commended the work done by the group, particularly with regard to the elimination of the B sample. In his opinion, the main problem in doping control was finance; everybody said that it was too expensive and too complicated, and this was a very simple method to exclude a significant amount of cost without any influence on the result of the test. He mentioned time spent in the doping station, cost of transport, cost of importation, and these costs would be cut almost by half, so he really appreciated that step forward.

MR POUND wanted to make sure he had understood what had been said. Was WADA going back to the philosophical issue of whether one should demonstrate that there had been performance enhancement plus spirit of sport or the other test, or were there three tests and one continued to meet two of them? He asked the question simply because, depending on how it was drafted, it could greatly complicate the enforcement of doping rules if the anti-doping authority had to demonstrate that there was performance enhancement resulting from the particular substance or method.

MR YOUNG responded to Ms de Boer-Buquicchio. It was his understanding that all drafts would be circulated way in advance.

In response to Mr Pound, looking at the Code, there were three criteria: potential to enhance performance, potential to adversely affect, and violation of the spirit of sport. As the Code was currently written, any two of those three constituted grounds to put a substance on the List. The Code document was clear that, when the List Committee made that determination, whether it was potential to enhance performance or potential adverse effect on health, that decision was final and not subject to attack so, if there was a case, the athlete could not say that he or she did not think the substance should have been on the List because it did not enhance performance, adversely affect health or violate the spirit of sport. The change was to require the potential to enhance performance to be a necessary criterion and then have one of the other two, but the same language had been included that the decision of the List Committee to put something on the List, which would include the potential to enhance performance, was not subject to attack, and the specific language proposed would even strengthen that position.

DR PASCUAL commended the team on the elimination of the B sample. He agreed that it simplified some of the steps and made them cheaper, but he understood that, when rewriting the international standard, it was necessary to be careful and make sure that, if WADA eliminated the B sample, it was not eliminating a second analysis before the athlete, using the remains of the A sample. The risk of having different results from

analysing the same sample again some time later were greater than preserving a sample that had been sealed from the start and frozen upon arrival at the laboratory so, even if it was cheaper, he did not know if it was better. This should be taken into account when writing the technical documents or international standards.

MR PENGILLY said that one of the things regularly heard about at the meetings was Code compliance and the job of it being to create harmonisation across the world. It seemed like some positive things were moving forward, but he had been slightly disappointed that there had not been any additions to compliance. Pure harmonisation with regard to Code compliance would not, in his opinion and the opinion of many athletes when taking about it, aid the global fight against doping in sport, and the reason for this was that the only way for everybody to be fully compliant given the enormous variation in ADO resources was to have a level of compliance that was so low that anti-doping programmes had a relatively limited effect. This then created a situation that was really unharmonious in which some ADOs were excellent and went way beyond the basic pass level, but others were unable or unwilling to do the same, so it was very unharmonious and not a level playing field at all. One of the potential solutions was to have a tiered approach, and this would be based on a nation's sporting performance, for example the Olympic medal table could be used, and the top 15 would be in tier A, which would require the highest level of compliance and so on down to less sophisticated anti-doping programmes for those with lower performance levels. IFs would also be in the top tier and mop up all those athletes that were not nationally within that tier. This process would seem absolutely appropriate because countries that invested heavily in sports performance would be subject to higher standards. It would also mean that ADO compliance would have to be assessed and fully regulated externally.

THE CHAIRMAN said that he thought that the comment regarded compliance more than the Code itself. The comment would be taken in the context of compliance.

DR SCHAMASCH said that he could fully understand that this was not the forum in which a detailed discussion of the proposals that had been included in draft 6 would be held. He drew the members' attention to the fact that to introduce as a predominant criteria the performance aspect of the matter was dangerous. Two years back, a list of substances called S0 had been introduced wherein a number of substances had been placed that were not currently authorised by government health authorities, and this made it possible to prohibit a certain number of substances, but the fact that they had not been given approval, the problem of proving that performance could be enhanced with them would lead to major problems and he agreed with what Mr Pound had said, to prove performance enhancement would then be an enormous problem, so once again, if a predominant weight was given to prove that performance could be enhanced, it would really cause major problems, and he just wanted to draw the attention of the members to that matter.

MR POUND stated that the matter could be discussed, but it seemed to him that perhaps some independent legal advice should be sought as to what that could mean in terms of human rights and what that could mean in terms of a court looking at the rules and the transparency of the decision that X was performance enhancing or not. These were all questions that would complicate and inhibit the fight against doping in sport rather than assist it. To use Mr Young's introductory language, this was something that was not broken, but WADA was trying to fix it and, in fixing it, he thought that WADA would make it worse.

THE CHAIRMAN said that it had been determined that some independent legal advice would be required, so that was in hand. It was the start of a journey and, when an opportunity had been given to read the first draft and absorb it, there would undoubtedly be a number of questions arising in respect of the roles and sports and governments, and

he was sure that there would be much discussion going forward. He looked forward to that consultative approach and asked the members to bear in mind that there had been no final decision, and a number of the matters on the paper had not necessarily been agreed on by everybody. A number of views had been expressed but it had been felt necessary to leave a number of things there to ensure proper debate and a rigorous examination on the basis of the fact that there was not necessarily a problem but, if the Code could be made better, an attempt should be made to make it better, and that was what the review was all about. He looked forward to further ongoing developments over the next 18 months and thanked the members for their comments.

DECISION

Code review update noted.

8. Athlete Biological Passport

MR VERNEC said that he would provide a few highlights from his medical report, which was tabled in the files before the members, and then give a brief update on the ABP.

There had been a fairly substantial increase in ADOs now involved in ABP programmes. There were also some others outside the ABP programme (which of course was not mandatory for ADOs) and the members might hear from one shortly after his presentation; even though WADA had not achieved perfect harmony with every ADO, he could say that WADA was at least jogging side by side and engaged in some dialogue with them. The interesting part about having an increased number of ADOs was that there could now be enhanced cooperation and passports and costs could be shared so, between IFs and NADOs, this cooperation had greatly enhanced the programme. The ABP guidelines facilitated this cooperation. If ADAMS was used properly, laboratories, experts and managers could be operating in real time, so target testing could be done in ways that had never previously been done in anti-doping. Because of the increase in the ABP programme, it had been felt that a symposium should be put together, and this had been held the previous week in Lausanne. The symposium had brought together a number of key people, including haematological experts, managers, laboratory staff and legal experts. The goal had been education; there were very few actual haematologists who were knowledgeable in the full realm of anti-doping, who could look at a profile and say that there was something abnormal. Even the world's greatest haematologist might not understand all of the doping behaviour and little tricks that athletes might do to beat the system, so the symposium had involved case studies, with medical laboratories and legal experts, and there had been a great upskilling of some of the haematologists and other physicians who might not have been as knowledgeable as perhaps the dozen who had a lot of experience in that field. There had been talk of implementation, coordination and information sharing as well as intelligent test planning, which again went far beyond something as simple as looking at the profiles but, in actual fact, taking all of the information one could gather about athletes all the way up to readily available social media, competition schedules, and so on, certainly in the latter stages of evaluation, to really make sense of what the profiles and the passport meant. There had also been discussion of software and research past, present and future.

In terms of further outcomes, a number of documents were to be produced in short order, the ABP documentation packages, cooperation agreements and so on. It was felt that there had been a real quantum leap in the development of the APMUs after the recent symposium, and WADA was promoting them as centres of excellence, to be

associated with the scarce haematological experts, and this was of particular interest for those ADOs that did not have the financial resources to set up their own systems.

The operating guidelines for the haematological module had come out in January 2012 and the revised version had been put in a format so as to be able to put the steroid module guidelines out in a similar format in 2013. There was not a whole lot more to say about the steroid module at that stage, except to say that the Science Department was still working on the very final stages of putting the harmonisation and EQAS programmes in place; however, WADA was working concurrently on pilot projects with a number of ADOs to start to think about interpretation of results and how to practically implement this once all of the technical documents were completed.

The work on the endocrine module was still ongoing. The data from the recent world athletics championships in Daegu were still being analysed and some time that year there would be reports from that, and the Science Department was working with individual ADOs, which were gathering information, which would be helpful in the development of the endocrine module.

In summary, WADA was still advising most of the ADOs to start small, stay within their vision and realise that the ABP was a part of their overall doping programme. WADA was assisting the APMUs, and that was a priority, and also helping some of the other ADOs as they implemented their ABP programmes. He believed very strongly that it had already been demonstrated as a valuable tool in the fight against doping in sport, not simply target testing, but also with sanctioning athletes and going directly to an anti-doping rule violation based solely on the passport. A number of cases had demonstrated this. It really did have some huge potential and much of the intelligence being talked about in anti-doping, targeting which athlete, when, and for what WADA was testing would be fixed to a larger degree within the ABP, so WADA had to continue to put energy into refining existing programmes, which admittedly were not perfect, and continue to put energy into developing future modules.

As a physician, PROFESSOR DVORAK thought that he was entitled to comment on some of the issues. Attention deficit hyperactivity disorder was a headache for doctors and this was becoming an epidemic around the world; it was faced even in football, and there were difficulties with the diagnosis. There was definitely abuse of this diagnosis, which was treated with highly potent stimulants, one of which was Ritalin, which had been developed by a Swiss pharmaceutical company during the Second World War and given to German soldiers during the Stalingrad offensive just to keep them awake. It was a very potent stimulant and he had difficulties approving TUEs based on a psychiatric diagnosis for minors and adults over the year, so he strongly advised the WADA Medical Department to go through the issue. He knew the psychiatric experts and all the background and he also had reports from other psychiatric groups, and this was a serious ethical problem.

Regarding the reporting of pathological findings, the matter had been discussed at the previous Foundation Board meeting, and it related particularly to human chorionic gonadotropin hormone. Some of the laboratories around the world simply wrote a sentence advising the ADOs to please advise the athlete to have a complete medical check (Spain Portugal and Switzerland), but there were laboratories that did not do that. If not caught in time, a person with increased HCG might have a testicular tumour, which grew very quickly. He had experienced two cases in football the previous year, one concerning a 17-year-old from Australia, the other concerning a Swiss player and, if one did not react, the consequences could be serious, and he advised simply making this comment, as many of the administrators who were managing the adverse analytical findings might not get the medical message.

Regarding the athlete biological profile, the terminology (passport or profile) could be discussed; this was not as important. FIFA was a strong supporter and would like to develop a strong partnership with WADA in this respect. It had carried out the first pilot at a club championship the previous year in Japan and had performed unannounced controls on participating teams including FC Barcelona and FC Santos in Brazil, as well as Monterrey in Mexico. FIFA's experience was that the players had been extremely supportive of the idea, not long had been necessary to convince them to participate, and the procedure for the entire team had been on average approximately two hours. It was a very feasible and very important system for the future. This had been discussed, and the first results had been obtained. The laboratories could really work on the longitudinal survey; basically, there were fingerprints related to the haematological or blood parameters, the steroid profile, this was even more important, and finally also the endocrine, the hormones, so these could be combined to see if there was potential manipulation of the human body and, if there was, the players could be placed in a registered testing pool and followed if there was manipulation. He had the agreement of several major leagues around the world and FIFA was negotiating with the premier league in England, the first league in Italy was ready to go and test the entire team so, in a very short time, FIFA could accumulate a large body of experience. FIFA also had the agreement of the Spanish league and he would negotiate with the Brazilian league in this respect, and also with the Mexican league so, in a very short time, there could be thousands of athletes in the system, with urine checks four times a year and, during competition, a reduction of the testing to blood sampling to get the appropriate results. He thought that this was the way forward; it would probably be a cost-effective and very deterrent process in the fight against doping in sport and he would like to collaborate with the WADA Science Department and Medical Department to develop the next steps. It was a major undertaking, but FIFA had the logistics and infrastructure and, in particular, countries such as Japan and the J-league and Japanese Football Association were giving FIFA their full support.

PROFESSOR GERRARD passed on his best wishes to the expert group with its continuing work in the TUE area. He picked up on what his colleague Professor Dvorak had begun with and took it one step further with respect to the reporting of pathological results, and he said this very passionately as a former Olympian, an athlete who had been on both sides of the spectrum and as a professor of sports medicine with 30 years' experience in this area. WADA had an absolute moral obligation to report any pathological finding, and he believed that this should go directly to the athlete. He believed a statement on a form asking an organisation to please inform X, Y, or Z was insufficient in WADA's honour and respect for the athlete. His colleague had mentioned hCG and the early indications of a possible testicular tumour in a male athlete; likewise, women sometimes presented early signals of testosterone-releasing tumours or polycystic ovaries as conditions that needed to be picked up on early, and it was often only through the anti-doping process that this occurred, so he believed very strongly in WADA's ethical and moral obligation to report these results directly to the athlete.

His second comment related to the ABP and in particular a regional plea that reflected the lack of non WADA-accredited laboratories to undertake what essentially was a very basic haematological screening, and officials from Australia and New Zealand were keen to see more non WADA-accredited laboratories undertaking these tests but questioned why laboratories that carried out on a daily basis very important forensic and medical investigations and met very stringent international laboratory standards should then have to jump through another set of hoops to meet WADA's EQAS. He understood the sentiment expressed by WADA to establish good standards but said that there were a number of good pathological laboratories throughout the world working daily with

patients' records and caring for patients' lives that he believed were absolutely equipped to undertake this process, and so he drew that to the management's attention as a possible way to overcome the dearth of laboratories. He understood that there were very few non WADA-accredited laboratories that had actually applied for this status and a region such as Oceania would struggle to meet the 24-36 hour deadline to get a blood specimen to a laboratory; so, this was a comment and an observation about the reporting of pathological results and a question relating to laboratory accreditation.

MS SCOTT said that her question related to the fact that everybody knew that the ABP was very effective, and was a much more sophisticated means of catching cheats and in use by a lot of organisations and federations, but her question was purely out of curiosity and not intended as a criticism: why was WADA not catching more athletes with this? To date, she thought that only two athletes had been convicted and sanctioned by means of the ABP and haematological profiling. Were cheats still so sophisticated and far ahead of the game that WADA was not yet there?

As Chairman of the Health, Medical and Research Committee, PROFESSOR LJUNGQVIST said that he felt he should comment on the important matter of pathological findings that might be noted as a result of an anti-doping test. He could confirm and agreed fully with what had been expressed by his colleagues that it would be unprofessional and medically unethical not to tell a person about the pathological finding; it had to be done. He had raised this matter the previous day during the same report at the Executive Committee meeting and interestingly enough had given the same example of the young boy with hCG hormone elevation, which would be a serious sign of a very rapidly developing malignant disease, so surely this was something that needed to be covered and well understood by all those responsible in the field of anti-doping that this was a responsibility that had to be fulfilled in one way or another. It should be conveyed directly to the athlete. The only problem he could see was, if the athlete in question was a minor, who to inform and how, and that was an ethical matter again that needed to be looked into. It would be a good idea to have a panel to look into the matter. Certainly the basic responsibility was very clear: WADA had to inform about the pathological finding.

DR PASCUAL said that, talking about the pathological findings, if WADA was talking about substances being monitored as part of the Prohibited List and they were urinary, such as hCG, laboratories would never report directly to an athlete as they did not know which athlete the sample belonged to, so they would always report to the IFs. That had to do with data protection. He also agreed that any condition should be reported; there had been a standard sentence in the anti-doping report stating that it might be due to a pathological condition for the corresponding anti-doping organisation to take action. What he had not understood from Mr Vernec's report was when that came out of substances or parameters that laboratories were not supposed to monitor, so if these parameters were part of the ABP, the laboratories monitored them and reported on them in ADAMS so they were available to experts. What other parameters should there be if they were not to be reported? Because if they were not to be reported, the laboratories should not be monitoring them. The laboratories did not have the right to get more information on the samples than that which they were supposed to have, so he did not understand what these other parameters were.

MR VERNEC replied to the comment about ADHD. As Professor Dvorak had said, it was a significant problem in society; he would like to say in the sport world that everything could be solved, but the reality was that there was a bit of an epidemic in terms of diagnosis of the condition, and there were many psychiatric and other associations around the world that acknowledged the disease, and had testing and specific criteria, but there was no simple blood test or any type of test that one could use

to enable one to state that a person had this condition, which was what made it so challenging. The medical document had been revised in the past year, again with a number of experts from around the world, but he said honestly that he would keep a close eye on this, as it was a contentious issue and a difficult one.

There had been many comments on the reporting of the pathological results, he essentially fully agreed with all the comments made. This was something about which WADA worried and, as he had stated, the anti-doping and testing system had been set up in a certain way, so there might be certain gaps in the system that needed to be looked at. Nobody had any doubt that there was a moral and ethical obligation to get information back to the athlete in whichever was the most appropriate way, and WADA would be looking with many experts and advisers over the next few months to try and figure out the most intelligent way of doing this.

In response to what Dr Pascual had said, the whole issue had come up with the idea of white blood cells, which were not being looked at by anybody but, during the actual test, white blood cells were part of the CBC, but then they flittered off into some other zone and nobody looked at them, so that was why the whole issue had been raised by AFLD, and the reality was that no physicians anywhere in the system had been looking at that. He did not want to get into too many complex details, but one way would be to recalibrate the system so white blood cells were never calculated, because the reality was that they were being calculated. Most of the other substances, be they cortisol or hCG, were normally being analysed by the WADA laboratories.

He congratulated FIFA on its work on longitudinal profiling over the past year and confirmed that the Medical Department and Science Department at WADA were looking forward to working with FIFA and were excited to see all of the projects that FIFA had planned.

He told Professor Gerrard that getting approved laboratories for the ABP was an issue, and it had been realised that there was a need, which was why the Science Department had come up with the specific criteria. The reality was that there not been a stampede of laboratories trying to get WADA EQAS approval, because it was difficult, but WADA had to go with the reality, which was that, despite a clinical and forensic laboratory being very high quality, it did not undergo the same type of attacks that an anti-doping laboratory did, and to give an example of this, at a recent meeting, the UCI had brought up the idea to avoid all clinical laboratories because, when it got to the court rooms, any specific value had been thrown out in court. That was just a reality. WADA would be happy to find some sort of a solution to make this cheaper and simpler, particularly for regions such as Oceania. WADA might increase the 36 hours to 72 hours, which would be only some help, but WADA was certainly looking at it from every possible angle.

He had said the previous day that Ms Scott asked great questions and had encouraged her to not hesitate to ask them. Why was WADA not catching more athletes? To get an anti-doping rule violation was not a simple thing, particularly when it was not a simple positive analytical result, when one could say that, above the threshold, it was a positive. The passport system involved longitudinal profiling and then a trigger, and that took one only to step one. Then it was necessary to go to step two, which involved expert evaluation, and this always erred on the side of the athlete. As the members knew in anti-doping, WADA did not like to have false positives, so to have a full anti-doping rule violation was not simple. Having said that, four and not two cases had been sanctioned directly on the passport alone, plus another one two weeks previously, a marathon runner found by the IAAF and Portugal and sanctioned based solely on the ABP. The cases were starting to come. Furthermore, the UCI had described many cases in which it had targeted athletes directly on information on the ABP and there were

dozens of those cases, described by Dr Zorzoli at recent meetings. Then, there was what he believed was a fairly strong deterrent effect and he believed that it was getting increasingly complicated for an athlete to have all the paraphernalia and experts following him or her around to be cheating and trying to beat the system. It was not impossible but it was increasingly difficult, and he did believe that the ABP had a deterrent effect. He would love to be able to show studies, but was not able to do that at that time. He certainly thought that the ABP was effective and promising and, as WADA got more and more research, for example on haemoglobin mass, it ought to be even more effective in the future.

DECISION

Athlete Biological Passport update noted.

9. Anti-Doping Administration Management System (ADAMS)

MR KEMP said that he wanted to provide the Foundation Board members with a brief update on ADAMS. There had already been an extensive discussion of data privacy and protection, so he would concentrate on the most recent enhancements made to ADAMS, as well as future enhancements with respect to its functionality that would be made over the coming months. At the previous meeting, WADA had discussed intensively the introduction of an enhanced whereabouts functionality in the system, and he was pleased to report that, since the introduction in November the previous year, the reception of these enhancements had been quite positive, certainly the introduction of 12 languages in the system, as well as a very useable and intuitive system with respect to the recording of addresses and travel information by athletes had been positively received. He should say that, although these enhancements had been completed, WADA was listening to the feedback from all ADAMS-using ADOs and athletes themselves to see if there were ways to further improve the system, and WADA had already received a number of useful suggestions that it planned to incorporate over the next few months.

In terms of ADAMS adoption and use, 77 IFs were currently using ADAMS to various extents, along with 70 national and regional ADOs. All WADA-accredited laboratories were required to use ADAMS, and were using it to report adverse and atypical findings; they were also required to report on negative findings as of January that year, which assisted WADA with improving the situation with regard to statistics. ADAMS would equip WADA with a comprehensive and global picture of positive results worldwide and testing activity as a consequence of the negative results that were in the system. Every negative in the system represented a test that had been conducted, and this would provide information on who had conducted the test. There were nearly 300,000 analytical findings in the system, with well over 150,000 athlete profiles, which meant that there was information associated with an athlete, which could be whereabouts information, a TUE or other test information, which could be used to share with other ADOs in the interests of enhancing the efficiency and effectiveness of coordinated test planning between various agencies; and, as he had mentioned, there were 12 languages in the system and WADA continued to add more as expressions of interest were made by various agencies.

Regarding the next priorities for ADAMS development, WADA had received well over 700 different suggestions for things that people would like to see added to ADAMS, which WADA currently had on file. It was important to prioritise these, as WADA could not do 700 things at once, so WADA was looking to add functions to the system that would be of greatest benefit to the greatest number of users. Mr Vernec had mentioned adding enhancements related to the ABP, and one important improvement WADA was currently making involved incorporating what was referred to as the adaptive model with the

passport software directly into the system so that ADAMS would be a more useful intelligence tool, alerting ADOs to adverse or abnormal suspicious profiles of particular athletes. When new laboratory results related to the passport were entered into the system and matched to a particular athlete, they were added to the longitudinal profile and could alert an ADO to something suspicious, so that WADA could expedite the process of targeted testing, or advise the ADO that perhaps it should be looking more closely at a particular athlete or perhaps the resources would be better allocated elsewhere. It was thought that this was very important to be able to bring this into the system, and this would also improve the ability for NADOs to operate passport programmes, as the functionality in ADAMS was currently limited to IFs. Another important priority for WADA was the incorporation of automated data retention in the system; currently, there was an annex to the International Standard for the Protection of Privacy and Personal Information with respect to what information could be stored and for how long that information should be stored; for those organisations not using ADAMS, they would have to find ways of complying with the standard manually, constantly reviewing documentation and deleting it at the appropriate time, which would be a labour-intensive application of resources. WADA wanted to automate this for ADAMS users, making compliance with the standard much more practical.

Another enhancement he hoped to see was the extension of adverse analytical finding profiling. This was in two parts; the first part was essentially taking that negative information to which he had referred and which was being reported into ADAMS and trying to make sense of it, so as to be able to run reports in ADAMS as WADA or as individual ADOs on the testing activity in a particular sport or country to help assess what gaps there might be globally or where more work might be required, and then to help identify the profile of adverse analytical findings over time, in order to see trends or patterns that could assist in improving anti-doping policy down the road with respect to the timing of tests relative to adverse analytical findings or other types of profile information.

The next priority was the incorporation of the steroid module of the ABP. As Mr Vernec had said, there was still ongoing work on the steroid module, but WADA was trying to have the infrastructure in ADAMS ready to go and well in place when the rules were in place so there would be no unnecessary delay with the technology infrastructure to apply that in ADAMS.

Now that WADA had completed the first phase of enhancements to the whereabouts system in ADAMS itself, as part of the future enhancements related to whereabouts, WADA was keen on launching a mobile whereabouts application for athletes submitting their whereabouts information to ADAMS, many of whom were away from computers and on the road regularly when they needed to update their information. WADA had had some useful collaboration with the Dutch NADO on the system that it was using and which did not currently connect to ADAMS; the Swiss anti-doping agency had also just launched a system, which was again not connected to ADAMS. WADA was quite keen on seeing whether those technologies could be applied to ADAMS in a secure fashion that would be of use to athletes, and doing so in a very cost-effective way. He hoped to be able to report more on this project in the coming months. Finally, there had been some discussion earlier about the need to enhance the modernity of the sample collection process and making it more digital, more electronic. WADA had been doing some research work in that area, and was also trying to set the stage on ADAMS, so that whatever collection was done in the field, be it by iPad, PC or some other electronic device, ADAMS could communicate with those systems in the field to expedite the entire doping control process, from the collection of samples in the field to the provision of the information to the ADO as well as to the laboratory. That should be of benefit to

everybody, not just in terms of the efficiency of the process, but also in terms of cost effectiveness. That was a snapshot of where WADA was with ADAMS and where it would be going over the coming months.

DR SCHAMASCH mentioned the excellent collaboration between the IOC and WADA on ADAMS with regard to the Olympic Games. There had been several meetings and tests to check the problem mentioned earlier with some NOCs that would not be using ADAMS or would be prevented from using ADAMS.

He had been approached by some athletes, and was happy that Mr Kemp had mentioned the collaboration with the Dutch NADO, which had developed an application whereby the athletes could receive a kind of alert if they had forgotten to enter their whereabouts, and that was very important because many athletes faced a filing failure because they had been thoughtless, so such an application with an alert would be a good idea to help athletes enter their whereabouts via a mobile application.

MS BOKEL said that she had been wondering about the prioritisation on the screen; was that from number one to six? If so, was there a timeline to go with it? Had costs and the timeframe for implementation relating to the benefits of that been looked into? To support what Dr Schamasch had just said, looking around the table, she saw a lot of iPads, and all the people there would not be able to use iPads to enter their whereabouts; she knew that a lot of athletes wanted to use iPads and mobile phones to enter their whereabouts, and this should be higher on the priority list.

MR KEMP thanked Dr Schamasch for his support of WADA's support, which WADA was happy to continue to provide over the coming months and for the Olympic Games. He agreed wholeheartedly about the need for the application, and perhaps he could address Ms Bokel's comments at the same time. This was a priority and, like all priorities at WADA, everything was a priority; but, when it came to technology and IT, there were some limitations with respect to the cost of implementing all things at all times, as well as retaining the required expertise. As he had mentioned, WADA had had over 700 different requests from stakeholders and it was felt that these priorities were of the greatest benefit to all stakeholders. Having said that, he hoped that the developers working on ADAMS would be able to juggle multiple tasks at the same time, so that WADA would not have to fully complete one task before moving on to the next, but ultimately it was necessary to focus primarily on one thing before moving on to the next. With respect to the implementation of a mobile application, there were two things that would delay WADA slightly from implementing something like this immediately. The first was obviously to understand the cost and then look at the priority of that. There were some initial costs from one particular provider, and it was nearly half a million dollars for the implementation of such a product, so WADA needed to be careful when deciding about how to proceed and be diligent with respect to deciding which route to take. It was also important to understand that, for a mobile application to be beneficial, it could not just be a one-way exchange of information. By way of an example, if an athlete was in the field and wanted to make a change to his/her whereabouts, he/she would need to know what the whereabouts said in the first place, which meant that information from the system needed to go down to his/her mobile phone, and this raised issues of the protection of that data, and WADA wanted to be very sure that any information sent to the application was done in a very secure way to protect that personal information. This was something about which WADA was very aware.

MS BOKEL asked if there was a difference between having the data on a mobile phone and a computer.

MR KEMP replied that a mobile phone would never be able to look at all of the information currently available on a PC, in terms of seeing a full quarterly or monthly

calendar, for example, so specific pieces of information would have to be selected to be sent down to the phone, because the application would not have the full functionality. Certainly the same sorts of issues arose, but they were just exacerbated on a telephone.

MS RUGGIERO said that she had been an athlete and had had an opportunity to use the mobile application. From an athlete's perspective, she could not overemphasise the convenience of it. She understood that there were privacy issues, and that athletes might not be able to access some previously entered data, but to have the opportunity to instantaneously upload data put the onus back on the athlete. If it made it easy and was on their mobile phones, to which most athletes had access wherever they went, this would be at the top of the priority list for athletes.

DECISION

ADAMS update noted.

10. Department reports

– 10.1 Science

10.1.1 Health, Medical and Research Committee chair report

PROFESSOR LJUNGQVIST referred to the full report under 10.1.2 in the members' files. He wished to comment on one or two points therein. With regard to one that had developed after the report had been written, 5.1.1, there had been a discussion as could be seen in the second paragraph about holding a gene doping seminar or symposium in Beijing, China, and he was happy to inform the members that Mr Jiang, Dr Rabin and himself had come to the conclusion that the Chinese hosts intended to host that seminar in April or May the following year, or October or November, the date remained to be decided, but he thanked Mr Jiang for his support and collaboration in this respect. It was an important seminar, because WADA had identified the risk of gene doping as the next serious threat some ten years previously, when WADA had been established. At the time, WADA had not had any evidence of gene doping, and did not have any evidence at that point, but science had developed to the extent that the risk was increasing. It was probably too dangerous still, but more and more disorders could be treated through gene therapy. One very recent and marvellous achievement had been the identification of a very rare disease in children born with impaired vision or even blind; now, through the identification of the genetic disorder behind that disease, patients could be treated and could get their vision back again. It was a fantastic example of progress in the field of gene therapy, but the downside was that progress meant that more and more knowledge was available to be misused. There had been follow-ups over the years. In 2002, a gene doping symposium had been held under the aegis of WADA in New York, in 2005, in Stockholm and, in 2008, in St Petersburg. Progress had been made in that WADA had the basic scientific knowledge that served as a basis for developing methods to identify gene doping, and that had taken place between 2008 and 2012, so it was felt that the time was right to have a follow-up symposium the following year. He thanked Mr Jiang again for offering to host the symposium.

In 5.4, WADA was fortunate to have the opportunity to expose some science of anti-doping in a very prestigious publication, and there was a list of examples of articles or chapters to be published in that particular journal, and the staff members involved. That did not mean that he would remain passive; he wanted to mention that he would also write a chapter, although he was not a staff member, and that particular chapter would be entitled "Half a century of challenges". Since he had been involved for 40 out of the 50 years, he thought that he had a fairly good background to contribute to the publication.

DECISION

Health, Medical and Research Committee chair
report noted.

10.1.2 Science update

DR RABIN highlighted two additional points in the departmental report. He had been regularly reporting to the Foundation Board on the relationships with the industry, which he was pleased to report were growing effectively, and WADA currently had more access to information from the industry, even pipelines, as WADA had some companies that opened up their pipelines for discussion and review, and more companies were coming spontaneously to WADA with some drugs that they were identifying as having doping potential, so it was exactly the kind of dynamic WADA had wanted to put in place when it had started this process many years ago, having the industry becoming a partner of the activities in anti-doping and identifying some of the drugs with doping potential so as to develop the detection tools ahead of time and certainly before those drugs made it to the market and became available to athletes wishing to dope. This momentum would increase when, in November 2012, with the Council of Europe and the French Sports Ministry and the support of UNESCO, WADA co-organised a symposium in Paris to promote the model of collaboration put in place between the industry and anti-doping and in particular with WADA, and he thanked the Council of Europe and the French Ministry of Sport for their cooperation in preparing the very important conference in Paris in November.

He informed the Foundation Board about the draft 2013 Prohibited List, which had been released on 7 May for consultation. The consultation period would progress until 9 July and, for the first time that year, WADA had benefited from the IT platform developed for Code review process, named WADA Connect, and WADA hoped to receive comments on the platform so as to provide all the comments in a simpler and more user-friendly format to the List Expert Group members for review as part of the consultation and review process for the draft 2013 List, so he encouraged the members to submit their comments via WADA Connect, and WADA would look at them very carefully with the List Expert Group members in August that year.

MS DE BOER-BUQUICCHIO thanked Dr Rabin for mentioning the symposium to be held in Paris on 12 November with the participation of representatives of the pharmaceutical industry. She highlighted the very concept underlying the conference, as she thought that this was really a good one. It was not about drafting new rules but about voluntary cooperation with relevant and very important stakeholders, so she had a lot of expectations from the conference. At the same time, she wished to appeal to the public authorities present, particularly those from Europe, to ensure participation at ministerial level to guarantee success. She referred not only to ministers of sport, but also to ministers of health and ministers concerned with issues relating to the industry. It was a very promising event and she was grateful for the cooperation that had been established in this respect.

MR FOKS commented on the drafting of the 2013 Prohibited List. The List was a cornerstone in the fight against doping in sport and therefore the utmost attention should be paid to its update. Only a timely released List allowed for proper consultation, which was why Europe, although acknowledging the fact that the forthcoming Olympic Games made scheduling difficult, called on WADA to consider a more timely release of the draft Prohibited List, preferably before 22 August 2012.

DR RABIN thanked the members for their questions. Every year, there were different phases in the consultation process and preparation of the List. More than two months

were left for consultation on the List to allow sufficient time to the public authorities and people from the sport movement and people who were involved technically to provide their comments on the draft List. Usually, in August, there was the review not only by the List Expert Group but also by the Health, Medical and Research Committee, and it was necessary to keep these together to be time- and resource-efficient. There was then a very short period of time before the Executive Committee meeting. Not only the technical committees but also the WADA management did their best to release the List as early as possible, but there might be some issues related to final adjustments in order to have the List properly circulated and translated (along with the explanatory notes), and all this took some time. WADA gave the maximum time to consultation before the Executive Committee meeting, and in that respect he was in the hands of the Health, Medical and Research Committee and the List Expert Group members.

DECISION

Science update noted.

10.1.3 Draft 2013 List update

Included in previous report.

DECISION

Draft 2013 List update noted.

– 10.2 Medical

MR VERNEC said that, in terms of ongoing TUE screening, since the changes to the Prohibited List with beta-2 agonists in 2010, there had been quite a dramatic decrease in the number of asthma TUEs and overall TUEs coming into the system. At a point, up to 70% of all TUEs had been for asthma medication and particularly beta-2 agonists; so, thanks to the wisdom of the List Expert Group and the Science Department, which had come up with some thresholds for salbutamol, salmeterol, and in 2012 also formoterol, which was a very popular medication, this was reducing a very large burden on athletes and on ADOs without doing any harm whatsoever to the fight against doping in sport and actually freeing up resources.

WADA was still looking at medical information to support TUE committees, and there had been a significant change to the one on androgen deficiency the previous year, where it had no longer been acceptable to say that one had low testosterone levels, but there had to be very specific criteria and particularly demonstration of some organic dysfunction. This document had clarified a lot of things, and WADA and some of the ADOs independently had been looking back at some of the applications in some of the cases. WADA continued to update many of the documents and these were just a few on which WADA was working on a regular basis.

One other change to aid athletes and ADOs was an increase in recommended duration; so, for those clear-cut cases, for example somebody who had been a diabetic since the age of seven and had all the proper documentation, the duration of the TUE had been extended in the guidelines.

Another issue that was rather important and had been brought up by one of the stakeholders had been brought up in the context of the ABP but it was more of a general issue: the reporting of pathological results. It was quite clear that the health of the athlete was a primary concern to WADA; nevertheless, it had to be realised that the testing system had been set up as an anti-doping testing system and not as a health

check, so WADA had always encouraged athletes to have regular medical check-ups with their physicians and not rely on any doping test. Nevertheless, it had been realised that, during the course of some anti-doping analyses, there was occasionally some indication that there might be some pathology present. WADA was now looking at the mechanisms of reporting this. In terms of the new ABP operating guidelines for red blood cell variables, the haematological module, a very clear system had been set up and blood experts would check a box, either to say continue target testing or possible doping, or if a pathology was suspected, this was remarked upon and this information got back to the ADOs and should get back to the athletes quickly. There were a few areas in which it was slightly more complex, for example, white blood cells, which did not form part of any variables reported on, but they might be tested for in the laboratory and the question was how that information was getting back to the athlete if it looked like there was some pathology present. Clearly, there was an ethical necessity to report back if there was something that looked alarming in any blood or any type of biological result; nevertheless, the question was what the mechanism was to do that, and it was not currently entirely clear. Because of this, WADA was actively engaged with physicians, laboratory specialists and particularly specialists in health law to review this fairly complex issue, which had many different parts to it (access, confidentiality, calibration of instruments, and so on). WADA would continue to look at this and would report on opinions later that year.

DECISION

Medical update noted.

– 10.3 Education

10.3.1 Education Committee chair report

MR WARD said that, on 26 and 27 April, an Education Committee meeting had taken place in Montreal to discuss current and future WADA education programmes. As the Chair, he had been very pleased by the interaction and insight provided by the Education Committee. He outlined the key recommendations resulting from the meeting. With respect to education resources, the Education Committee had identified the need to seek guidance on how to ensure that all educational materials were accessible to those with disabilities. It had been recommended that the department include provision for the translation of resources in its budget, that WADA continue to offer education and information tools free of charge, that WADA partner with ADOs in the development of materials, and that it consider exploring new partnerships for the development and implementation of education programmes. The Education Committee supported the department in the development of online resources for parents and seeking new ways of reaching schools, including developing a dedicated section of WADA's website for this area.

With regard to model guidelines, the Education Committee supported the department's plan to rework the current model guidelines for core information and education programmes; it had discussed education symposia, and the committee supported the department's plan to continue the regional education symposia in 2013 and recommended hosting a symposium in Latin America, given that three high profile events would take place in the region in the coming years, namely the 2014 FIFA World Cup and the 2016 Olympic Games and Paralympic Games.

The Education Committee had looked at the education provision of the Code and had agreed to provide feedback and recommendations for a review of the education provision of the WADC. It had reviewed marketing tools and recommended looking into having an international play true day to promote anti-doping education, and the Education

Committee had also recommended developing a programme that would allow schools to become play true schools.

For funding for the social science and research grant programme, the Education Committee had agreed to recommend to WADA's Finance and Administration Committee that the budget for social science research be increased to 400,000 US dollars, given that 600,000 dollars had been outlined for the 2013 social science research grant programme five-year plan.

For social science research grant programme priorities, the Education Committee had recommended maintaining the current research priorities. It had also recommended requesting that the WADA Executive Committee and Foundation Board expand the areas of research to include studies in management, economics and law. With regard to the recommendations for funding and social science research projects presented the previous day to the Executive Committee, the Executive Committee had accepted the Education Committee's recommendation to fund eight projects totalling 209,901 US dollars.

Areas for additional research had been discussed, and the Education Committee had recommended seeking proposals for a targeted research project, looking at how international organisations approached the translation of educational material in order to inform WADA's practice. The Education Committee had also indicated that targeted research could be used to target certain countries or regions to obtain more data from those countries in need and, with regard to increasing regional representation on social science research, the committee had identified a need for more effort promoting research in Africa, Asia and Latin America, and had recommended publishing a call for proposals in different languages, but to continue to accept applications only in English and French.

DECISION

Education Committee Chair report noted.

10.3.2 Education update

MR KOEHLER said that he would provide an overview of some of the key activities being carried out by the Education Department, and he started off by talking about partnerships. Education, in order to be successful, required a lot of partners, and he highlighted four or five key partners in addition to the NADOs and IFs with which WADA dealt on a daily basis. One was the International Council for Coach Education, with which WADA had been working for the past three or four years. It had been established with a vision of creating a global framework for coaches, setting a global standard for coaches. Since that time, other organisations had joined the group; ASOIF was now a part of it, the IOC was looking at joining and, through the work done, there was a full integration of anti-doping education for coaches in the framework. WADA had agreed to partner with the group at the 2012 London Olympic Games and, with its Outreach programme, it would promote a Global Coaches House, to be located in Piccadilly Square and run by the ICCE, and WADA would offer each coach half of a pin; the other half would be received when the coaches visited the Global Coaches House. He encouraged the members to visit the Global Coaches House with their countries and IFs, as it would be a place for coaches to share information and there would be specific information for coaches.

WADA was working closely with the IOC to ensure that anti-doping education was integrated for the athlete entourage. WADA had been working for several years on education for the athlete entourage and was now working with the IOC by sharing its tool kits and Coach True and having a mutual understanding of how to work together and not duplicate resources.

He was pleased to report that WADA had signed a memorandum of understanding with OlympAfrica, which would enable WADA to work with 19 training centres throughout Africa to get information and education to athletes and schools, and WADA would be working with each training centre to make sure that it was empowered to go out and educate athletes and leaders within the region.

WADA had recently agreed with the Chinese anti-doping organisation to host an Asian education symposium, a follow-up from what had been done in Johannesburg in Africa the previous year. It would take place on 17 and 18 October, and WADA would be sending invitations over the coming weeks to its stakeholders in Asia to promote the symposium.

WADA was also working with UNESCO, which had developed a curriculum for schools, and WADA had been appointed to a working group to further develop the curriculum to make sure anti-doping had a good standing within the curriculum, as it addressed bigger issues about sport, and not just anti-doping.

He highlighted a couple of projects, one of which was Coach True, which continued to maintain and receive a lot of attention from stakeholders. It was an online learning programme specifically for coaches. It was both Web-based and CD ROM-based; the benefit of the Web-based application was that it was trackable, so WADA knew how many coaches had used it. WADA had over 1,400 users from 145 countries and 71 sports. Realising that WADA had all this data on coaching, it had been thought that it would be important to share it with all of the WADA stakeholders so, in March, WADA had sent letters out to all of its stakeholders, all of the IFs, the IOC, the IPC, the NPCs and NADOs, asking how many users from their specific constituencies were using it. If the number had been low, WADA had encouraged them to promote Coach True within their constituencies. Coach True had been awarded two awards, the International E-Learning Award and a Davey Award for its ability to deliver effective education through online resources. The other programme that WADA continued to promote was the Play True Generation Programme, which had been showcased at many events, recently in 2012 at the Winter Youth Olympic Games, and he was pleased to report that, as a part of the culture and education programme within the Youth Olympic Games, the programme had received more visits than any programme offered. WADA planned to launch a model later that year so that others could use the programme and implement it locally. Part of that programme was the online resource of the Play True Challenge, which contained a practical life side, in which athletes were given an opportunity to make good decisions and wrong decisions to dope and, once they did that, they were brought into a game, called JumpCross, and this had final results, depending on the choices made: the players were tested and, if they had used substances, they were sanctioned and given remedial learning. He was pleased to report that the Play True Challenge had won an award in 2011 at the Serious Play Awards for its delivery of education materials.

He wanted to talk about two new developments within WADA. The members always heard about the need to evaluate and WADA had always promoted the concept of evaluating education tools. As a result, WADA had commissioned Professor Barrie Houlihan to look at doing research on how to most effectively evaluate education programmes; whilst talking about it all the time, WADA had never provided a tool, so two separate tools had been looked at: one to actually evaluate the tools themselves, whether they were reaching the target group, and then looking at how to evaluate long-term education. The long-term evaluation tool involved three steps: primary evaluation, measuring attitudes, beliefs and behaviours; then secondary evaluation, once one had understood the information and started to deliver the programme, then taking the opportunity to review what was being given and what the young athletes were learning, and it provided an opportunity to adapt programmes, make sure that they were making

a difference and, if they were not, how to change them; and finally, after three or four years, another evaluation to see if there had been a change, to see if athletes or young people had learnt more and whether their values had changed or not depending on the outcomes sought. This would be available on the website the following week for everybody to use and provided a step-by-step process on how to effectively evaluate an education programme.

Another project to be launched the following week was the new Digital Library. He did not wish to criticise the WADA website but, if members went on the WADA website or the IOC website, they would not find it easy to find a topic, because there was so much information, and this was something that stakeholders had commented on. WADA had therefore created the Digital Library, which had been showcased with stakeholders and trialled, and shared with the IOC, which was looking at adopting it. Basically, it gave users the ability to find what they wanted. He gave an example. When visiting the Digital Library, users could explain who they were and what they wanted, and there was a pull-down list of who users could reach. They could then select a topic, for example, to address whereabouts with athletes in a registered testing pool. They could then choose whether they wanted a leaflet, a video or e-learning, or leave the options wide open. When searching, options were given, unlike before, when users had had to contact WADA and visit the ftp site to download things. Now, everything was readily accessible. Users could download directly the information they were looking for. Users could also click on the information, review it, scan through it and see if it was what they were looking for before downloading it. He showed the members a mock. Users were also given related items in which they might be interested, which was similar to what the Amazon website did. It also gave the opportunity to do a free search so, if users were interested in information on youth, they simply had to enter the term "youth" and would be shown all the resources directly related to young athletes. The Digital Library would be launched the following week and made available to everybody. The plan was to expand on this.

DECISION

Education update noted.

– 10.4 Programme development

MR KOEHLER wished to provide a brief overview of the status of the RADOs. To date, 15 RADOs covered 119 countries globally. The programme continued to be successful and help smaller countries develop their ADOs. With the RADOs, WADA had achieved over 95% compliance, the missing 5% generally representing countries in political turmoil or with internal problems. The RADO programme had been successful because of WADA's partners. WADA had worked with several NADOs to help deliver programmes, training and education to ensure that there was a partnership with the RADOs and NADOs. WADA had also had support from governments and, in order to ensure the success of the programme, WADA needed additional support. WADA had received help from Australia, which was funding the staff member in the Oceania RADO, and it had received funding from Canada for the Caribbean RADO, but unfortunately those funds had ceased and WADA had to look at switching the office in the Caribbean from Barbados because the government there had decided that it would not fund the RADO, and WADA was now looking for another host country. If Mr MacAdam had additional funds to put into the Caribbean RADO, WADA would welcome those. He also recognised support from Japan, which had for the past three years promoted all of the RADOs in Asia and had made an additional contribution of 200,000 US dollars that year to support the RADOs in Asia. WADA had agreed on a partnership with Norway to help Africa Zone V, the East Africa RADO, develop both the RADO and domestic programmes.

He also wished to highlight other regional organisations that were helping. WADA was trying to get as many partners as possible to help the regions be more successful. A lot was said about the cost of anti-doping, and it was clear from the slide that there was a great deal of cooperation between the RADOs and IFs and major games organisations. The RADOs did not charge a lot of money for testing, and the IFs were using them to get tests done in hard-to-reach areas. It was mutually beneficial: the IFs were getting things done at a low cost and the RADOs continued to gain experience in the field, and this built expertise within. WADA was also working with SportAccord to make sure that the links were made and the RADOs were being used by international organisations.

In January 2012, the second RADO conference had taken place in Kuwait, hosted by the Olympic Council of Asia, which had provided all of the accommodation and on-the-ground support for the conference. The full report was in the members' papers, but he wanted to touch on a few of the items dealt with. One was the strong desire to continue supporting and promoting the RADOs through WADA, as they had helped with development in the regions. The RADOs had asked for official recognition in the WADC, which had been discussed by the Executive Committee the previous day. The need for government and sport to be involved with the RADOs and to promote and support them was critical. There had been a strong desire to establish a RADO expert working group, which had been established immediately after the conference. He could not stress the issue of full-time staff enough. All of the RADOs that had exceeded expectations had professional full-time staff driving the agenda for the regions, and WADA would continue to promote and support regions that needed help with full-time staff. He noted the continued need to promote the partnership with SportAccord, IFs and NADOs.

WADA had moved forward with an ad hoc working group, and there had been several recommendations from that, one of which, as mentioned by the African colleagues, related to the support WADA had provided the previous year and that year to fund some out-of-competition testing. WADA had provided free analysis at laboratories, but WADA had been coordinating the testing, and the recommendation from the ad hoc working group had been to offer a grant programme rather than have WADA doing everything, giving a certain amount of money to perform a certain amount of tests, to make the RADOs accountable and empower them to do their own work, similar to what Australia had done for the Oceania RADO and what Canada had done for the Caribbean RADO, the idea being to make them self-sustainable. There had been a recommendation to make sure that WADA continued to strengthen partnerships with regional and continental organisations, to continue to use the RADOs at regional games. There were many regional games and, instead of individual countries doing things and trying to deliver themselves, the RADOs should be used. There had been a strong desire to look at partnering with ANOC and see how ANOC could help with the RADOs. There had been a strong desire to start partnering with RADOs and sharing expertise from region to region and board to board, bringing together RADOs and having them share expertise. The RADO ad hoc working group had also recognised the need to have RADOs recognised in the Code. The RADOs wanted WADA to continue to evaluate and to let them know how they were performing, and they wanted WADA to continue to advocate the importance of RADOs with governments and sport and how they were helping develop sport within the regions. A promotional brochure had been developed for the RADOs, so people knew who to contact if they wanted assistance. This was a regional effort with worldwide objectives to ensure that the playing field was being levelled and that there was effective testing and education in all the regions.

MR MERITON thanked Mr Koehler for a very clear presentation on the activities undertaken. He commended WADA on the support it had given to the RADOs, particularly those in the African region. It was safe to say that the RADOs had been, in many instances and in many countries, the main and at times the only means for a

meaningful role in the global fight against doping in sport, and he wholeheartedly supported the notion of providing direct support to the RADOs, based on his understanding of the continent and what the countries aspired to. WADA's efforts as driven by the regional office should at all times be geared towards the sustainability of the programmes by the countries or the RADOs themselves. The RADO offices were perfectly placed to handle the projects and, with the ongoing support of WADA in terms of technical support and training given to RADO board members and office staff, the empowerment and capacity development could be driven locally. He therefore supported the recommendation to give more responsibilities to the RADOs, and hoped for more formal discussions, and hopefully in November a decision would be considered.

DECISION

Programme development update noted.

– 10.5 Communications

10.5.1 Athlete Committee chair report

On behalf of the Chair and acting chair of the Athlete Committee, MS BOKEL was happy to provide the members with the report of the latest Athlete Committee meeting held in Tokyo in February that year. The Athlete Committee had talked about the danger of contaminated nutritional supplements. It had stated that there was a danger and athletes should be careful about taking nutritional supplements. The Athlete Committee called on the governments of the world to regulate the supplement industry.

The Athlete Committee had talked about financial penalties and also about what was happening to athletes who received a medal a year or six months after an athlete had been caught for doping and his/her medal taken away. The committee had discussed the possibility of financial damages being awarded.

The Athlete Committee had talked about athlete entourage in relation to trafficking and the responsibility of such entourage members when involved in doping cases.

The Athlete Committee had talked about UNESCO and what was happening to the countries that did not implement proper anti-doping programmes.

The team RTP and whereabouts had been discussed. The issue of whereabouts was essential, but it had been realised that a lot of team sports athletes did not really know what they had to do to submit whereabouts information. There had been one example given, that, when the hour of the day was changed, this could be done by sms. Sometimes, team sports athletes used other people to fill in their whereabouts and then the athletes thought that the system was extremely difficult to use whilst not even knowing since they did not use it.

The Athlete Committee had talked about the Code review and was looking forward to its next meeting in September to discuss the first draft of the Code.

It had discussed the Outreach programme, as it had been asked to give feedback on that and whether it was reaching the athletes, and the committee thought that this was essential.

The committee supported more blood and EPO testing, and she noted that it had already recommended this at its previous meeting.

The Athlete Committee also encouraged the major leagues to test for Hgh, and this would encourage other organisations to test for it as well.

The committee supported the harmonisation of detection levels for laboratories.

As had just been seen during the Education Committee report, the Athlete Committee had had a look at the Play True Quiz and Challenge and would like to see a link on the website to those so that athletes could look at them at home as well as when they were at major events.

The Athlete Committee would be meeting again in St Petersburg in September and looked forward to that meeting.

MR POUND said that he had a suggestion and a comment. He had just returned from a meeting of the International Council of Arbitration for Sport and one of the agenda items had been the appointment of mediators and arbitrators for the CAS. He had been encouraged to come to the Foundation Board meeting and tell the Athlete Committee to recommend suitable people for that role.

His observation was that it was a matter of considerable disappointment to him that more members had been absent than present at the Athlete Committee meeting and, frankly, if there was to be a robust and credible Athlete Committee, WADA had to make sure that people were on it who were willing to come to the meetings and do the work, as this was not good.

THE CHAIRMAN observed that, when the selection of Athlete Committee members had been made, a deliberate focus had been placed on current athletes to ensure that not only did WADA have people who had recently competed but also some who were still competing, knowing that training and competition could interfere with some of the meetings. WADA also had, in between meetings, phone hook-ups and attendance on those was much better. Looking at the Athlete Committee, it was very extensive, totalling 19, so the numbers did not look good, but perhaps his explanation might indicate that WADA's attempt to get people who were currently competing might well lead to apologies from time to time, although hopefully not as many as at that previous meeting.

MR POUND retorted that a forensic examination of who had not been there would not turn up very many winter athletes.

MS BOKEL said that she had attended the meeting but would forward both of Mr Pound's comments to the Athlete Committee members.

PROFESSOR DVORAK observed that Ms Bokel had drawn attention to another big problem in the sports community, and this was food supplements and nutritional supplements. Even in football, there was huge abuse of those substances and the different supplements were not regulated. He thought that WADA should increase pressure on this issue; it was a multi-billion dollar business worldwide, there was increasing attention on this issue, and it ought to be fought. There was already abuse among minors: about 20-30% took different supplements during high-profile competitions and he thought that the results were really alarming, and these had been published in several journals. The various WADA committees should issue strong statements and warnings.

MR ROWE said that he had noticed and thought it was really encouraging that the Athlete Committee was considering UNESCO and its role and, from the governments' point of view, it was an important step. It might prove useful to engender that relationship and understanding if UNESCO were invited to the next meeting in St Petersburg to make a presentation to the Athlete Committee and to continue to develop the relationship and understanding between the athletes and UNESCO.

DR PASCUAL commented on the Athlete Outreach programme. His impression was that the programme was very successful, as it was very important to make contact with athletes, who usually had no problems with regard to access to the booths, and the IPC

tried to cooperate with committee members to help but, because there had been some negative comments with respect to access to the booths, what was the importance of that activity? His impression was that it was very important from the educational perspective.

MS BOKEL said that she would take the comments made by Mr Rowe back to the Chair of the Athlete Committee and the acting chair.

The rather negative comment about the Athlete Outreach programme had not been that negative: the athletes in Innsbruck had had access to the booth but the entourage members had been unable to go to the booth as it had been for the athletes. She thought that the programme could be enhanced if the entourage could also be reached.

THE CHAIRMAN thanked Mr Yamaguchi and Japan for hosting the Athlete Committee meeting in February and acknowledged the hosting and support being given for the St Petersburg meeting later that year. If any of the representatives were willing to host the following year's meetings, WADA would love to hear from them. It was clear that it was an integral part of the system to have an Athlete Committee that was effective; he believed that WADA did have one that was giving good input and any support that could be given in defraying the costs and ensuring that the athletes' presence was known in different parts of the world would be valuable.

DECISION

Athlete Committee chair report noted.

10.5.2 Communications update

MS MASSE highlighted one of the latest tools developed for stakeholders to use in their programme. A video clip had been produced to complement the Say No! to Doping campaign, which was gaining recognition. The members would have read in their papers about the number of organisations that had adopted the campaign to date. The 30-second video clip had been produced and emphasised key sporting messages, courage, effort, respect, and to accept challenges. The clip was designed so that sports organisations could unite in support of clean sport by using this video on their numerous programmes.

DECISION

Communications update noted.

– 10.6 Governments

MS JANSEN announced that she would give a presentation and emphasise the UNESCO convention and the completion by governments and information relating to the UNESCO voluntary fund.

On the slide, the members would see that 170 states parties had completed the convention, representing an increase of seven since the Foundation Board meeting in November the previous year. The first region with full completion was Europe, with Israel and Malta having completed in the New Year. The biggest jump had been in the Americas, with three completing, from Costa Rica, Dominica and Belize, and from Asia, Tajikistan had completed, and from Africa, Zimbabwe. WADA was seeking instruments from Yemen and Sierra Leone. The completion rate was higher than expected at that stage and she was pleased with it. WADA published on its website all the countries that had and had not completed. In terms of the world population, of the 25 yet to complete,

of a figure of 6.95 billion, WADA was now at 97% completion, which was an increase of 1% since November the previous year. Of the 3%, the breakdown showed just over half from Asia, followed by Africa, and the remainder from the Americas, Europe and Oceania. Of the 25 yet to complete, there were eight in which WADA was satisfied that progress was being made, 17 whereby there was limited information from these countries, and this could be because of political or economic crisis, elections or changes of officials. It was very difficult to make any progress in those countries, but WADA kept a watching brief on them. WADA continued to encourage ratification through its regional offices, and she commended the work that they did on a daily basis through the RADOs and the Foundation Board members. Japan had been instrumental; the new member from Saudi Arabia had undertaken to do follow-up, and the minister of sport from New Zealand would be visiting four countries. He was also the minister of foreign affairs in Oceania. The last 25 would be the most difficult, for various reasons. There were things happening in those countries that made it extremely hard to complete.

The UNESCO voluntary fund had been established under the convention to enable governments to carry out their anti-doping responsibilities. In order to make an application to the fund, a country had to be a state party to the convention and a decision had been made the previous year at the Conference of Parties that the countries applying also had to complete the UNESCO Anti-Doping Logic questionnaire, which was part of the compliance requirement. There were 3.7 million dollars available for projects, Russia having given 500,000 dollars that year, alongside funding from Australia, Finland and Kuwait. Applications could be made by countries for 20,000 dollars for a national project or 50,000 dollars for a regional project, which involved three or more countries. WADA had continued to encourage applications to the fund through the regional offices and RADOs. A total of one million dollars had been expended to date, and 73 applications had been approved in total. The next approvals committee meeting would be in October that year, and UNESCO was encouraging applications to be submitted by September so that, if any changes needed to be made before they went forward to the committee, there would be time to make them.

PROFESSOR LJUNGQVIST said that the report made him return to the initial remark made that morning by Mr Ricci Bitti. In 2009 and 2011, he had spoken at the UNESCO Conference of Parties, both times on behalf of the IOC president, and had applauded the UNESCO convention as a beautiful instrument to enable governments to support the fight against doping in sport, but that also required implementation of the convention and not just signing off. There was an enormous need for appropriate legislation to be implemented on the basis of the convention. To those in the Olympic Movement it was a little frustrating that this appeared to be moving ahead fairly slowly and not very efficiently, but he understood from Mr Howman that an investigation was ongoing and that WADA would have a better picture later that year, hopefully by September and certainly when meeting in November. He had given it earlier but, since there were some new members around the table, he had a practical example of the need for such legislation. At the Turin Olympic Games, a whole team had been found to be systematically manipulating blood and blood doping in such a sophisticated way that the athletes had all tested negative, but the Italian authorities had been alerted to the fact that something might be going on, and they had found reason to take action supported by their legislation to make a police raid on the dormitories and premises of the national team concerned. This was one of the greatest doping scandals in Olympic history, and he was not exaggerating. That systematic doping would never have been known had the Italian law not been in place, so that was an example of the need to implement the UNESCO convention in terms of appropriate legislation.

DECISION

Governments update noted.

- 10.7 International Federations

10.7.1 International Federations update

See Lausanne regional office update.

DECISION

International Federations update noted.

10.7.2 Anti-Doping Organisation Symposium

MR DONZÉ explained that this presentation was to give the members a few key highlights relating to the 2012 edition of the WADA symposium for anti-doping organisations. This had been held on 20 and 21 March that year in Lausanne and gathered again nearly 300 participants and, as those in that room who had attended one or more editions of the symposium would know, this had become one of the most important events organised on an annual basis by WADA and certainly the most important in terms of mere numbers. The continuing popularity of the symposium could probably be explained by a number of factors and, based on the feedback received from participants, it was a pretty unique opportunity for representatives of ADOs of all types, IFs, NADOs, major event organisers and so on to get together and brainstorm and discuss recent developments in the fight against doping in sport and the way forward. The second element that was obviously key was the networking and brainstorming opportunity that was provided to participants, and he was being told informally and more formally by participants in terms of feedback that the relevance of the content actually helped them further improve their anti-doping programmes throughout the year as they took back from the symposium a number of approaches, strategies and tools that helped them on a daily basis.

The 2012 edition had been very much focused on better practice and the effectiveness of anti-doping programmes, consistent with the focus and emphasis of WADA that year on better practice among ADOs in general. This had been very much reflected in the programme agenda and format of the symposium: WADA had been pleased to be able to benefit from the expertise of a number of ADOs, which had presented during the symposium. SportAccord had contributed in terms of participation, a number of IFs had presented, including the International Ski Mountaineering Federation, and the IRB had spoken about its cooperation with RADOs. Mr Koehler had spoken earlier about the importance of RADO partnerships with other ADOs, and the Olympic Council of Asia, the Oceania RADO and the IRB had spoken about their collaboration in terms of anti-doping development. UK Anti-Doping had made a very interesting presentation on incorporating intelligence in testing programmes and activities, and the symposium had benefited from a number of interesting presentations from USADA and the Canadian Centre for Ethics in Sport.

That year, WADA had very much taken on board the feedback received from the previous year's symposium, and it had been an overwhelming wish from the participants in previous symposia to be able to discuss a number of issues in breakout sessions, and the theme of the symposium in 2012 had been how to work together to further improve the fight against doping in sport, and the participants had been given the opportunity to discuss this in very concrete ways during the two days of the symposium. Another piece of feedback that had been overwhelming and taken on board as part of the organisation

of the 2012 symposium was the fact that participants wanted to be able to have more practical examples and practical presentations from anti-doping organisations, and that had been done that year by way of a number of presentations. The members had a detailed symposium agenda in their binders and he did not wish to go into details, but this was something that had been very much appreciated. Last but not least in terms of the content of the symposium, he thought that it was always important to share with the various participants the recent developments in a number of key areas, and WADA had presented the latest developments regarding the ABP and ADAMS and other tools to support better practice and the evolution of practice by ADOs of all types.

The discussions and presentations had generated a number of outcomes and conclusions. It was very clear that participants and ADOs in general very much appreciated the opportunity given by the symposium to discuss the developments in the fight against doping in sport and to brainstorm on how to further improve daily activities, and WADA had been encouraged by ADOs participating to further optimise opportunities for networking and personal contact among ADOs. It was clear from the discussions and feedback received that there was a very broad recognition of the fact that the anti-doping community needed to improve programme quality in general and it had been interesting to see that participants had recognised that, in many cases, improving anti-doping programmes did not require additional resources or money but that this could be enhanced with existing tools, and this was very much part of the better practice approach that WADA was currently promoting.

In terms of other outcomes, it was also clear to participants that intensified collaboration between ADOs contributed to optimised programmes, and a number of ways and means had been discussed that could facilitate these intensified partnerships between the different ADOs, also based on some of the examples presented during the two-day symposium. Last but not least, WADA had welcomed Mr Niggli for a presentation on the Code review process and tried to ensure that the participants understood that it was very important for them to participate in the Code and standards review to contribute to shape the future of anti-doping with a view to supporting better practice.

Looking forward, the 2013 symposium would be held on 19 and 20 March in Lausanne. As a result of the number of participants and the expectations, the CHUV University Hospital in Lausanne had been considered small and not very practical, so the symposium would be held in a better venue the following year, at the Palais de Beaulieu, the venue for the first World Conference on Doping in Sport in February 1999, and WADA had started working on an agenda and would of course try to get as much feedback as possible from participants and ADOs. WADA would tailor the format and the programme, taking into account a number of elements. One of the major challenges for this kind of global event was that the knowledge and expectations of many of the participants differed greatly. There were different types of stakeholders, with NADOs, IFs and so on, but also the stage of development and know-how and expertise of the participants differed greatly, so he would bear in mind for 2013 that it would be necessary to better tailor the discussions and the format of the presentations in order to cater to the varying degrees of knowledge and development of the ADOs, maybe by organising parallel sessions. This was very much in development, and of course he would try to look at ways and means to further enhance interaction and foster cooperation between the ADOs. This was something on which he received a lot of participant feedback, and he would try to optimise the opportunity provided by the ADO symposium.

DECISION

Anti-Doping Organisation Symposium update noted.

– **10.8 Regional Offices**

10.8.1 Tokyo

MR HAYASHI said that his region welcomed that year a new Foundation Board member from Saudi Arabia, Dr Konbaz. The Tokyo regional office had highlighted four priority areas of activities: full Code compliance by all of the countries in the region, full UNESCO ratification and application to UNESCO projects, full contribution to WADA by all countries, and the promotion of international and regional cooperation. Concerning Code compliance, he congratulated the Oceania region on achieving full compliance. In the Asian region, there were three remaining countries: the Democratic People's Republic of Korea, East Timor and Yemen. These countries were involved in the compliance process in cooperation with major stakeholders, especially the RADOs and NADOs. The RADO programme worked to achieve Code compliance. There were six RADOs in the region, and not only did the RADOs promote regional projects, but they also assisted the member countries with developing their own activities. The members would see pictures of the board meetings and training courses held that year in Singapore and Kuwait and Beirut. Concerning ratification, there were two new ratification countries, Bhutan and Tajikistan, and he was also expecting Iraq, Lebanon and Yemen to ratify soon. The regional office also encouraged all states parties in the region to apply for UNESCO funds. As for contributions, he reported that, the previous year, the Asian region had achieved the standard of 2008, the year of the Beijing Olympic Games; the previous year, there had been a contribution rate of 97%. The regional office focused on cooperation with governmental frameworks such as the Asia/Oceania regional intergovernmental meeting. A meeting had been held the previous year to promote the contribution to WADA with the finalisation of the agreement on the formula for the Asia split. Also, the Asian Anti-Doping Foundation had been established to support those countries with financial problems and least-developed programmes.

The final priority was the promotion of regional and international cooperation. Many NADOs had taken the initiative to support other countries in the region. He referred to a number of events in the region, including the strategy seminar organised by Japan on the occasion of the 10th anniversary of JADA. He showed a short video clip of the seminar, kindly edited by Ms Yaya.

DECISION

Tokyo regional office update noted.

10.8.2 Montevideo

MS PESCE said that she wished to welcome the new representatives from the Americas region, the Foundation Board member Mr Cárdenas, Sport Minister of Panama, representing Central America and the Caribbean countries, and Mr Iruqueta, National Sport Director of Uruguay, the deputy for Foundation Board member Mr Rimba, representing South America.

She would present a short overview on Latin America. Regarding Code compliance, she highlighted the key role played by the two RADOs in the region in relation to Code compliance and better practice. The 22 countries forming part of the Central American and Caribbean RADOs were 100% compliant. In general numbers, 37 countries out of 41 were compliant, representing 90% of the region. Bolivia and the Dominican Republic had recently joined the compliance list, and the remaining countries were working to have an

appropriate anti-doping programme in place. She always liked to highlight the commitment of the region regarding contributions to WADA. The collection rate had been 100% over the past three years, and she expected to achieve 100% by December 2012. A total of 32 out of 33 countries had ratified the UNESCO convention, representing 98% of the population in the region. Since the previous Foundation Board meeting in November, three countries had ratified: Belize, Dominica and Costa Rica, and the two remaining ones, Honduras and the Dominican Republic, were in progress. The UNESCO voluntary fund remained an attractive option for countries to obtain funds for anti-doping education. To date, 32 countries had applied and 28 projects had been approved. Six projects had recently been approved from Chile, Colombia, Guatemala, Uruguay, St Lucia and Venezuela. Regarding education and awareness, the regional office continued to promote various WADA tools at governmental meetings and sports events. The social science research fund and the youth award had attracted increased interest in the region, and the Outreach model, as well as the Play True Challenge and Say No! to Doping campaign, had been used at local sports events through the NADOs. She wished to share a few slides of the various meetings and events in which the regional office had participated.

DR SCHAMASCH thanked Ms Pesce for the help she had provided in solving the Brazilian issue regarding the creation of the NADO, which had helped Brazil to become compliant with the Code. Ms Pesce had done an excellent job and, without her, it would not have been possible to make any progress.

MR KALTSCHMITT congratulated Ms Pesce on her work and her enthusiasm. This had been seen throughout the continent. One of the main issues that the regional office could help with, and this had been seen at recent conferences, was the governance of RADOs, which was sometimes very difficult because of the mix of NOCs and governments. A manager who was neutral should be appointed by the RADOs and national authorities to help the RADOs in their work. He believed that the composition of NOCs and governments was a tricky one, as sometimes they did not understand what everything was about. He thought that the regional office could be of great use in this issue.

MR MACADAM said that the Americas continued to chair a very active anti-doping commission, and he thanked Mr Howman and Ms Pesce for travelling to Colombia earlier that year. One of the areas constantly referenced and a challenge was the issue of laboratories and he knew that there were similar challenges in other parts of the world, so the Americas had agreed to develop an issue paper to try to tease out some of the issues and perhaps identify some opportunities to address some of the challenges, and he invited comments and collaboration from other regions of the world with similar challenges.

MR CÁRDENAS said that it was necessary to acknowledge the constant support received from the office for Latin America, which had actually helped NADOs and NOCs reach the objective of being up to date with regulations adopted by WADA. Therefore, he wanted to continue to foster ongoing communication with the regions, and also wanted funds assigned in order to continue outreach activities in the countries, as often there were not the resources to disseminate information on doping among athletes. In the region, countries had benefited from UNESCO projects to fight doping, there were programmes and projects to eradicate doping from sport, and he wanted to encourage this among trainers and athletes and other people related to sport. As an athlete and an authority in sport, and a politician, he wished to convey his will to continue the fight against doping in sport. He wanted to reach all those who could help convey the message to say no to doping.

MR IRURUETA thanked WADA for the positive meeting on behalf of CONSUDE. The entire WADA team had worked very efficiently. Four issues had been submitted to CONSUDE for its consideration and he wished to convey CONSUDE's comments. Regarding concern about the increasing evidence of doping among young people, there was a need to carry out prevention activities in the continent in relation to this problem. Secondly, and in relation to this, as a preventative measure, it was necessary to underscore the importance of education and the work done, as well as the work that remained to be done. Not only were UNESCO projects being implemented, but a number of projects had been approved for South America the previous November, and this was reason for great satisfaction. In terms of education, he underscored the importance of working on education projects directly related to anti-doping, but also of working with young people and on educational projects that linked values and sports. Sport was an excellent tool to develop values. The world had undergone several transformations in recent years and very specific work was required to promote values through sport. He encouraged the members to take this into account so that good practices and good experiences could be disseminated. Several of the countries were introducing training for trainers and coaches, but also training for physical education teachers, who were in touch with young people and should be the vehicles for anti-doping information. He noted the need to address concerns related to laboratories in the region. He thanked Canada for the hospitality provided.

DECISION

Montevideo regional office update noted.

10.8.3 Lausanne

MR DONZÉ announced that he would as usual combine the European regional office and IF relations report. The European regional office was a regional office with a very specific main role, namely the liaison and interface with IFs, with IF umbrella organisations and a number of major games organisers. This was for a practical and simple reason, in that numerous IFs were located in Lausanne or in the region of Lausanne, in Switzerland or in neighbouring countries. The Lausanne office worked with more than 90 highly diverse IFs and sometimes one tended to minimise or forget the wide variety of IFs. Of course, there were big IFs, but also a significant number of smaller or even very small IFs, and his task was to work with all of them in terms of anti-doping. The 90 IFs were very diverse, but many of the IFs shared a number of challenges. He would not go through all of these, but noted that resources for anti-doping were limited, especially at that period, and he realised that, on an almost daily basis, in particular for the small IFs, expertise in anti-doping needed to be developed, which was where the office worked in very close cooperation with the IFs and umbrella organisations such as SportAccord to support and help IFs in their daily practice. To address these challenges, the office had established a number of top priorities for 2012: better practice, cooperation between IFs and other types of anti-doping organisations, support in daily work and Code review. In terms of better practice, he would not go back on what had been said earlier that day by the Director General and Mr Andersen, but what the office wanted to do with IFs fitted into the bigger scheme of the WADA Better Practice project, with the goal of helping and supporting anti-doping organisations to continually improve their anti-doping programmes and enhance the quality of their anti-doping programmes with a view to moving towards greater effectiveness and efficiency. He also wanted to ensure that this was reflected on a daily basis by the fact that the IFs worked not only to adopt Code compliance rules, and all IFs had Code compliance rules, but also to ensure that this was reflected by the implementation of robust anti-doping programmes in every IF. The rationale (once again, without going into the details of that

because much had already been said that morning) of better practice was that it was very much a logical step, the next step following the establishment of harmonised anti-doping foundations through the compliance of anti-doping organisations worldwide, and he wanted to ensure, through the Better Practice project, the leverage of a number of activities that could practically support the development of solid anti-doping programmes in IFs in a more sustainable way. The office had launched a number of pilot projects with a number of stakeholders. The office was discussing with a number of IFs the establishment of pilot projects on better practice, and had already started working with the Badminton World Federation, and would have more discussions and meetings with other stakeholders at the SportAccord convention the following week in Quebec City. It was almost certain that the office would start working on a better practice pilot project with the International World Games Association. The next World Games would be held the following July in Cali, Colombia, and the aim was to work with the IWGA in the lead-up to the games to ensure that the programme was as effective and efficient as possible during the games. The goal of the pilot projects was to see what came out of the project and to review the outcomes of the projects with a view to sharing the lessons with other ADOs and really extending the better practice approach and, as part of the Better Practice project, the office would have a solid look at the existing tools available, existing support documents and programmes to review them and see if it was necessary to develop further or adapt some of those, once again to optimise the anti-doping programmes with a focus on efficacy. Another element that was important as part of the Better Practice project was to ensure that this was incorporated in the WADC and international standard review. There would be a number of areas in which the Code or standards might not cater to the expectations or needs of a certain number of stakeholders, and he wanted to ensure that the project would be used as an opportunity for WADA and the ADOs to work together and develop if necessary tools or areas of practice that could be complementary to the WADC and international standard review. The second element established as a priority for 2012 was the enhancement and potential improvement of cooperation between the IFs and other types of ADO. The office had emphasised the importance of this cooperation on a number of occasions, more particularly at the RADO conference earlier that year in Kuwait, at which a presentation had been given on potential areas of cooperation between IFs and RADOs, and the office had also focused as part of the ADO symposium on potential areas for cooperation between NADOs, RADOs and IFs, so he would continue that year to emphasise that area of activity with the goal of developing closer cooperation between these stakeholders.

The office continued to focus on providing daily support to the IFs; this had worked very well in terms of Code compliance. In close cooperation with SportAccord, the office had worked over the past few months and years on ensuring that a maximum number of IFs could reach Code compliance. Only three IFs had not yet reached Code compliance: the International Sambo Federation, the International Dragon Boat Federation and the International Wheelchair Rugby Federation, and WADA would continue to provide support to these IFs and would continue to develop tools, strategies and approaches to support the IFs in their daily anti-doping work. This was done through a number of ways and means and channels. He would not go into the details, only to say that the close cooperation with IF umbrella organisations was something that he appreciated a great deal. The WADA ADO symposium was a great opportunity. The SportAccord convention was also very important and WADA would have a delegation the following week in Quebec City, where it would meet with a number of IFs, would make a presentation at the IF umbrella organisations' general assemblies, and of course WADA tried to take every possible opportunity during the year to interact with the IFs and try to support them.

The emphasis on the way forward would continue along the same lines. The Better Practice project would probably be a priority for the coming months if not years of the Lausanne regional office. It would continue to develop lines of communication with those IFs with which it might be less in contact, and would continue to address IF issues and concerns in very concrete ways. Last but not least, the office would continue to engage the IFs in the Code review process. It was obvious to everybody in the room that the Code and standards review was a great opportunity for IFs to shape the future of the fight against doping in sport, and the office would continue to interact with them, not only to encourage them to be part of the Code review, but actually to have dynamic interaction in order to ensure that they were part of this important process.

DECISION

Lausanne regional office and IF update noted.

10.8.4 Cape Town

MR SWIGELAAR said that the music he had brought along to accompany the presentation had gone off that morning and apologised for that. He had since taken it out of his presentation. The report in the members' files was quite comprehensive and he would highlight one or two aspects. If he did repeat what he had said previously, it was simply because of the importance of the matter to his region. In assisting countries to achieve Code compliance, a great deal of work had been done to build capacity, better understanding of matters pertaining to doping and the role of individual countries and organisations in the fight against doping in sport. Efforts undertaken through the RADO initiatives had contributed to the expansion of anti-doping initiatives including the establishment of TUE and result management structures, as well as the training and retraining of DCOs. These training sessions, involving a significant number of countries and hosted as part of the RADO programme, had greatly assisted countries in attaining compliance status. Compared to the handful of countries declared compliant in November the previous year, there were now only a few yet to reach the desired level. This was work in progress and a task that was being tackled with vigour.

He showed some of the images from the various training sessions held by the RADOs. It was prudent to ensure that the countries, RADOs and WADA built on the gains and worked towards the improvement and sustainability thereof. In this regard, plans were afoot to assist countries through the RADO initiatives and to provide support to those countries not part of a RADO for whatever reason (and here he was thinking of Ghana), to receive special attention from WADA to ensure that the anti-doping programme befitted the status of the country in terms of size and sporting prowess.

Regarding the UNESCO voluntary fund, many African countries, despite the best intentions, simply did not have the resources to put into anti-doping; however, the UNESCO convention voluntary fund continued to provide valuable input and resources to assist countries with the obligations in respect of the convention and the Code. Since the inception of the fund, 16 African countries and two RADOs involving a further eight or so countries had received financial support through the fund. It also remained the carrot, used for those that still needed to ratify, but it was also clear that, even though the carrot involved significant funds, political and economic realities dictated the rate at which countries were able to conclude the process. The regional office continued to engage those countries yet to ratify. Whilst looking at some of the images from programmes funded through the voluntary fund, it was fine having implemented a 20,000 or a 50,000 US dollar project, but what then? What follow-ups should be made to ensure that the projects implemented led to further development? This should not be a one-off venture and, once completed and the reports sent off to UNESCO, totally

forgotten. In this regard, the office was following up with stakeholders to ensure that the legacies of the projects were sustained and used as building blocks for more and better initiatives. The African regional office continued to assist the RADOs and the individual African states parties to develop plans and also assist in the implementation thereof. The fund was an excellent initiative that had contributed immensely to anti-doping in general. This must be encouraged to continue and be expanded to assist many more.

MR MERITON said that, the previous November, he recalled Mr Swigelaar reporting on a new dispensation in the region. While much work had been done to see this through, some delays had recently emerged and these delays had had an impact on the African Union's role and responsibility, insofar as sport was concerned, including anti-doping in sport. This was another political issue that needed to be sorted out as soon as possible and he was hopeful that, come November, the matter would have been solved, because the African Union had a critical role to play in the anti-doping drive, not only on the continent but also throughout the world, so he was hopeful that a solution would be brought.

THE CHAIRMAN said that the efforts of the regional directors were quite superb in his view, and he was always grateful to see ministers and people from government and sport in those areas contributing. They were important to WADA in its work.

DECISION

Cape Town regional office update noted.

– **10.9 Standards and harmonisation**

MR ANDERSEN said that he had only one small but very important point to emphasise in his report, relating to statistics. WADA was desperate to be able to assess the current situation worldwide. The Foundation Board members had often heard about this being a numbers game, but WADA needed to know how, where and on whom tests had been conducted and therefore really needed article 14.4 to be enforced, which meant that every ADO would have to report on statistics. WADA had not received statistics from all ADOs and had therefore not been able to report accordingly. This was very important. In 2012, WADA would be assessing this information through ADAMS and would also establish a system for monitoring and gaining information with regard to adverse analytical findings and anti-doping rule violations and compile this information in a document early the following year.

MS BOKEL said that Mr Andersen's report noted that testing had been carried out on behalf of WADA by a number of sample collection agencies, and she had been asked by several athletes if there was a code of conduct or something similar for DCOs, what they could see in ADAMS on an athlete's information and also the way in which they treated athletes, because they sometimes treated athletes as though they were dopers before even obtaining samples and, in one case, a heavy smoker had made the whole room smell of smoke.

DR KONBAZ gave an example related to statistics. In his country, sport events started from the end of August and went to the following year, which was why statistics would not be ready for the period before September. He did not know if other countries had different calendars for their statistics.

MR PENGILLY said that the athletes would very much support the requirement for statistics; they had very harsh and severe penalties when they did not keep up their end of the Code, and it was only reasonable that ADOs should keep up their end of the Code,

and he was sure that many athletes would think that there should be consequences for those that did not with regard to statistics, since it was a clear requirement of the Code.

MR ROWE echoed Ms Bokel's remarks. Some quite strong representations had been made by Australian stakeholders, notably the Australian Sport Commission speaking on behalf of athletes. In many cases, in some parts of the world, there had been a lack of identification, apparent lack of appreciation of the necessary standards that athletes would receive in one part of the world but not in another, and quite disparate standards being applied, so it was an area that probably needed some attention and he supported Ms Bokel's comments in that regard.

MR ANDERSEN replied that there were some tens of thousands of DCOs around the world, so it was difficult for WADA to control their behaviour at all times, but there were requirements in the IST on the basis for educating DCOs and he thought that, if everybody adhered to the IST (and there were also guidelines on how to process a doping control), the situation would be improved. WADA should encourage the ADOs to follow the standards.

Regarding statistics, the Code stated that these should be submitted annually, but did not make any reference to calendar years. He could always discuss with Dr Konbaz when the statistics would be received; anything that could be provided would be helpful.

He thanked Mr Pengilly for his support regarding statistics; WADA was totally dependent on the ADOs to provide it with statistics.

DECISION

Standards and Harmonisation
update noted.

11. Any other business/future meetings

THE CHAIRMAN apologised to those members who were feeling very hungry. This was the first meeting during which doctors had taken the floor for a considerably longer time than lawyers. All the contributions had been very much appreciated; WADA did want the members to engage and he would never discourage them from doing that, even if it did mean postponing lunch.

The Executive Committee would be meeting in London in September, just after the weekend winding up the Paralympic Games, so the Foundation Board members would not be back until November, when the Executive Committee and Foundation Board would be meeting on 17 and 18 November respectively. Commenting again on a matter raised the previous day, the sooner the members could let WADA know their arrangements for travel, the less money WADA would have to spend on air fares. There was not an insignificant saving attached to early bookings, so he asked the members to bear this in mind. He thanked the staff for the travel arrangements and preparing the meeting documentation. He wished the members a safe journey home.

DECISIONS

Executive Committee - 10 September 2012,
London, UK;
Executive Committee - 17 November 2012,
Montreal;
Foundation Board - 18 November 2012,
Montreal.
Executive Committee - 11 May 2013, Montreal
Foundation Board - 12 May 2013, Montreal
Executive Committee - 21 September 2013,
Montreal

The meeting adjourned at 4 p.m.

FOR APPROVAL

JOHN FAHEY, AC
PRESIDENT AND CHAIRMAN OF WADA