

# Minutes of the Meeting of the Foundation Board of the World Anti-Doping Agency, 14 November 2000, Oslo

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The meeting began at 9 a.m.

## 1. Welcome

THE CHAIRMAN welcomed the Board members to the meeting, at which they would have the chance to review the 2000 programme and look forward to the activities in 2001. A great deal had been accomplished in a short period of time, but they should look ahead to a series of benchmarks, such as the Olympic Games in Salt Lake City in 2002.

Mr Vasco Lynce was no longer in the function he had previously occupied, and had been replaced by Mrs Buffet, the Minister of Sport for France. He proposed that they write to Mr Lynce to thank him for his contribution during the early portion of their meetings.

Also present at the meeting was Ms Horn, the Minister of Culture for Norway. Mr Kran, the Norwegian NOC President, was absent, but had been active in the preparation of their meeting.

MS HORN said what a pleasure it was for Norway to be hosting the WADA meetings.

Anti-doping was considered very important by the Norwegian government. Its own anti-doping policy was based upon a solid national system.

She greatly supported the work of WADA. National quality systems should be the aim of all countries, and she was sure that WADA would be able to assist in this area.

She thought that the WADA structure was an essential factor for success. The only way to achieve success was to join forces. Norway's anti-doping work was based on the same model.

An independent organization was essential for this kind of work. Her concern was that the controls, prosecuting and judicial authorities were organized within the same institution. Norway had decided to create a control body organized outside the authority of the NOC. Her aim was to establish the new control body as a foundation, made up of a steering committee with representatives appointed by the government and the NOC.

Doping agents were problems outside the sports movement and needed to be solved. Norway aimed to broaden the scope of its criminal code to include acquisition, possession and use of doping agents. Through this proposal, the government would amend the relevant act in order to improve the working conditions of the policy in the fight against doping. She thought that, through a harmonized solution, they could all combat doping together.

She congratulated WADA on its first year's work, and wished it a successful future.

THE CHAIRMAN thanked Ms Horn and Norway for their leadership in the fight against doping in sport. It was true that international harmonization would be the key to the fight against doping.

## DECISION

Proposal to write a letter of appreciation to Mr Lynce to thank him for his contribution during the early portion of WADA's meetings approved.

## 2. Roll call

The roll call was circulated and signed by those members present (Annex ).

### **3. Approval of the minutes of the meeting of the Foundation Board on 22 March 2000 in Lausanne and the minutes of the informal meeting of the Foundation Board on 15 September 2000 in Sydney**

THE CHAIRMAN said that if, by the end of the meeting, there had been no comments on the minutes, he would assume that they had been approved as previously distributed to members of the Board and would sign them accordingly.

#### DECISION

Minutes of the meeting of the Foundation Board on 22 March 2000 in Lausanne and minutes of the Foundation Board informal meeting on 15 September 2000 in Sydney approved.

### **4. Report on activities to date**

THE CHAIRMAN noted that an enormous amount had been accomplished in a short period of time, and all the members should be proud of their achievements.

MR SYVÄSALMI gave a summary of WADA's activities to date (Annex ).

THE CHAIRMAN asked whether anyone had any questions or comments to make on the document concerned.

#### DECISION

Report on WADA's activities to date approved.

### **5. Working Committees**

#### **– Committee Reports**

##### **A) Ethics and Education**

DR VEREEN thanked Mr Syväsalmi and his team for all their support. The Ethics and Education Committee represented athletes and media as well as experts in education, ethics, social marketing and the behavioural sciences. The Committee had been involved in a number of activities, and its proposed activities for 2001 could be seen in the document the members had before them (Annex ).

DR GARNIER said that, at its recent meeting, the Council of Europe Monitoring Group had concluded that it would like work to be carried out jointly with the Ethics and Education Committee.

UNESCO had also said that it would like to work and cooperate with WADA.

THE CHAIRMAN thanked Dr Garnier for his cooperation.

#### DECISION

Report by the Ethics and Education Committee approved.

##### **B) Legal**

MR HOWMAN said that the Legal Committee was a group of lawyers, entrusted with the task of ensuring that all of WADA's operations were carried out legally and according to proper contract and law.

Prior to Sydney, it had recommended a form of contract with the International Federations, which had been signed by 27 summer IFs. There had already been discussions with some of the winter federations, and three or four had signed the contract for out-of-competition testing in 2001. It was interesting to note that, of those 27 summer IFs, 17 had had to change their constitutions to ensure that they had the power to perform out-of-competition testing. On that note, there would need to be serious changes to IF rules to ensure that there could be legal EPO testing with the use of blood testing in the future, because at the moment, most of the federations did not have the power to do that.

The Committee was renewing contracts with the summer Olympic sports federations.

One amendment was proposed because WADA needed the power to be able to perform in-competition testing.

The Legal Committee had also looked at the legal issues related to the selection of the permanent site for WADA.

It had devised an approach for WADA to suggest to governments to ensure effective border controls, the ability to remove samples from countries, and also free movement within countries to undertake testing.

There were still conflicts between IF rules and national laws. This was an ongoing issue which created some difficulties. It was being addressed in several countries, and the sooner harmonization occurred to ensure that they were all on the same page legally, the better for the legal approach in relation to doping in sport.

The Legal Committee had begun research into the development of a WADA code according to the wishes of the Board.

MR LARFAOUI observed that the out-of-competition tests were more important than in-competition tests, which were performed regularly by IFs.

THE CHAIRMAN said that cooperation in implementing the out-of-competition programme had been exemplary, with 17 IFs making some kind of an emergency change to their regulations to permit unannounced testing to be performed.

It was helpful that the existing IOC Anti-Doping Code contemplated out-of-competition testing, in-competition testing and blood testing as well as urine testing, however everybody involved in the doping problem was aware that an overall solution was needed.

#### DECISION

Report by the Legal Committee approved.

### **C) Health, Medical and Research**

PROFESSOR LJUNGQVIST announced that the Health, Medical and Research Committee had met twice that year. The meeting of 8 August 2000 had resulted in EPO testing being carried out at the Olympic Games in Sydney.

The meeting on 15 and 16 October in Lausanne had been to identify the issues that they had been authorized to address in accordance with the terms of reference. One of these issues was the list of banned substances, and it had been decided that the IOC list would prevail until WADA, in cooperation with the IOC Medical Commission, decided upon a new list. A sub-working group had been appointed to deal with this matter, and included a member of the IOC Medical Commission.

There was a need to look into the requirements for further research for new methods and analytical procedures related to testing. There were three main priorities: research into analytical procedures for growth; oxygen-carrying factors; and androgenic and other substances.

The Committee aimed to look into future possibilities and risk factors, being proactive rather than reactive. One such field would be genetics, in other words, gene therapy and its possible misuse as a means for performance enhancement. A leading expert, Mr Friedmann, had been recruited to the Health, Medical and Research Committee from Coldspring Harbour in the US.

The Human Genome Organization had identified more or less every gene, as well as the EPO gene. What the Health, Medical and Research Committee would need to know was how to identify a person who had undergone EPO gene therapy as opposed to a person who had naturally produced EPO.

The Committee was not a large one (it comprised 11 people), however it contained a high degree of competence. Nevertheless, there was still a need to cover one or two areas.

MRS BUFFET supported the report. She insisted, however, on the need for a list, which was vital where harmonization was concerned. WADA should be the sole organization to decide upon the overall list.

MS VANSTONE asked whether each of the committee chairs could say if any financial commitments had been made, since WADA had not yet resolved its own budgetary situation.

THE CHAIRMAN confirmed that no committee would have any money to spend until the overall budget had been approved. The committees did not have independent power to commit on behalf of WADA.

With reference to the list, MR WALKER said that there should normally be a new IOC list produced the following year. Had the IOC Medical Commission contacted Professor Ljungqvist with a view to discussions on the 2001 list?

PROFESSOR LJUNGQVIST replied that a meeting would take place in December with the IOC Medical Commission to discuss the list. He hoped that they would work together and finally arrive at a WADA list, which would hopefully be an amendment of the IOC's present list, to be operational in 2001.

THE CHAIRMAN said that harmonization was going to be one of WADA's biggest challenges, noting also that the IOC list had the most universal acceptance at the moment.

#### DECISION

Report by the Health, Medical and Research Committee approved.

#### **D) Standards and Harmonization**

MR WALKER explained that the major objectives of the Standards and Harmonization Committee were to provide as much help and leadership as possible in the development and drafting of the WADA Code; to develop a system for WADA accreditation of laboratories; to address the issue of harmonization of laws, regulations and jurisdictions, in order to resolve problems of conflicting jurisdictions; to develop high common standards and assist in the adoption of ISO/PAS standards by countries, and then see to what extent these principles could be applied to the work of the IFs; and to concentrate on test results management, with the intention of producing a test results management "bible" that would be applicable everywhere, at all major international sports events.

The only major area of expenditure would be the ISO standards work, for which the Committee would need approximately a quarter of a million dollars a year for the next two years. It would be extremely helpful if WADA could support the work of the IPT3 and IPT4 groups.

The Standards and Harmonization Committee's terms of reference had been approved by the Executive Committee in June. There was good cooperation between all of the members, and only an African representative was missing from the list of 13 members. He would be talking to Mr Balfour about how to rectify this situation.

#### DECISION

Report by the Standards and Harmonization Committee approved.

#### **E) Finance and Administration**

MR REEDIE said that the Finance and Administration Committee comprised six members. It had not met, but had conducted its business electronically.

The Independent Observer Programme had been established in Sydney.

With regard to finance, the IOC accounting systems were different to the ones that WADA would use, so it was actually quite difficult to relate the two.

WADA had spent rather less money than might have been foreseen at the start of the year.

The Committee members were happy with where they were, but would like the Executive Committee to give them clear directions on the responsibility of who should drive activity.

As the WADA Board developed, all of these issues could be dealt with by the Finance and Administration Committee.

#### DECISION

Report by the Finance and Administration Committee approved.

#### – **Composition**

THE CHAIRMAN informed the members that the Executive Committee had decided to approve the membership of the committees as constituted to date. Some additions would be needed to round out the needs in terms of competence and the desire to involve competent people from all areas of the world. Any suggestions should be sent to Mr Syväsalmi so that a final recommendation could be made early in the new year for the committees that would be in place until 2002, and then from 2002 onwards, he assumed that they would have an annual review of all the committees.

#### DECISION

Nominations for WADA committee members to be sent to the WADA Secretary in January 2001.

### **6. Preliminary report of the Independent Observer**

THE CHAIRMAN said that one of the major initiatives approved in March had been the Independent Observer Programme. The Independent Observer team had compiled a very thorough and complete report on a very successful operation. He thanked the team and its leaders for their work and the report, which would be very helpful in future to organizing committees of Olympic Games and other major events.

MR SYVÄSALMI said that the Sydney Games had been great. The Independent Observer operation had been successful, and its aim had been to strengthen public confidence.

He thanked Mr Pound and the WADA Board for entrusting him with the task of being Chairman of the Office. It had been a novel, stimulating and enriching experience for everyone, and he hoped that the Board and the International Olympic Committee in particular, as well as WADA's other partners (both governments and the Olympic Movement) in the work against doping in sport, would find their observations, comments and proposals constructive and useful. They were designed to be so. As this was the first time that such an office had functioned, the observations had the virtue of casting a fresh eye over a part of the Olympic Games that generated considerable interest, not only for competitors but also for the general public.

He also wished to take the opportunity to thank all the members of the Office who had contributed to the work, in particular Josée Audet for organizing the work, and Christine Gueissaz and Chloé Christopoulos for running the Office so efficiently. The latter two had been in Sydney for six weeks, and without them, much less would have been accomplished.

He thanked everyone else who had contributed to the workings of the Independent Observer Programme.

THE CHAIRMAN thought that this had been a remarkable undertaking, and he hoped that it would serve as a model for the future.

On behalf of the IOC Medical Commission, DR ROGGE offered his congratulations to the Independent Observer team. The members had shown great professionalism and their work had been appreciated by all.

He had noted the comments made, which were very constructive and would be communicated to the IOC Executive Board and Medical Commission to be taken into account.

WADA was now engaged in independent observation, which was a major breakthrough, and it should observe all international sports bodies and national anti-doping agencies, but there was a conflict in that WADA was also performing tests and should therefore also be observed. They needed to study measures for the independent observation of WADA's activities, either by contacting another independent body to observe WADA's work, or by making the Independent Observer team totally independent of WADA, in the same way that the CAS had become totally independent of the IOC.

This issue should be studied, otherwise the concerns and fears of the athletes might shift to WADA's activities.

DR GARNIER mentioned that the in- and out-of-competition programmes had highlighted a problem already raised before. An athlete could be tested in-competition and declared positive, and then sanctioned, but could have the same test out-of-competition, test positive and not be declared because the test had been performed out-of-competition. This was because the list was different for in- and out-of-competition tests. It was difficult to explain this to athletes, and perhaps it could be taken into account when revising the list.

PROFESSOR DE ROSE congratulated the Independent Observer team. The author of the study on the beta-2 agonists on page 11 of the report should be recognized and given credit.

MR REEDIE referred to pages 12 and 13 of the report. One of the results of the Independent Observer Programme had been the most recent, up-to-date list of information on what the athletes had been taking and doing before the Olympic Games. There had been a clear recommendation that the IOC Medical Commission should do some work in this area. He thought that WADA should endorse the recommendation and ask the IOC Medical Commission to conduct or facilitate work into the issue, which affected IFs, NFs and NOCs all around the world.

Could this report be published?

MR KOSS congratulated Mr Syväsalmi and his team on behalf of the IOC Athletes' Commission. The programme had been very important for the credibility of all the work done at the Olympic Games, and Sydney had been a breakthrough for WADA.

He thought that all the recommendations in the Independent Observer Executive Summary Report should be followed.

MS BUFFET confirmed that the athletes in Sydney had appreciated the presence of the Independent Observers, and she had heard some very positive feedback on their part, so congratulations were in order.

The list was a crucial issue, as it did recur several times throughout their agenda. She believed that WADA should solve the problem and try to come up with a single list.

WADA was the first organization that needed to control and coordinate all efforts. The problem of observing WADA's testing did exist, but the main role of WADA was to coordinate all those procedures currently under way.

MS VANSTONE remarked that, when it had agreed to WADA being an Independent Observer, the IOC had also indicated that it would be producing a final report on its doping control programme vis à vis the Olympic Games.

There was a view that the Independent Observer should report on the entire process, including the IOC report. If this was the case, could the publication of the WADA Independent Observer report come out after the IOC one?

She also looked forward to seeing some costing of the process, so that a proper assessment could be made as to the level of observation to be given to other testing programmes.

DR ROGGE explained that the IOC Medical Commission report was in the final stages of being printed and would be published shortly.

THE CHAIRMAN advised the members that they would have to think a little bit about who was going to guard the guardians, and who would guard the guardians of the guardians.

Unity on the list was going to be essential for a coordinated and integrated programme. It could be harder to achieve such unity with the sports movement and the public authorities together.

MR CTVRLIK agreed that the list was vitally important, but advised against going too far ahead. Expectations should not be raised too high, as the list was not likely to be something that could be produced very quickly.

PROFESSOR LJUNGQVIST quoted from page 13 of the Final Report: *we recommend that the IOCMC make an urgent study of the medications and supplements declared by competitors during the Sydney Olympic Games.....educational strategies.*

Supplements were not usually declared.

The IAAF and the IOC Medical Commissions were carrying out a joint study on the matter.

THE CHAIRMAN agreed that the issue of food supplements should be dealt with.

MR WALKER explained that they had recommended this because the doping control officers at the Olympic Games had specifically asked competitors to list supplements they had been taking.

MS BUFFET said that the same procedure as the Council of Europe should be adopted, in other words, the IOC list should be ratified, which had been done by the Council of Europe, and then the country would ratify the list directly.

MR KOSS added that it was necessary to know the criteria for why the drug was on the list.

THE CHAIRMAN agreed. Some kind of a framework was needed, but he was not sure if it should be on the list. The list was the list.

PROFESSOR LJUNGQVIST addressed a question to the Legal Commission regarding the problem of the general clause: *any related compounds*. An athlete could not be expected to know what a related compound was. There was no solution, since if they listed every related compound, the list would be extremely long, but the issue should be looked into.

#### DECISION

Report by the Office of the Independent Observer  
approved and recommendations to be considered.

### **7. Update report on the Out-of-Competition Testing Programme**

THE CHAIRMAN said that the main achievements of the programme could be seen in material in the files.

MR SYVÄSALMI reported that, out of the 2073 doping controls carried out, 23 positive analytical results had been reported, which were not the same as a doping offence. Of these 23 positive laboratory results, approximately 10 would probably result in sanctions, and these results were not the same as a positive doping test.

Seven winter Olympic federations had recently committed to participate in the WADA programme, and as of 2 November four contracts had been signed with the FIS, FIBT, FIL and IBU. Negotiations had also begun with non-Olympic federations.

It had been a great experience working with the Drug Free Sport Consortium.

MR AJÁN said that, as a federation leader, he greatly appreciated the work carried out by the Drug Free Sport Consortium.

On the list, there had been two positive weightlifting cases (one had been positive and one had failed to comply). One of these two cases had regarded a competitor from Chinese Taipei, who had been unable to appear for the test since he had undergone serious surgery, so it was not a real positive doping case.

The Drug Free Sport Consortium staff had received good training on sample-taking, but there had been reports that they had not always paid sufficient attention to the athlete at the time of providing the sample. He asked that the staff be properly instructed, as manipulation could occur at that stage.

THE CHAIRMAN stated that any specific information would be most welcome.

MR MALLARD asked how many voids there had been. It was surprising that there had been five from one particular sport.

MR SYVÄSALMI replied that these voids had been mainly the result of broken seals on samples. The Drug Free Sport Consortium had explained that the samples had been lost in transit.

MR BESSEBERG suggested that they aim to perform the tests on time in the future.

THE CHAIRMAN agreed that this was a fair observation, and that the programme should be more effective the next time.

PROFESSOR DE ROSE wished to express some concerns regarding the Drug Free Sport Consortium.

The Consortium had worked very well in the areas of the national agencies, however countries outside its range, for example in Latin America, had not been so well covered.

How could one be sure how much of the work was carried out by WADA and how much was carried out by the Drug Free Sport Consortium? In Latin America, the countries had seen no WADA involvement in pre-Olympic competitions.

THE CHAIRMAN said that there had been 2073 WADA tests, and the countries from which the athletes had been tested had been agreed by each IF and WADA as represented by the Consortium.

PROFESSOR DE ROSE said that Brazil had had nine silver medallists in the Games, and none of these athletes had been tested.

MR SYVÄSALMI explained that this was mainly because of the short period of time the Independent Observers had had at their disposal. The other reason was that the whereabouts of the athletes depended on the information given by the IFs, which did not all have reliable information as to where their athletes were. The aim had been to test athletes *from* all over the world as well as athletes all over the world. This issue would have to be taken into account in the tender process.

DR ROGGE said that he understood the concerns of Professor de Rose, but he also understood the problems mentioned by Mr Syväsalmi.

The out-of-competition testing by WADA should be something of an added value. There were now approximately 118 thousand tests performed in IOC-accredited laboratories, divided between in- and out-of-competition tests. This meant that there were currently approximately 50 thousand out-of-competition tests performed by IFs, NFs, the IOC and national governmental drug agencies, so this was something that WADA should not interfere with, however WADA would be very useful if it filled in the gaps where no testing was carried out.

MR ELEYAE asked about football. Did FIFA not allow testing or had no testing been carried out?

In the out-of-competition testing, had the athletes been re-tested during competitions and had there been a difference in results?

THE CHAIRMAN replied that it had been agreed in principle that FIFA would conduct its own tests subject to WADA's oversight of these tests.

With regard to an athlete being tested out-of-competition and then in-competition, the answer was yes, this did happen. Just because athletes tested negative in an out-of-competition test did not mean that they were not tested during competition.

MR KOSS asked whether athletes who had tested positive had competed in Sydney.

MR SYVÄSALMI replied that the athletes who had tested positive had not competed in Sydney, but it had cost a great deal of effort to ensure this. This issue needed to be improved upon in cooperation with the IOC.

THE CHAIRMAN said that the Executive Committee had discussed the frustration that arises when a positive test occurred and there was an appeal process in progress at the time of the Olympic Games, therefore the athlete was still eligible to compete in the Games. The relevant bodies needed to work together so that an athlete testing positive could not take part in the Games and taint them.

MR WALKER thought that, despite the great work carried out, the report was missing the results of the follow-up to the positive tests. The final report should include such details.

#### DECISION

Update report on the Out-of-Competition Testing Programme approved.

### **8. 2001 Out-of-Competition Testing Programme and Update of Tender Process**

THE CHAIRMAN noted that, exceptionally, a tender process had not been carried out for 2000, but one would be required for subsequent programmes. The Irish Sports Council process had been included in the files as a model for members to look at and comment on. The idea would be to get the tender documents out to interested parties by early December, with a view to finalizing an agreement in the early part of 2001. The brief would be to provide a worldwide out-of-competition service. The process would be open to those bidding either by themselves or as part of a consortium. There was a

need to finish this package within the next few weeks as their contract with the Consortium would end on 31 December.

The aim was to finalize the agreement early in 2001.

WADA would be open to single or consortium bids, and hoped to have the contract completed by the end of February, having extended the existing contract with the Drug Free Sport Consortium to 28 February 2001.

Given the early timing of the Salt Lake City Games, MR REEDIE suggested that they continue the existing programme through to the Games in 2002.

THE CHAIRMAN said that the Executive Committee would report to the Board at the next meeting on the outcome of the tender process.

#### DECISION

Contract with the Drug Free Sport Consortium to be extended until 28 February 2001. Detailed terms to be negotiated and Executive Committee to report to the Board on the outcome of the tender process at the next meeting.

### **9. Permanent WADA Headquarters Process**

#### **– Decision of candidate cities**

THE CHAIRMAN said that he had been delighted that there had been so much interest shown by cities in becoming the seat of WADA. The Executive Committee had examined the applications submitted. Of the ten cities, three had not fulfilled all of the requirements and were lacking government or NOC approval. Also, it appeared that Nice had not obtained the support of the central government. They were therefore down to six applications that met all the initial criteria.

#### DECISION

Cities to go through to phase two of the selection process: Vienna, Bonn, Lille, Montreal, Lausanne and Stockholm.

#### **– Nomination of the Evaluation Committee**

THE CHAIRMAN stated that the second stage of the selection process was more specific, and it would be necessary to establish a small Evaluation Committee to deal with the matter. The Executive Committee had agreed that five voting members should constitute the Evaluation Committee: two from the public authorities, two from the sports movement, and one athlete, to be assisted if necessary by the WADA Secretariat. The composition of the Evaluation Committee needed immediate approval.

MS LINDEN said that she did not know if the public authorities had discussed this matter formally, although an informal discussion had taken place. She proposed that Messrs Howman and Balfour sit on the Evaluation Committee as government representatives.

MR KOSS proposed that Mr Ctvrtlik represent the athletes on the Evaluation Committee.

MR VERBRUGGEN proposed that Messrs Aján and Besseberg represent the sports movement on the Evaluation Committee.

MR HENDERSON believed that Mr Reddie would also bring a positive influence to the Committee, but perhaps Mr Reddie was just too busy.

THE CHAIRMAN replied that Messrs Reddie and Verbruggen were very occupied with the 2008 Evaluation Commission.

MRS BUFFET thought that it was a shame that Mr Reddie was unable to participate, because these proposals seemed to do away with Europe altogether.

The EU had decided that its liaison committee would try to come up with a single EU proposal regarding candidate cities.

THE CHAIRMAN pointed out that the Evaluation Committee would address competence and geography.

MR MOYER praised the composition of the Evaluation Committee, but underlined the essential role that the professional consulting firm that had been engaged needed to play in preparing an objective, fact-based analysis for the Committee and then the Board to look at.

THE CHAIRMAN said that when the original application material had been sent out, the preliminary and secondary criteria approved by the Board had been attached.

The previous day, the Executive Committee had agreed on the appropriate weighting to be given to each of the individual criteria.

He had spoken about the IOC's decision-making software program that could be used to provide a numerical result. Mr Ctvrtlik was familiar with this program.

MR CTVRTLIK observed that the program had been very useful. It did not need specific objective numerical values for different categories, and the program had helped a great deal in the IOC candidate cities selection process.

MS LINDEN commented on the process of choosing the final location. Could the decisions be noted, along with those who declared conflicts of interest?

THE CHAIRMAN said that he would not participate in the decision relating to the choice of the agency headquarters because of his involvement with Montreal.

Professor Ljunqvist and Messrs Moyer and Henderson also declared a conflict of interest.

MR KOSS asked what he should do, because he represented the athletes and came from Norway but lived in Canada.

MR VERBRUGGEN mentioned that he lived very close to Lausanne, so what should he do?

THE CHAIRMAN replied that the two members concerned would have to decide if they had a conflict.

MRS BUFFET said that she would be unable to participate in the decision-making.

MR HENDERSON asked how the process would work.

THE CHAIRMAN explained that the ultimate choice of the city would have to have the majority of members participating in the decision. It would be for the Board to decide whether, if Montreal were dropped, in other words, if the possibility of conflict were removed, the Canadian members could participate in subsequent rounds of voting.

DR ROGGE answered that once the conflict of interest had disappeared, there was no reason to prevent a Board member from voting.

MR CTVRTLIK asked what would come out of the Evaluation Committee. Would it be a report, analysing each particular city, or a ranking of cities?

THE CHAIRMAN replied that the Evaluation Committee would have to decide upon this, although Mr Ctvrtlik might wish to share his experience in relation to this.

MR MOYER said that it was very important that the Evaluation Committee come forward with its recommendations and rankings.

MR SYVÄSALMI quoted from the letter sent to NOCs and their respective governments regarding requirements. There were six cities which had fulfilled the criteria: Vienna, Bonn, Lille, Montreal, Lausanne and Stockholm.

MR KOSS declared that he had a conflict, and withdrew from the election of the city to become the seat of WADA.

MR MOYER asked whether there was a process for announcing the decision regarding the Evaluation Committee.

THE CHAIRMAN replied that there would be an announcement at the end of the meeting regarding the process, the Evaluation Committee and those members who had declared a conflict of interest.

## DECISIONS

1. Messrs Howman and Balfour to represent the public authorities on the Evaluation Committee.
2. Mr Ctvrtlik to represent the athletes on the Evaluation Committee.
3. Messrs Aján and Besseberg to represent the sports movement on the Evaluation Committee.
4. Non-voting assistance to be provided to the Evaluation Committee by the WADA Secretariat.
5. Proposal to work to a majority in the selection procedure approved. If there is no majority on the first or any subsequent round, the city with the lowest number of votes to be eliminated.
6. If a conflict of interest disappears following a vote and the city is dropped, then any member affected by that conflict is entitled to vote in subsequent rounds.
7. Members to withdraw from the selection process due to a conflict of interest: Professor Ljungqvist, Messrs Pound, Moyer, Henderson and Koss, and Mrs Buffet.

### **10. Required amendments to WADA Statutes**

#### **– Amendments**

THE CHAIRMAN said that there were two amendments submitted for the consideration of the Board: one was to amend the Statutes in order to be able to deal with in-competition testing as well as out-of-competition testing, and the other was a housekeeping arrangement with respect to the limits of the signing authority of the Secretary of the Board.

MR HOWMAN said that both were matters of utility to WADA.

The first proposal related to a call from IFs and Board members for the power to perform in-competition testing. This would carry with it (if it was decided to use the power) various implications, including financial, legal, contractual and so forth. If WADA did not have the power within the Statutes, then the decision could not even be entertained. An amendment to Article 4 had therefore been suggested (Annex).

An amendment to Article 12 was also proposed to help the Secretariat operate more efficiently.

MR LARFAOUI raised the problems of in-competition testing. They should not move too quickly, and they should continue with out-of-competition testing, as it was very important.

THE CHAIRMAN pointed out that the aim was to provide WADA with the legal capacity to perform in-competition tests if and when it decided to do so.

MR HOWMAN underlined that the amendment would provide WADA with the ability to do so if it decided to perform in-competition testing in the future.

MR BESSEBERG agreed that it would be a good idea to do this, also from a scientific research point of view.

PROFESSOR LJUNGQVIST asked whether the tender process was for out-of-competition testing alone in 2001. Should the capacity to perform in-competition testing be included in the tender process or not?

THE CHAIRMAN explained that WADA currently still needed to be invited by the IFs to perform in-competition testing. The tender should be for out-of-competition testing only, but at least the amendment to the Statutes would allow WADA to perform in-competition testing if the question arose.

MR WALKER declared a conflict of interest because he was designated in one of the proposals.

MRS BUFFET mentioned the need to think about the transformation of the WADA Statutes to relate to public law.

THE CHAIRMAN said that nothing had been done in this area so far. The matter would require study by the Legal Committee and the Standards and Harmonization Committee, as well as study to determine whether WADA being a public authority was the best solution.

MR HOWMAN said that the issue was being studied by the Legal Committee in terms of the choice for WADA's permanent headquarters.

## DECISION

Proposed amendments to the WADA Statutes  
approved.

### **11. Budget 2000 (revised)**

MR REEDIE said that the Board would have a properly audited set of accounts by the end of the year. The report in the files (Annex) explained what had been carried out thus far, and gave an estimate for the financial results of the level of activity in 2001.

WADA was well within the initial budget that the IOC had given to WADA, therefore there was room for leeway in terms of taking on additional elements of their work.

The Finance and Administration Committee would have a much better idea of routine administration costs by the end of 2000 and probably half-way through 2001. The cost of research was a hugely significant element.

The plan was to have a much more detailed and regular reporting process in 2001, with quarterly and maybe even monthly reporting on how WADA was spending the IOC's money.

WADA had made substantial achievements with what might be seen as a modest expenditure.

MR LARFAOUI thought that it was time to think about the future. In 2001 it would be necessary to know how WADA was going to pay for activities in 2002. How did Mr Reddie envisage this?

MS LINDEN believed that it would be very interesting to have a discussion about possibilities to cooperate with other organizations. The European Commission had promised funds for different projects concerning anti-doping work that year, and she assumed that it would do the same the following year.

Perhaps there were other organizations that might be willing to provide money for anti-doping activities.

What kind of research did WADA plan to do? Perhaps cooperation with other organizations should be increased where research was concerned.

MRS BUFFET underscored the importance of cooperation in research activities. There were many researchers in various countries who were specialized in doping.

WADA needed to network all the public and private efforts in order to obtain the best results possible.

The European Commission was funding certain programmes, and would hopefully reach a definitive agreement on the issue of funding in the near future.

DR ROGGE congratulated Mr Reddie, but had something to say about the cost-sharing philosophy for independent observation.

Where out-of-competition testing was concerned, WADA did not require a cost-sharing scheme with the IFs. In the future, independent observation should be proposed by WADA, but not on a cost-sharing basis.

MR MOYER stressed that the 2002 budget needed to be considered.

The Finance and Administration Committee should look closely into opportunities to cost-share, the advantages of this being that it reinforced partnerships. The Finance and Administration Committee should look to cost-share in all activities.

Regarding research, PROFESSOR LJUNGQVIST said that it had to be realized that sports-related research was low in priority worldwide with regard to funding.

If a research fund did exist, it would be easier for WADA to approach other partners to share.

He thought that the IOC had failed to produce a research fund for anti-doping, which should have been provided long ago. Problems currently existed because the necessary research had not been carried out years ago.

WADA was also competing for good researchers, therefore some fields were very advanced in society, while others, which were considered low-priority fields, were unable to obtain research or funding.

With regard to the note under item 1, he expected it to be changed after the tender process was over, with an increase in tests and a decrease in costs.

GENERAL McCaffrey thought that there was a renewed sense of interest and momentum to explain that the matter was a health problem with broad consequences for young people in the national arena, and not just elite athletes.

It had been possible to obtain US\$ 3.3 million to go immediately to the US anti-doping agency for its start-up, although this was merely a down-payment.

He had asked Dr Vereen to go back to the National Institute of Drug Abuse to try and engage it in embracing the whole issue of doping in sport. Major muscle leverage was about to be put into this issue, therefore everyone had reason to be optimistic.

WADA should act as a coordinator to articulate what the research requirements were.

DR Garnier said that he fully supported the views of the previous speakers.

The field of anti-doping was connected with public health, which was why WADA should be able to receive funding from public health budgets.

The Council of Europe and the Monitoring Group was made up of countries with significant financial disparities, which made it difficult to implement testing programmes, so he hoped to see the Council of Europe and WADA support the efforts made by certain countries to implement programmes.

Could the budget provide aid to countries with greater needs than others?

All countries should be encouraged to make national policies, and in this regard the Council of Europe was actively supporting aid programmes.

With reference to the 2001 budget, MR Kitami stressed the need for detailed information on expenditure regarding research, so that the public authorities could assist countries in difficulty.

MR Verbruggen mentioned the Festina trial in Lille. The defendants said that the UCI was jointly responsible for Festina's doping, as it had not done enough to obtain EPO testing methods in the early 1990s. If IFs did not do enough regarding research into substances, then they could be vulnerable in the future to legal claims, which was the lesson he had learnt.

The Ethics and Education Committee had made recommendations on research into the motivation for doping, in other words, knowing what the problem was. This was the highest priority, and would enable them to tackle the problem.

MR Khanna said that his government tended to view this as an issue of drugs in sport and not primarily a public health issue. There were other agencies involved in public health and this kind of activity.

The approach to the specific issue of drugs in sport would be reflective of the priority they gave to drugs in sport and he suspected that many governments would tend to be conservative regarding their ability to fund large research projects to be carried out by WADA. WADA should aim to cost-share, and use existing facilities that governments might already have in their possession.

MR Koss supported the proposal made by the Ethics and Education Committee and would approve the budget.

MR Tallberg said that the IOC Athletes' Commission had been asking for research funds for a long time, therefore he supported Professor Ljunqvist and Mr Reddie.

MR Henderson observed that no good lesson was ever learnt except through the eyes of disaster. The IOC, which also included the IFs, had put US\$ 20 million into WADA to help when

disaster had struck, and he hoped that the governments would face up to the fact that they had a responsibility to fund 50% of what WADA was doing.

MR REEDIE responded to all the comments made.

He told Mr Larfaoui that he would certainly have a more detailed set of figures for 2002, and hopefully for 2001.

Mrs Linden and Mrs Buffet were correct. Cooperation was clearly the name of the game.

He thanked Dr Rogge for his comments on cost-sharing and would look into the issue early the following year.

He had written down "government money tomorrow", and thanked Mr Moyer. He did not know whether that accurately reflected what Mr Moyer had said, but he had been hugely encouraged!

There was much good work being carried out, but more funds and prioritization were needed, as Mr Verbruggen had said.

He told General McCaffrey that he had been happy to hear about the use of the substantial budget in the US.

In response to Dr Garnier's comments, he was unsure whether WADA should provide countries with grants to help them to set up anti-doping programmes.

He had noted the comments made by Mr Verbruggen, and agreed with Mr Khanna that most countries would regard this as a drugs in sport issue.

In response to Mr Henderson, it was certainly true that additional funds would depend greatly on talks between the public authorities over the next two days.

He thanked the members for their approval of the first budget.

#### DECISION

Budget 2000 approved.

### **12. Budget 2001**

THE CHAIRMAN said that the role of the Finance and Administration Committee was to ensure that resources were applied by WADA in the most effective way possible.

A more detailed expenditure plan would be needed, particularly for research, because research could be a bottomless pit into which money was poured with no result.

The Executive Committee had approved a corporate planning model the previous day, to come with possibly a five-year work plan to encompass where they hoped they might be able to take the organization within a five-year period.

He appreciated that this could easily become a narrow issue of drugs in sport in many countries.

It was not the IOC's fault that it had not had a lot of money for research, especially years ago.

He had been interested in the different views on the service. He did not see why WADA should necessarily fund all of this.

The integration of research was critical.

It was true that it was necessary to know why drugs were taken in sport. One had to know why in order to develop a cure.

With regard to the cost of the out-of-competition testing programme, this was an average cost for the entire procedure.

Therefore, in general terms, and subject to "fleshing out" the details once discussions had been held, was the sum of US\$ 12.8 million acceptable to the Board?

MS LINDEN said that it was important for the government representatives to know the annual increase of the budget for the future.

With regard to comments about governments not being willing to pay, firstly, the governments were very happy that WADA had been established and that the IOC had been willing to pay for the

first two years, but the governments would take care of the 50% cost responsibility in the future. Also, governments were giving a great deal of money to national anti-doping programmes, and she hoped that, in the future, discussions would not revolve around who was paying more money. They all needed to work together.

MS VANSTONE endorsed what Ms Linden had said.

The governments had agreed to fund 50%, and she hoped that the governments would sort out how they planned to share that burden.

The previous day, the Executive Committee had decided about shorter- and long-term strategies. She did not think that any government would agree to put in its share unless the members could say what WADA was looking to achieve.

Guidance had to be given to the committees and the Executive Committee and the Board had to decide what they wanted to do exactly.

What was their five-year objective? What did they want to achieve by Salt Lake? Fabulous achievements had been made in a short space of time, but that was because there had been a hurdle there to jump - Sydney - but now there was another one coming up, and that was Salt Lake City. Governments would simply not put money into a nice idea.

An agreement in principle could be expected for the following day as to how the governments would share the burden, but she did not think that governments would be signing on until there was a clear outline of what would be done with the money.

MR BALFOUR wished to endorse that the amount of work done was to be appreciated, however, that work had been event-driven and not strategy-driven.

Saying that governments seemed unwilling to contribute to WADA was very warped thinking. The governments gave a lot of money, propping up their national federations and drug-free institutes.

It seemed that governments and sport were being separated into two. However, some comments (especially those made by Mr Henderson) indicating that it was about time the governments put something into the organization, were very wrong. As governments, they needed a clear strategy before they could go back to tell their governments what they would be doing, therefore a political discussion was probably needed to make it clear that sports federations did not operate in space: they operated within a particular government, and those governments were doing their best to assist those sports federations and bodies, which made up the International Federations, which then made up the IOC. This issue had to be brought into sharp focus, and he was saying this as a sportsman as well as a politician.

MRS BUFFET suggested finding complementarity between the sports movement and the governments rather than opposition.

Her government funded the fight against doping in France, and the European Union was now providing as much seven million Euros for the fight. The European Union had also decided to finance WADA. She hoped that it would be possible for the governments to decide upon how to share the costs.

WADA's strength was that it was a public and private organization.

MR MOYER said that it would be important for the governments to know which ball-park they were playing in.

Would the IOC continue to contribute US\$ 8 million annually? He believed that this was what had been said.

MR ELEYAE felt that something was missing concerning the budget. He hoped that different things would be encountered in implementing the budget, so that the need for expenditure would grow during the process of the year. The members should therefore consider adding 10% of the fixed figure onto the budget for anything that might crop up during the year.

MR REEDIE said that it was possible to run a world anti-doping agency with a small staff, which held a few meetings and carried out some out-of-competition testing for about five or six million dollars per year. He did not believe, however, that this was the view held by the members of the Board. Most of the substantial expenditure for WADA would be in the areas of research and education. The

running costs were relatively modest, but what it actually wanted to do was quite expensive. It was true that a ball-park figure would help.

He was not authorized to speak on behalf of the IOC, but it would surprise him if, at the end of two years of substantial expenditure to set up WADA, the world of Olympic sport would then want to walk away from it.

He suggested that, the following day, the governments work on the US\$ 15-16 million per year figure that had been discussed.

He was well aware of the substantial funds invested by governments in other aspects of the area, but the beauty of WADA was that it pooled it all together at the top end of sport.

He did not think that 50% of US\$ 16 million would trouble the governments too much.

THE CHAIRMAN assumed that they were in agreement that, as of 2002, the governments would pay half the costs for WADA, as stated in the Statutes.

The actions taken so far had been policy-driven rather than event-driven.

The advantage of their organization was that WADA now sat effectively on top of the entire sports system, both public and private.

The governments made up 50% of WADA, therefore they would be deciding and participating in WADA's decisions and actions.

He hoped that the members could use their leverage with a relatively small amount of money to obtain assistance, possibly from the private sector, in research and education.

They therefore had a proposal for a budget for 2001, with a 10% contingency proposal from Mr Eleyae.

MS VANSTONE said that she would not be happy with the extra money going to the Ethics and Education Committee, as it was a contingency fund, to be raided only in the event of emergency. She agreed with the proposal, but the contingency should be for emergencies, not for a bit of later spending if WADA thought about getting sloppy.

MS LINDEN said that the money would be coming from the IOC the following year, therefore if the IOC members were willing to put in an extra 10%, she would be happy to approve it.

THE CHAIRMAN pointed out that, as colleagues in the responsible exercise of the duties of WADA, they were agreeing with Ms Linden's assessment that this was a good thing to do, but that would come home to roost in 2002, when the generosity that Ms Linden was currently welcoming became shared. Their decisions should not strictly be made on the basis of whose money they were spending. They should spend responsibly as WADA.

#### DECISION

Proposed budget for 2001 of US\$ 14.3 million  
(including the 10% non-allocated contingency  
proposal) approved.

### **13. Future Work Programme**

THE CHAIRMAN asked the members to refer to the paper in their files (Annex) regarding WADA's future work programme. He proposed that the members discuss where they thought WADA should go, so that the Executive Committee and the working group that would be established for that purpose would have some guidance from the Board.

MR SYVÄSALMI explained that this was the schedule agreed upon by the Executive Committee. There was a need for this programme and a serious plan.

The Executive Committee recommended that WADA members be asked to send in their ideas on the development of WADA.

The Executive Committee had also decided to have a Steering Committee, including one representative from the public authorities, one from the Olympic Movement (Mr Verbruggen), one athlete and the WADA Secretary, which would send a consolidated list of ideas to all the members.

In January, a strategic plan would be drafted, and this would be circulated by 15 February for discussion, and then submitted for approval at the next meeting of the Executive Committee.

The strategic plan and the corporate model would serve the Board members better regarding the needs that had been discussed that day.

THE CHAIRMAN asked the members for their guidance regarding the conceptual work that needed to be done by WADA, in particular what WADA should do; when it should try to achieve its objectives; what it was looking for from the Executive Committee as opposed to the Board; the appropriate role of the committees; the role of the Executive Committee; and what sorts of things should be harmonized.

It seemed that at least the public authorities were looking for some comfort as to what might be expected of them in the future.

They needed a mechanism to allow everybody to deal with uncertainty. He had visualized something of a free-form discussion to get ideas out, so that the working group or the Steering Committee would have some sense of what it should be doing. He opened the floor to the members.

MS VANSTONE supported this proposal. The governments had committed themselves on a number of occasions to funding half the money, but it was clear that, to obtain money from the treasurers, the government representatives would have to go back and give a good explanation of WADA's future goals. Where was this bus heading?

They needed to face their choices and decide, behaving as a board to set the strategy, direction and financial limits. That would ensure a much easier road to getting the money out of governments.

THE CHAIRMAN asked Ms Vanstone what strategies she thought were likely to resonate with governments.

MS VANSTONE replied that it was not for her to say what the governments or federations would want, however the governments had to be able to satisfy themselves regarding accountability mechanisms and management structures.

The aim of WADA was to set a long-term strategy to achieve the end goal, which was to stop the misuse of drugs in sport, and they needed to work together to achieve this.

THE CHAIRMAN said that he wanted ideas as to the strategy, and suggested that the members pretend they were either queen or king for the day, and contribute ideas to define the strategy.

MRS BUFFET stressed the need to define the strategy, and suggested going back to the roots of WADA's structure and examining why WADA had been created.

The members had decided to draw on their assets by working together.

It was up to the countries to be responsible, but the sports movement was also responsible to a certain extent.

She believed that there were various projects undertaken by governments and sports bodies to fight against doping. WADA's primary role was to harmonize the different actions undertaken.

If WADA played a harmonization role (of the list, procedure and sanctions), how would it get these actions to a common base? WADA needed to play a role of coordination, and if it could fulfil that role, it would then meet with great public credibility.

There were places, countries and sports where the fight against doping was not led at a sufficient level, for a number of reasons. WADA could ensure worldwide action and overcome any difficulties experienced in some areas due to a lack of financing.

The two main points, therefore, were coordination and harmonization, along with equal opportunities for countries throughout the world involved in the fight against doping.

DR ROGGE understood the concerns of the governments, but there was also a concern on the part of the sports movement. The sports movement would also like to know how much money it would have to invest.

WADA should be the meeting point between the sports movement and the governments. Both sides had different skills and tools.

The fight against doping, with the exception of the work done by WADA in the past year, was currently carried out by the IFs, the NOCs (to a lesser extent), and the various national drug government agencies.

The help of the governments was needed, as the sports movement did not have the power to issue warrants, interrogate, and penalize networks of drug dealers supplying substances to athletes.

A great deal of work could be done in the future without affecting the budget. Better legislation on doping was needed in many countries, and this did not necessarily have to affect the budget.

Scientific research would cost a lot of money, but WADA could benefit from support from other sources. He was afraid that US\$ 5 million in the future would be far too little if comprehensive research were to be carried out by WADA, but it was very difficult to assess how much would be needed. Again he believed that WADA should be a catalyst in research and pooling the resources of the various countries.

With regard to in- and out-of-competition testing, the figure of 2,500 out-of-competition tests was marginal when compared to the 120,000 worldwide tests, but it was significant as the tests had been conducted in those federations which had not yet implemented their own out-of-competition testing. Either WADA should carry out all the testing itself or it should perform in and out-of-competition testing in those fields where there were gaps.

Independent observation was something that was needed and had been requested by the athletes. An Independent Observer body similar to the CAS could be created in the future.

The really unknown factor in the budget was the scientific research and, to a lesser extent, education.

MR MOYER listed the areas that would be needed five years down the line.

WADA would have to successfully develop as an organization grouping public and non-governmental institutions.

The members would have to come up with an understanding of a broad doping code and a global approach.

A blended approach to WADA's role in observing and testing would have to be designed.

With regard to education, it should be broadly understood by everyone involved in sport, including sponsors, that it was not acceptable to be associated with sports and activities that abused athletes through drug use.

An objective for harmonization needed to be set.

WADA should be strategically investing in research in five years' time.

WADA should become the authority, not only related to the Olympic and amateur sport world, but also to the professional sports world, and be recognized as the standard-setter.

MR KITAMI said that the most important thing was that WADA needed to show what organizations could benefit from through cooperating with WADA.

MR TALLBERG thought, as Chairman of the IOC Athletes' Commission, that WADA was looking to set up an ad hoc working group to coordinate WADA's role. The IOC Athletes' Commission would like to see drug-free sports in the future, along with harmonization in the fight against doping. The IOC Athletes' Commission had decided that Mr Koss should be their representative, so he proposed Mr Koss as a member of the ad hoc group.

MR KOSS spoke about priorities. The members of WADA should use their competence to harmonize rules and produce a medical code which should be accepted in civil law.

They also needed to look at harmonizing guidelines for national doping control agencies and strengthen the national systems.

They would have to support remote areas without the financial means to perform doping tests.

Research was a key element. Scientific research needed to be carried out as well as social research. Behavioural change could only be brought about through an understanding of perceptions and values.

The Independent Observer was an important means by which WADA could observe all national and international tests and results analyses.

MR MALLARD observed the need to define WADA's direction and think about harmonization (and its progress in the various countries); organization and the role of WADA, including testing as opposed to observation; and relations with pharmaceutical companies around the world.

There needed to be a paper with choices as far as the strategic plan was concerned, and some professional advice on the budget and spending would be a very good investment.

DR GARNIER said that the Monitoring Group had had many discussions on the role of WADA, and when it had talked about the creation of a world anti-doping agency, there had been some apprehension, but this was no longer the case. This was why it was necessary to ensure that the agency was indeed one based on parity. This was a way of adding value, in other words, making the most of complementarity.

The positive process of the Independent Observer programme could lead to other undertakings by WADA, such as looking at writing new rules, or trying to improve existing ones.

The Monitoring Group felt that the drafting of a universal anti-doping code was an essential priority for WADA, and it hoped to collaborate in the drafting of the code. The Monitoring Group therefore invited WADA to call upon it to work together to draft a new code.

MR REEDIE pointed out that WADA now had a reasonable opportunity to convince the world that top level sport had a chance to be clean.

Practically everybody that had spoken had his or her personal interests, but he thought that these were well represented within the committee structure of WADA. It was necessary to instruct each of the committees to report very clearly on what they had done before a Board meeting. The committees could then be told what else they had to do, and this could be checked again six months down the line. This would then hopefully lead to a new code, out of which would come a better out-of-competition testing programme, out of which would come acceptance by the athletes.

He was not entirely sure that any more than a vision was needed at that moment. If the public authorities were unhappy with a vision, then he did not know what was needed. He agreed that a lot of the things that WADA could do had very little budgetary implications.

THE CHAIRMAN said that they were not developing a strategy immediately; he just wanted ideas for the working group that would be wrestling with the issue.

MR CTVRTLİK pointed out that, if they started to dive into education, their budget would by no means be sufficient. They needed to be careful with what they were able to accomplish.

There were crucial problems, and a feat such as the harmonization of one code or the harmonization of sanctions would constitute a great achievement.

The methodology of the results management should be standardized, as should the laboratory analysis.

The Office of the Independent Observer had been received across the board in a fabulous way. He had thought that the CAS was a model, but believed that the Office of the Independent Observer had already reached that standard.

He did not think that education and research would be possible without a large budget.

GENERAL McCAFFREY underscored the notion of governance. WADA needed to stress that it was going to act like a non-profit board. They were really talking about decision-making. The notion of governance had to be regularized.

The strategic plan had three parts to it: a WADA code (rather than conducting the test), research, and education, which was very costly, however WADA could produce an ethics-based programme of instruction.

In dealing with budgets, a budget could not be developed without being driven by a strategy and goals. The Board needed to tell the committees the goals that it would instruct them to achieve.

THE PRINCE DE MERODE had been dreaming for a long time, and it seemed his dream was on the brink of coming true.

It was necessary to define goals and develop a strategy, and then invest money. The goals had to be reasonable, as did the educational models that might be applied in various countries.

With regard to research, he thought that it would have to be subsidized, but it would need to be done within reasonable limits. It was necessary to establish an inventory of what already existed, coordinate research, and establish guidelines.

It was important to underline that the controls were not for WADA to undertake worldwide. WADA should intervene and perform tests in the weak areas. In- and out-of-competition testing needed to be brought together, as out-of-competition testing alone was not the answer.

WADA should be a complement, and not a substitute, to testing.

With regard to harmonization, action needed to be taken rapidly in order to obtain results. They should not waste their time philosophizing, but needed to be practical.

MR ELEYAE thought that public relations should be considered. WADA had to address a world forum and look into creating awareness. This would require a lot of publicity.

Sports goods suppliers, competition organizers and sponsors should also be targeted, because athletes were frequently paid to win, and some of them succumbed to the temptation of doping. Athletes were often pushed into taking drugs for such reasons.

MR WALKER discussed his idea of a corporate model. One of the principles that should guide the determination of WADA's role was that it should be linked to areas where there was an interaction between what the public authorities and the sports movement should be doing to prevent doping. The complementary but separate responsibilities had to be brought together, with priority being given to filling in gaps, the goal behind it all being to reach high common minimum standards throughout the world.

The option, which was where the dream came in, was whether WADA would become a kind of quality control body. It would be less active operationally, but this was a possibility that might be considered.

MR BESSEBERG stressed the important role of education. Having good control systems and a code was all very well, but in order to fight the problem, education was necessary, and WADA's role should include dividing tasks between the different arenas and advising, rather than trying to do the police work on its own.

MR VERBRUGGEN suggested that they look and see where things had gone wrong in the past. Doping controls had been in the hands of the IFs and the IOC. The problem was far too complex for the IFs to handle alone, and most IFs did not have the resources to perform tests or create education programmes. Also, the work done by the IFs was approximately 90% volunteer work. Previous research had been too scattered. The jurisdiction of the IFs was also far too limited for any decisive action where doping was concerned. He therefore recommended that WADA have a role of coordination, harmonization, organization and supervision, and that it assist those, such as the IFs and NOCs, faced with the problem of doping.

Money was not really the issue. Glory in sport was more than enough.

THE CHAIRMAN said that the discussion had been very helpful for those members who would be on the Steering Committee. Ideas could still be sent in between then and January, and by the middle of February he hoped that the Steering Committee would be able to go back to the Executive Committee and then to the Board with the elements of a strategic plan.

#### DECISIONS

1. WADA's Steering Committee to be composed of one representative from the public authorities, Ms Vanstone; one from the Olympic Movement, Mr Verbruggen; one athlete, Mr Koss; and Mr Pound.
2. Any ideas to be proposed by January. The Steering Committee to go back to the Executive Committee and then to the Board with the elements of a strategic plan by mid-February.

## 14. Update

### – Web site development

MR SYVÄSALMI referred to the document in the files (Annex ), highlighting the need for a WADA intranet communication system.

THE CHAIRMAN pointed out that there was one web site only for WADA, and the Ethics and Education Committee did not have its own separate site.

MS LINDEN thought that the web sites were a good idea, as it was very important to get information circulated quickly.

It was also important that the intranet be given priority. It would be useful to have the meeting agendas on this so that the members could prepare for the meetings.

THE CHAIRMAN replied that the WADA Secretariat would do its best to get an intranet up and running.

DR VEREEN said that they also proposed to add the Codes of Ethics and Conduct, educational materials, research information, bulletin boards, chat rooms, legal information and athletes' passport-related material. The web site was an educational tool that worked best in an educational framework.

### DECISIONS

1. Summary report on the WADA web site approved.
2. Priority to be given to developing a WADA intranet communication system.

### – WADA insurance

THE CHAIRMAN said that Mr Niggli had been very helpful in negotiating the terms of a very broadly worded insurance policy. The amount of insurance was SFr 16 million.

The existence of the insurance should be a matter of great relief to those IFs that might impose sanctions on the basis of a positive doping test, behind which WADA would stand.

MR HENDERSON asked if the IFs were also covered.

THE CHAIRMAN replied that, if an IF imposed a sanction based on a positive test for which WADA had been responsible, it would have to stand behind the IF concerned in the event of a mistake. In other words, the IF concerned would be protected if WADA was responsible for the testing.

### DECISION

WADA insurance report approved.

### – Staffing of WADA

MR SYVÄSALMI said that the staff situation had improved since the previous meeting. They now had Nikki Vance, one of the programme directors; Casey Wade, who had previously worked for the Canadian Centre for Ethics in Sport; and Isabelle Tornare, the Communications and Information Project Manager; in addition to Christine Gueissaz, Chloé Christopoulos and himself.

The aim was to employ two to three more people by the end of January in order to fill the gaps.

THE CHAIRMAN pointed out that WADA was staffed with very capable people.

### DECISION

Report on the staffing of WADA approved.

## 15. Requests for WADA action

### A) Minister Vanstone – EPO tests

MS VANSTONE brought up the issue of worldwide implementation of EPO testing. It was important that WADA move forward on the momentum generated from the Olympics to foster worldwide implementation of EPO testing, that the combined test be further developed and that a process be determined for making it a standard component of all national and international drug-testing programmes.

Australia had prepared a set of recommendations which she requested the Board to consider (Annex).

The problem regarding the current EPO testing procedures needed to be outlined and some sort of solution found. Perhaps Professor Ljungqvist could report on the matter.

THE CHAIRMAN agreed that this would be a good idea, and Professor Ljungqvist could report on the matter.

PROFESSOR LJUNGQVIST said that the combined EPO test for Sydney had been developed very quickly by the Australian and French research teams, which should be commended.

The problem that he had announced the previous day related to the urine test, which was based on a physiological chemical difference between the artificially-produced EPO in pharmaceuticals and the EPO produced by the body. One could say that this was a defect in the pharmaceutical production, as it was in the industry's interest to achieve total identity, which was a likelihood, so in all probability they would soon be facing a situation where the urine test no longer worked, as the EPO produced by the industry and the one produced by the body would be identical and it would be impossible to differentiate between the two. In the future, it would be necessary to build upon and use the Australian-developed blood analysis only.

With regard to the French test, THE PRINCE DE MERODE said that the Games in Sydney had proved that it was a valid test, but it was not quite mature enough to be validated immediately. It was in the process of being validated, with the assistance of accredited laboratories, and he thought that in approximately six months' time it would be fully validated.

Two things would have to be done in the meantime: a practical test, and research.

He thought that the French test should be applied in- and out-of-competition.

The future was uncertain, with new methods and products coming up all the time, but there was a method that could soon be implemented.

### DECISION

Recommendations by the Australian government to be considered by the Board.

### B) State Secretary Coderre – Italian problem

THE CHAIRMAN referred to the letter sent by Mr Coderre requesting WADA to initiate a process to clarify the facts related to the reports on athlete doping in Italy.

MR WALKER said that the head of the Rome laboratory had been at the Monitoring Group meeting the previous week precisely to explain what had gone on. In short, the experiment had been carried out upon 600 athletes in the pre-Olympic Games period. Some of the preliminary data had been released by means which were not yet clear, long before there had been any validation or assessment of that data. The scientific committee responsible for the project had resigned, and CONI had asked the court in Rome to conduct an inquiry as to how the data had reached the public. He proposed that WADA ask CONI for a copy of the report (which was currently in the hands of the Italian legal system) when it became available.

THE PRINCE DE MERODE stressed the need to be precise. Some people had revealed this data, and the conclusion was that the indiscretion of the scientific committee was regrettable. The matter had been taken to court in Italy. Those athletes concerned were not at fault.

MR MOYER said that incomplete scientific facts and avid media attention had meant that athletes were being penalized for no good reason. WADA should not be brought into this matter.

#### DECISION

Proposal for WADA to initiate a process to clarify facts related to the reports in Italy rejected, but WADA to request that CONI provide a copy of the report when available.

#### **C) USA Track and Field**

THE CHAIRMAN explained that this item referred to a request for WADA to implement testing. Should WADA agree to take over the USATF's in- and out-of-competition testing programme, and if so, under what conditions?

He had spoken to the CEO of the USATF and explained that WADA might be willing to consider taking over the testing, but it would certainly not include the costs in its own budget. It did seem, however, that a good deal of the USATF budget for drug testing came from USOC, which had recently set up its own independent anti-doping agency, the operations of which had commenced the day after the Olympics in Sydney. He referred to the recommendations in the document (Annex).

Probably the most effective way of dealing with the matter would be to have USADA deal with it, but have some kind of a reporting mechanism through to WADA, so that there was some third party awareness of any elevated test results and some assurance of follow-up in accordance with the applicable rules.

THE PRINCE DE MERODE said that he wanted to help. Similar cases had occurred in the past.

The Indianapolis laboratory, which had previously carried out 75% of the USATF analysis, no longer existed. It appeared, however, that the head of that laboratory was to become the head of the new US anti-doping agency. This was rather worrying, as was the matter concerning the disclosure of names of athletes with elevated test results.

THE CHAIRMAN did not believe that there was any legislation in the USA that prevented the disclosure of names with elevated test results. He knew that General McCaffrey had requested that these names be released, which had not been done. Something was wrong, and he thought it important that some element of third party control exist.

For those members of the Board who were not aware, the USATF had commissioned a full review of its doping control procedures, which had involved a number of outside people, including Mr Howman and Professor McLaren, who had asked to meet with a number of WADA Board members but whose request had not been replied to. He urged that all members who had been asked to assist the Commission provide their fullest co-operation to the Commission.

GENERAL McCAFFREY said that there was probably a solution now. The US Anti-doping Agency was now operational, and would welcome WADA's oversight, so he thought that the testing for the USATF should remain in USADA's hands, but it should be overseen by WADA.

PROFESSOR LJUNGQVIST thought that this was very much a matter between the IAAF and the USATF. The IAAF had tried to clean the table before the Olympic Games in Sydney. There had been two cases pending arbitration, one of which had been in Germany. The athlete had been exonerated by the German sports organizations and the matter had been reported to the IAAF. The IAAF had not agreed upon a decision, therefore the case had been sent to arbitration, in accordance with the IAAF rules. In order to ensure that the Games in Sydney would be clean, the IAAF had even provided arbitration in Sydney for the pending cases. The German case had been examined in Sydney, and the athlete had not been allowed to take part in the Games.

The IAAF had found a totally out-of-proportion report from the Indianapolis laboratory in relation to what it knew the USATF had been doing with respect to testing. The IAAF had asked for the laboratory report and had received it. Then, when cross-checking the material from the laboratory with the information from the US, it had found a large number of positive analytical results that had not been reported to it by the USATF. Some 15 cases had not been properly reported to the IAAF, and there were now some 10 cases left without names. Some cases had been exonerated at national level, and the IAAF had received no names or explanations. This went totally against the IAAF's rules, and had to be resolved.

He agreed with General McCaffrey that the best solution would be to leave the matter in the hands of USADA, and then the IAAF could be the supervisory body, but if WADA wished to assist, then it could do so.

GENERAL McCAFFREY noted that it had been decided within USADA that names would be reported from then on.

THE CHAIRMAN noted that there was an opportunity to make progress. All the laboratories should provide the names of elevated test results to WADA so that there could be some follow-up.

PROFESSOR LJUNGQVIST thanked General McCaffrey and those who had supported the IAAF during the course of the problems it had had.

The laboratories did not have the names when they produced their reports, which were written on the basis of anonymity.

The IAAF had consulted its US lawyers, who had said that there was nothing in the US legislation to prevent the USATF from disclosing names.

MS VANSTONE noted that the testing teams should not forget to include notification of those who evaded or refused a test.

MR VERBRUGGEN said that the UCI had never had any problems in the US as the laboratory had to give the results to the UCI and not the NF. He had never been challenged.

THE CHAIRMAN said that it was utter nonsense to pretend that there was a rule in the US that prevented names from being given.

PROFESSOR LJUNGQVIST said that the laboratories gave the IFs the results as well, but if the tests had been conducted at national level, then the IFs did not receive the names.

PROFESSOR DE ROSE said that names should be provided to the IAAF so that WADA could be of assistance.

THE CHAIRMAN agreed that WADA needed to obtain the names, but it should not get involved in the middle of the case. WADA could go to the IF to get the details or a follow-up on the case.

MR HOWMAN said that it would be necessary to be very careful if WADA was going to pass a resolution, because it would need to go through the Legal Committee to make sure that the right rules were in place.

The USA Track and Field Commission, of which he had been asked to be a member, was in Oslo. It had been tasked with coming up with recommendations, not only for the USATF, but also on a broader spectrum, and he would hope that the information it eventually obtained would allow appropriate recommendations to be made so that the WADA Board could consider the issue a little more clearly.

THE CHAIRMAN replied that he had been speaking more about what WADA should be aiming to do.

MR LARFAOUI pointed out that laboratories had numbers rather than names, and it was the federations that had the names.

THE CHAIRMAN asked whether the Board should recommend that the USATF rely on USADA and WADA would provide third-party follow-up to that.

GENERAL McCAFFREY guaranteed that USADA was committed publicly to getting and communicating results.

#### DECISION

Proposal to recommend that the USATF rely on USADA, with WADA to provide third-party follow-up, approved.

#### **D) IF and other requests for testing**

PROFESSOR DE ROSE mentioned that the date in the letter from Mr Kaltschmitt (Annex) should have been November 2001 rather than November 2000.

The Central American Games had the highest rate of positive results in America, of around 15%. The incidence of doping was extremely high, and the main drugs taken were cocaine and marijuana.

Although the prices were very low in that particular part of the world, he did not think it would be possible to charge as little as US\$ 60 - 80 per sample.

The Madrid and Montreal laboratories would work with Central America, as they had special agreements.

If 350 tests were performed, the cost would be approximately US\$ 70,000.

THE CHAIRMAN said that this was a "filling-the-gaps" area, but if WADA did this for the Central American Games then word would be out, and WADA's contingency would disappear very quickly. That said, this was an area in which controls were vital.

Perhaps they should say that, as it was for November 2001, there was no immediate rush, so they could wait and see.

PROFESSOR DE ROSE said that if WADA helped out, it would not be giving them all the money that they wanted.

Maybe the Ethics and Education Committee could be used to inform the athletes and officials about the dangers and risks of doping.

The Independent Observers could also be used during the Games, if WADA decided to collaborate.

MR MALLARD said that focusing on out-of-competition testing early the following year would be more useful. In any case, WADA should be very careful. Focusing on a sample early on and getting the message out that testing could occur at any time might be a more positive approach.

THE CHAIRMAN agreed, but the target here was different.

Should they decide to make general encouraging noises without any commitments?

The price for the samples was a very good one.

PROFESSOR DE ROSE said that the normal price in Latin America was around US\$ 200 inclusive.

MR VERBRUGGEN thought that it was likely that only certain products were looked for.

#### DECISION

WADA to offer no definite financial support until nearer the time of the VII Central American Games.

#### **E) UCI letter**

MR VERBRUGGEN referred to the letter he had sent to Mr Syväsalmi in which he recommended that WADA set up a task force to study the urgent problem concerning nandrolone.

THE PRINCE DE MERODE said that this was a good idea, but wanted to bring everyone up to date with what was being done at the moment by the IOC.

There was a problem concerning poor labelling on food supplements, where the labels did not indicate what was in the substances.

PROFESSOR LJUNGQVIST said that there tended to be some misunderstanding and exaggeration regarding nandrolone, and this was relayed through the media. Mere facts gave no support for an epidemic of nandrolone use. Statistics from the IOC-accredited laboratories had remained relatively stable over the last 10 years in terms of positive nandrolone cases.

What did raise concern was the fact that some so-called food supplements contained nandrolone precursors, and individual countries needed to look at the food supplement industry and their own legislation.

He recommended that WADA express a wish to attend the meeting of laboratory heads in Cologne and observe events.

MR VERBRUGGEN thought that the laboratory heads had had questions about the two nanograms limit, therefore WADA should definitely attend the meeting of laboratory heads.

THE PRINCE DE MERODE said that he was also interested by this suggestion, and thought that WADA could be invited to attend the meeting.

THE CHAIRMAN said that, if such an invitation could be extended, it would be useful.

MR MOYER advised against focusing solely on elite sports in setting criteria. Use of nandrolone was becoming widespread among non-elite athletes, therefore WADA could not be guided by the fact that elite athletes might have learnt not to use the substance.

MR REEDIE observed that there was new interesting and rather complicated research in Great Britain into nandrolone.

He would be happy for WADA to be represented at the meeting in Cologne.

PROFESSOR LJUNGQVIST said that the IAAF had put aside US\$ 15,000 to help with the investigation discussed earlier, and was doing some research itself into the use of food supplements among elite athletes.

MRS BUFFET believed that this was an important subject. The development of sales of supplements to the public was significant.

There were tests in France at amateur competitions as well as elite ones, as doping was occurring at all levels.

The Council of Europe had recommended that labelling of substances be harmonized so that those buying the substances knew exactly what was in them.

THE CHAIRMAN said that the Prince de Merode's invitation to attend the meeting of laboratory heads in Cologne would be helpful, and a CAS representative might also be helpful, as some of these cases actually ended up being litigated.

MR VERBRUGGEN referred to the letter of 26 September 2000 (Annex). It would be useful if ministers looked into the legislation in their countries. All the other points seemed to have been taken care of.

#### DECISION

WADA to be represented at the meeting of laboratory heads in Cologne in 2001.

#### **F) CONFJES letter**

THE CHAIRMAN said that he saw every reason for WADA to cooperate with regard to the CONFJES letter (Annex). He was more than happy to meet with the Secretary General in Canada and see what areas of cooperation could be pursued.

MRS BUFFET said that she would be very happy if WADA agreed to establish close links with CONFJES.

#### DECISION

Proposal to establish links with CONFJES approved.

#### **G) Quality project: ISDC and associated issues**

MR SYVÄSALMI explained that this item referred to an initiative that had been handled by the Standards and Harmonization Committee, and had been included in the budget for the following year, but he asked the chairman of the committee to say a few words about it.

MR WALKER said that a version of the paper had been examined by the Standards and Harmonization Committee on 27 July in Lausanne, and the recommendation adopted by the Board had been made on the basis of that examination. He gave a brief outline of the content of the paper in the members' files (Annex).

## DECISION

Quality project to be considered.

### **H) Johann Olav Koss letter**

MR KOSS spoke about the debate in Norway over the past few weeks. He had participated greatly in this debate, which would come as no surprise. There were two issues of worldwide importance. The first regarded nutritional substances and the increase in their use by athletes and young people around the world. The second issue regarded the two positive Norwegian nandrolone cases at the Olympic Games.

There was an ethical grey area, and an ethical debate was needed specifically for supplements. The matter needed to be taken very seriously.

Great work had been achieved at the meeting that day, and this was also good for Norway.

He was happy that Norway had made such significant progress in the field of anti-doping.

THE CHAIRMAN asked Mr Koss what he wanted WADA to do exactly.

MR KOSS replied that he wanted WADA to look into the issues of food supplements, giving guidelines for national doping control, and insurance for athletes wishing to be protected legally.

THE CHAIRMAN pointed out that the guidelines issue was encompassed by harmonization, which had already been dealt with.

THE NORWEGIAN SECRETARY OF STATE thanked Mr Koss for his compliments. The government of Norway had maintained the same position as it had two years ago. It wanted WADA to be a part of the very important discussion on food supplements and aid in fighting doping.

Mr Koss's letter was more a debate about relationships between civil servants and politicians in Norway, and he did not think that the WADA meeting should be a part of that discussion.

THE CHAIRMAN pointed out that WADA was not taking part in that discussion.

DR GARNIER said that the medical report on the increase in consumption of food supplements had asked for studies on non-prohibited products.

An educational campaign was needed, and there was quite a lot of information on the contents of products often taken by athletes.

THE PRINCE DE MERODE pointed out that a study into the issue of food supplements was already under way.

## DECISION

WADA to look further into the issue of food supplements.

### **16. Any other business**

MS FERRIS thanked WADA for inviting her as a representative of the World Olympians' Association, the representative body of past Olympic competitors worldwide. As an organization of former Olympic athletes, the WOA had WADA's interests at heart.

The Olympians, of which there were maybe 70,000, were a resource that had not been utilized in any sort of coherent way. She thought that education was an area in which Olympians could play a role.

At the Olympians Summit in Lausanne she had proposed a campaign which Olympians could spearhead, and which would have to be performed on a national and worldwide basis, with a strong media element, but also wanted to offer any help that the World Olympians Association might be able to give.

MR KOSS thanked General McCaffrey and urged him to continue his extremely important role in the anti-doping work. He did not wish to discredit any of the members around the table, because all of them were extremely important, however everyone was aware of how important it was to change the situation in the United States.

THE CHAIRMAN thought that all the members shared Mr Koss's thoughts, but they were not sure who to call in the United States at that moment!

DECISION

Offer of assistance by the World Olympians' Association noted with thanks.

**17. Next meeting**

THE CHAIRMAN suggested holding the Board meeting when WADA's permanent headquarters could be decided upon, for example, in June, July or August 2001. There would probably be at least two Executive Committee meetings prior to that date.

DECISION

WADA Board meeting to take place in the first half of 2001. At least two Executive Committee meetings to be held before that date.

The meeting adjourned at 5 p.m.

**FOR APPROVAL**

**MR RICHARD W. POUND, QC  
PRESIDENT AND CHAIRMAN OF WADA**