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**Minutes of the WADA Foundation Board Meeting  
25 November 2002, Montreal, Canada**

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The meeting began at 8.30 a.m.

**1. Welcome**

THE CHAIRMAN welcomed the members to Montreal and to the final Foundation Board meeting for 2002.

**2. Roll Call**

THE CHAIRMAN said that he would circulate an attendance sheet for all those present to sign.

He informed the members of the death of a member of the WADA Executive Committee and long-time Chairman of the IOC Medical Commission, Prince Alexandre de Merode, on 20 November. The Prince de Merode had been very much involved in the fight against doping in sport for years and years and WADA would certainly not be as far along the road in that fight as it was, had it not been for the Prince's leadership of the IOC Medical Commission. He asked the members to observe a moment of silence in Prince Alexandre de Merode's memory.

The members introduced themselves:

Dr Stretton was present as a representative of Oceania; Ms Elwani was representing the IOC Athletes' Commission; Dr Khashaba was representing the Ministry of Youth and Sport in Egypt, as President of the African Union of Sports Medicine; Mr Besseberg, President of the IBU, was representing the Association of International Olympic Winter Sports Federations; Mr Ricci Bitti was present as President of the ITF and member of ASOIF; Mr Mishra was standing in for Mr Mehta, Secretary of the Ministry of Youth Affairs and Sports, India; Dr Aján was present as an IOC member and President of the IWF; Professor de Rose was present as President of the ODEPA Medical Commission, representing ANOC; Mr Gómez-Angulo, State Secretary for Sport in Spain and President-in-Office of the meetings of the EU sports ministers, was representing the European Union; Mr Baar, IOC member, was representing the IOC Athletes' Commission; Mr Kangchen was standing in for Mr Li, Vice-Minister of the State Sport General Administration, China; Professor Grucza was the recently elected Chair of the Monitoring Group of the Council of Europe; Mr Howman, Chairman of the New Zealand Sports Drug Agency, was representing Oceania; Mr Reddie was the Chairman of the British Olympic Association, representing the NOCs; Mr Niggli was WADA's Legal and Administration Director; Mr Walker was representing the Council of Europe; Mr Wade was present as WADA's Director of Special Projects; Dr Rabin was WADA's Science Director; Dr Garnier was WADA's Director for Government Relations; Mr Dielen was WADA's Sport Liaison Director; Mr Andersen was WADA's Standards and Harmonisation Director; Ms Khadem was WADA's Director of Communications; Dr Lorde, Chairman of the Barbados Anti-Doping Commission, was representing the Americas; Mr Kang was representing the Korean Minister of Culture and Tourism, Mr Jung; Ms Perim was representing Mr Grael for the Americas; Ms Crooks was present as a representative of the IOC Athletes' Commission; Mr Tokushige was present on behalf of Mr Tokai, the Japanese Senior Vice-Minister of Education, Culture, Sports, Science and Technology; Mr Akiga was representing Africa as the Nigerian Minister of Sports and Social Development and President-in-Office of the SESA; Mr Larfaoui was present as President of FINA and ASOIF Vice-President; Dr Barthwell worked for the ONDCO and was representing the Americas; Mr Hybl was representing the NOCS; Mr Verbruggen was representing GAISF and was President of the UCI; Mr Mikkelsen was Minister for Culture and Sport in Denmark and was representing the European Union; Dr Mitchell, from Fiji, was representing the IOC as a member of the

IOC and the IOC Medical Commission; Ms O'Neill was representing the IOC Athletes' Commission; Mr DeVillers was the Secretary of State for Sport Canada, and was representing the Americas; Mr Syväsalmi was the Director General of WADA; and Mr Pound was WADA's President, also representing the IOC.

THE CHAIRMAN welcomed all those who were new to the Foundation Board, and looked forward to a long and fruitful working relationship with them.

### **3. Observers**

THE CHAIRMAN asked any observers to sign an attendance sheet if they wished to be included in the official record of the meeting as observers (Annex).

### **4. Minutes of the WADA Foundation Board meeting on 4 June 2002**

THE CHAIRMAN said that, unless he received any comments by noon that day, he would assume that the minutes of the Foundation Board meeting on 4 June 2002 had been considered acceptable as distributed.

#### DECISION

Minutes of the WADA Foundation Board meeting on 4 June 2002 approved as distributed and duly signed.

### **5. Strategic Plan and Communications Strategy**

#### **5.1 Strategic Plan**

THE CHAIRMAN informed the members that the Strategic Plan was the basic document from which WADA proceeded with its staffing and budgeting, and all of the other activities of the organisation. He asked Mr Wade to provide further information.

MR WADE said that it was a pleasure to be able to update the members on the Strategic Plan. He would provide them with a brief background on the general approach and structure; discuss the nature of the document and the subsequent need for regular review; summarise the key programme priorities that had been added within the document; review the current status of the Strategic Plan; update the members on recommendations for the ongoing internal management for the strategic planning process; and provide a brief overview of the Performance Measurement System (PMS).

All of the changes referred to in the presentation were marked in bold italics in the documents in the members' files (Annex).

The Communications Director would then provide a summary of the Communications Strategy, which was also very much part of the discussion.

The Strategic Plan was structured in a way that it described the WADA vision, mission, organisational goals and key programme activities.

The Strategic Plan had been endorsed by the WADA Foundation Board in Cape Town in June 2001. It was a hybrid document which embodied the strategic direction, organisational goals and priorities; the key strategies which identified programme activities over a five-year period; and benchmarking programme activities.

As a living document, the plan required regular review; WADA management team responsibility internally to conduct this review; and internal documentation management to monitor updates and change, emerging needs, demand and opportunity. Evaluating success was, of course, important to demonstrate how WADA was doing against these planned activities.

Additional programme priorities had been identified about two months previously by the management team. These included the development of a communication strategy; the development and implementation of an effective global clearing house system (to be addressed under a separate item); the

revision of WADA's corporate structure (also to be addressed under a separate item); the development of more effective government relations strategies; and a Performance Measurement System.

As for the current status of the Strategic Plan, the members would see seven years of activity in their documents: a review of the 2001-2002 activities, and a draft 2003-2007 five-year plan. The Communications Strategy would serve as an annex to the Strategic Plan. The five-year plan needed to be completed, involving the new directors who had come on board.

A Strategic Planning and Evaluation Working Group was proposed to facilitate the process, comprising the COO; the Director of Finance and Administration; himself, as Director of Special Projects; a WADA Finance and Administration Committee representative; and one to two experts in the strategic planning and evaluation field. The role of the working group would be to review the format (presentation and working tools) of the document itself, and complete the five-year activity plan. A system would have to be developed to integrate the Strategic Plan into the annual WADA planning/budgeting process. Finally, the working group would recommend the Performance Measurement System and develop and oversee the process. The costs associated with the working group would be minimal. What he was describing was simply a snapshot of the key activities over a period of time.

With regard to the Performance Measurement System, a more comprehensive approach was needed. Its development would involve achieving benchmarks; achieving objectives; direct and indirect performance indicators; establishing measurement tools; and measuring the impact on achieving objectives. There would be an increased percentage of unannounced out-of-competition testing over time, and surveys and questionnaires would be used to assess the performance indicators. Measuring the impact of what was being done was critical for WADA as a leader in doping-free sport in order to demonstrate the success of its activities over time.

THE CHAIRMAN noted that this had been a very good process for the group, because it forced the members to think of all of the things that WADA needed to do and the implications of each programme activity on other aspects of WADA's activities.

## DECISION

Strategic Plan update approved.

### **5.2 Communications strategy**

MS KHADEM highlighted certain points taken from the documents in the members' files (Annex).

The three main objectives in terms of communications were: to work through the media to ensure that the World Anti-Doping Code was accepted at the World Conference on Doping in Sport in March 2003 and implemented by the Olympic Games in Athens 2004; the second was to use communications as a tool in order to ensure that all financial and other obligations to WADA were met; and the third was to expand the education, Outreach and web-based initiative programmes for further dissemination of WADA's image and mission.

The communications plan had been based on five pillars: media outreach, website and internet-based outreach, internal communications, the Athlete Outreach / Youth Awareness programme and, of course, concentrating on the upcoming World Conference on Doping in Sport.

With regard to media outreach, the creation of a complete database was the most important thing in terms of being able to reach the media. WADA wanted to be able to provide regular updates to journalists, editorials, and a corporate brochure and video.

With regard to the website and internet, there was a need to consolidate all of the web services under one site. A tender document had been sent out and it was hoped that the website would be up and running by the end of January 2003.

Where internal communications were concerned, there would be regular e-mail updates and the creation of an annual report, which would be out the following year. Some of the internal communications had been started, with the first edition of a newsletter for all of the athletes who had signed up for the Athlete Passport Programme.

Communication with governments was another internal communication mechanism that needed to be looked at.

The Athlete Outreach Programme would focus on the expansion of the Outreach activities, and she was happy to say, in response to some comments made at the Executive Committee meeting in October, that the prospect of attending the Southeast Asian Games in Vietnam had been added to the list of events to be attended, and Professor de Rose was helping with the organisation of this.

The fifth pillar concerned communicating as regularly as possible with the media and the outside world on the importance of the World Conference on Doping in Sport and the Code and, following the conference, the implementation and adoption of the Code itself.

She would leave the members to read the details in the documents in their files.

THE CHAIRMAN asked if anybody had any questions regarding the general direction of the communications strategy. Obviously, this would change as issues arose, but this was the general direction in which WADA proposed to go.

#### DECISION

Communications strategy approved.

### **6. Finance and Administration**

#### **6.1 2002 consolidated accounts as of 30 September 2002**

MR REEDIE said that, on a quarterly basis, the Finance and Administration Committee produced a set of accounts, and the members had the first three quarters of 2002 in their files (Annex), which covered every item of income and expenditure.

In general terms, the assets at the end of September 2002 had been slightly over US\$ 8.5 million but, of that figure, there was a substantial provision for research commitments, to which WADA had already committed funds of US\$ 2.5 million, and WADA should also maintain its own initial capital as a foundation under Swiss law, which was approximately US\$ 3.5 million.

The accounts had been put in a slightly different format that year, showing the accounts relating to the headquarters in Montreal and the figures relating to the regional office in Lausanne. The *eliminations* column referred only to the transfer of funds from the headquarters to the Lausanne accounts, and the most important ones were the consolidated figures on the right-hand side.

In the profit and loss account, the Finance and Administration Committee declared all of WADA's income and then went through every single expense.

These accounts were for the members' information, and he would be happy to answer any specific questions throughout the day.

#### DECISION

2002 consolidated accounts as of 30 September 2002  
noted.

#### **6.2 Government contributions**

THE DIRECTOR GENERAL said that this item had been one of the major engagements of the WADA staff and many others over the previous month. In June 2001, at the IICGADS meeting in Cape Town, the governments had decided on their shares. The Executive Committee members had, together with the public authorities representatives, worked through the mechanism to find out the shares of each individual country, and these varied from region to region.

The document in the members' files (Annex) did not look too good, but he had good news: there had been liaison with the governments and various countries, and numerous contacts had been made and, thanks to the assistance of the members and staff, it had been possible to move forward.

WADA had received written letters of commitment from many countries, pledging to pay their shares. He had met with several governments and, instead of the US\$ 5.1 million, he had received written promises (he had received an additional promise from Poland the previous night), and there would be approximately US\$ 7.2 million from the governments, with the biggest individual amount missing being the US\$ 865,000 from the Americas (excluding Canada and the USA).

MR REEDIE said that, arising from that information and having discussed the matter with the IOC, the Executive Committee had decided to accrue, in the 2002 accounts, all of the commitments that had been made, even though the funds might not be received until the end of the third or fourth week in January. WADA would accrue the additional commitments mentioned by the Director General, and he assumed that WADA would also be able to receive a comparable payment from the IOC, which would allow WADA to meet, for example, the research commitments that Dr Rabin would present to the Foundation Board later on. He asked for it to be recorded that this would be the financial policy for the current year. He asked the Foundation Board to recognise that WADA would entertain the research commitments in the current year, although some of the funds might not be spent until 2003.

MR AKIGA accepted that Africa had a very small percentage to pay, but he was not very happy about the comments made the previous day. It looked as though Africa did not care much about WADA. Since he had become President of the SCSA, he had made personal efforts to ensure payment by Africa of this percentage. When he returned to Africa, he would pursue the matter seriously. At least four countries had paid, and he was making sure that this came through the SCSA.

THE CHAIRMAN thanked Mr Akiga. It was very important for WADA to collect from all of the governments.

MR DE VILLERS said that the Americas were working on having a summit in Brazil before the end of the year, and were optimistic about being able to obtain further commitments towards the outstanding balance of US\$ 865,000.

MR TOKUSHIGE noted that it was crucial for all governments to pay their contributions according to the allocated shares. He urged those governments which had paid their shares to continue their efforts into the New Year.

He wished to inform the members that Japan might not be able to continue paying if other countries did not pay their shares.

In Asia, there were currently seven countries paying contributions on behalf of the continent, but it was necessary to implement a mechanism that would allow Asia to receive equitable contributions from countries other than the seven countries which were already paying.

THE DIRECTOR GENERAL thought that the political will was there and, through the process of contacting the various countries, he had also obtained promises and information that many individual countries had already set aside their shares for 2003.

A communications or government relations strategy would be drafted in order to enable WADA to liaise with the governments in all kinds of ways.

MR MIKKELSEN referred to the meeting in Denmark the previous Thursday and Friday, at which there had been strong commitment to WADA and to paying WADA, and all 15 of the EU Member States would pay their shares for 2002 and were committed to pay for 2003. There were many explanations for a slow process, but few excuses. Europe would do its job and pay its share.

THE CHAIRMAN understood that the process was always more complicated the first time round. The process for 2002 had been difficult but, during the course of that exercise, the arrangements for 2003 had also been made, and he thought that WADA would find, particularly following the IICGADS meeting, that the Memorandum of Understanding process would make it somewhat easier for governments to respond.

He knew that there was concern by some governments about funding a non-governmental organisation. The solution was taking longer than had been hoped.

The budgets had been established for what WADA thought were the absolute minimum activities required, and every dollar not collected meant that WADA would miss out on the possibility to carry on

vital anti-doping activities. It was essential that everybody continue their efforts to ensure that WADA was adequately funded.

### DECISIONS

1. All commitments made to be accrued in the 2002 accounts.
2. 2002 government contributions update approved.

#### **6.3 2003 budget**

MR REEDIE noted that it had become clear at the previous day's Executive Committee meeting that all of the considerable efforts made by governments to resolve the underpayment of contributions probably indicated that WADA was being a little too cautious in preparing ahead for 2003. He asked the members to refer to the sheet that they had just received (Annex), which was the most recent final draft budget summary for 2003 following the previous day's Executive Committee meeting.

At the bottom of the first page, the provision for the potential non-payment of contributions had been reduced from US\$ 6 million to US\$ 4.5 million, so this released US\$ 1.5 million to be allocated to various headings.

With regard to expenditure, the first of the individual accounts was the legal and financial section, and the committee had included an additional provision of US\$ 100,000 to implement the International Accounting Standards, which had been approved the previous day and involved considerable provisions.

As for Special Projects, which included the Athletes' Passport scheme, an application had been made to the EU for ongoing support for this particular project, and WADA received funds on a project for project basis, but he had recently heard that the EU had run out of money, therefore to maintain that programme, WADA would have to invest an additional US\$ 300,000.

With regard to Health, Medical and Research, the Finance and Administration Committee suggested adding an additional US\$ 500,000 of commitment out of the potential additional funding of US\$ 1.5 million.

If all of this worked exactly, WADA would have a surplus of US\$ 381,000.

The only other change concerned the Lausanne regional office costs. The Finance and Administration Committee had looked quite hard at the level of salaries, and he thought that a Swiss Franc calculation had been included when in fact it should have been a US Dollar calculation, so the US\$ 400,000 original budget was US\$ 100,000 too high.

This would leave WADA with US\$ 1.6 million of additional funding, less the saving of US\$ 100,000 in Lausanne.

This had meant that the Finance and Administration Committee had been able to budget for the 2003 costs of opening a regional office in Tokyo for the Asia/Oceania region, and this was estimated at US\$ 400,000

Therefore, the approximate expenditure would be somewhere in excess of US\$ 16 million, which accorded very closely to the figures that the Finance and Administration Committee estimated it would spend in 2002.

It was a matter of the Foundation Board constitution that a budget be approved at that meeting.

THE CHAIRMAN asked if anybody wished to make any comments.

MR MIKKELSEN noted that Europe could accept and approve the 18% increase that was proposed, but he wished to make some clarifications. He suggested that the Montreal International contribution be excluded from the budget, so the budget ceiling would be US\$ 20.2 million. He underlined that the budget was a maximum budget. Could the Executive Committee re-examine the budgets for the coming years? The European governments had commented that they could not accept an increase in their contributions, not because of a lack of commitment to WADA, but with regard to the financial and formal problems within the European governments.

MR GOMEZ-ANGULO said that he supported what his European colleague had just said.

At the last EU Sports Ministers meeting, it had been apparent that all European countries were making an important effort and many countries had included in their 2003 budgets the WADA proportion, but no country could increase its budget according to the increase proposed by WADA, so the increase proposed for 2003 would not be met by all European countries.

MR TOKUSHIGE accepted that there would be a certain level of income for 2003, however it seemed that, compared to 2002, the income would not be sufficient, so the US\$ 1.5 million increase had been proposed. Nevertheless, looking at the current status of the payments by the countries, he thought that it would be very difficult to realise this proposal.

Japan was in a situation whereby the applications for budget allocations for 2003 had already been closed, therefore, if the budget was to be increased, Japan would not be able to make the full payment.

With regard to the issue of regional offices, the mission of WADA was to internationally coordinate anti-doping activities throughout the world, therefore he believed that regional offices were crucial. He appreciated the decision to reflect this in the budget.

MR REEDIE responded to the comments. He told Mr Mikkelsen that the reason the budget had been presented in such a form was because the government side, mainly at the instance of the European Commission, had requested this seven-year budget two years previously. If this was no longer achievable, then WADA could forget the seven-year budget and deal with the practicalities year by year. If that was acceptable, then he was quite happy that the Finance and Administration Committee would be able to come to the Foundation Board meeting each year with a budget which was not in any way ruled by a seven-year prediction made two years before. He accepted, and was quite comfortable with, the situation that the maximum would be as stated for that year. He was pleased that WADA could exclude the Montreal International contributions, and he was very happy to take on board the re-examination necessary for 2004.

With regard to Japan, he was very well aware of the level of Japanese contribution, and he hoped that his colleague would be happy to see that the suggestion of the regional office in his colleague's part of the world had been included in the budget for the following year. It had been included on a total basis on the assumption that it would open on 1 January 2003, but if it did not open on 1 January, it would presumably cost less on a twelve-month basis.

He was quite relaxed at the suggestions that had been made, and it meant that, each year, the Finance and Administration Committee could come with a budget which was based on WADA's needs as opposed to estimates made two years in advance.

THE CHAIRMAN noted that part of concern expressed earlier by Japan with regard to the restricted number of countries involved in the funding of WADA in Asia could be addressed as one of the priorities of the regional office, which would be to get out and coordinate with governments on the continent to make sure that they understood the importance of their participation.

With regard to the five-year floating maximum budget, the European Commission in particular had wanted it at the time. It was not an un-useful exercise in the sense that it provided a floating maximum contribution and gave early warning to governments as to the level that would be required. He hoped that, as governments planned their fiscal exercises, they would take into account those numbers.

He understood from the Spanish delegate's comments that everybody had difficulties, and perhaps total budgets might not be able to increase, but priorities within the budget envelope might change, and he thought that WADA should accept the challenge of demonstrating that its activities were important enough to warrant the budget expenditure that it was looking for.

To look outside for financial support was a useful exercise, and was one that WADA would pursue. He had some experience in the raising of funds from the private sector for sport-related activities, but unless the private sector were to be satisfied that WADA was enthusiastic enough about the operations to honour its own obligations, the private sector would not support WADA. He thought that the progress made in 2002 and the indications of early funding for 2003 would enable WADA to go forward with some kind of a plan to approach the private sector but, unless the private sector was satisfied that WADA was fully committed to its own activities, it would not be possible to do so.

MR DE VILLERS made a point about funding. The Montreal International contribution was a contribution from the Canadian Government and the Government of Quebec. Was there an equivalent IOC matching or any plan to have discussions about that?

THE CHAIRMAN replied that, no, the Montreal International contribution had been a component of the Canadian bid for the headquarters.

MR DE VILLERS asked whether the matter had been considered.

THE CHAIRMAN said that, yes, it had been discussed, but the IOC had said that it was not related to the agreement.

Did the members agree to adopt the budget for 2003 and go forward, bearing in mind the very relevant comments that had been made?

#### DECISION

2003 budget adopted unanimously.

### **6.4 Staffing**

THE DIRECTOR GENERAL referred the members to the staffing update in their files (Annex). The structure and the staffing plan agreed in Tallinn, in August 2001, had been to include 43 staff members. WADA currently employed 33 staff members from 11 different nationalities. There were also four to five additional staff members pending.

In Tallinn, he had also presented the members with a post for a COO/Special counsel. The Executive Committee had accepted the proposal to employ a COO for a relatively short period of time, in order to be able to do all of the things that WADA had planned to do. The post had been tendered on the WADA website in French and English for one month, and the deadline for applications had been 6 November. There had been six applicants for the post, three of whom had not had any international sporting background, and had therefore been eliminated. The three remaining candidates had been interviewed, and he was happy to note that all three candidates had possessed the necessary qualities. The interviewers' views had been presented to the President of WADA, who had accepted their recommendation to appoint Mr Howman as COO/Special Counsel, starting on 1 March 2003, for two plus one years, in other words, until 28 February 2005, with the possibility to extend the post for another year, with notification for this one-year extension to be received by 1 September 2004. He was delighted that Mr Howman had been able to accept the offer, as he thought that WADA could not have found a better COO to help in this set-up phase.

THE CHAIRMAN was very impressed with the quality of the staff that WADA had been able to recruit. WADA had a terrific staff, which he thought would dictate the level of work carried out by WADA.

He asked the members to inform WADA if they were aware of additional people who might be helpful to WADA.

#### DECISION

Staffing update approved.

## **7. Legal**

### **7.1 Minutes of the meeting of 24 August 2002**

MR HOWMAN referred the members to the minutes in their files (Annex). He emphasised that the area of information technology was very important, and the Legal Committee had done considerable work with regard to contracting and the issue of IT rights.

The out-of-competition testing contract had been reviewed and revised for the renewal periods that were coming up.

The Legal Committee had also looked at how the CAS could fit within the proposed WADA Code, and had opened up some liaison with the CAS itself.

## DECISION

Minutes of the meeting of 24 August 2002 approved.

### **7.2 Conflict of interest**

MR HOWMAN reminded the members that, in March 2000 in Lausanne, WADA had approved a conflict of interest policy, which had come from the Montreal IICGADS meeting some months prior to the meeting in Lausanne. The policy had since proved difficult to interpret. The Legal Committee had attempted to make the policy simpler, and the members could see this in the draft they had before them (Annex). He was sure that the members would have suggestions as to how the policy might be made even simpler, and he would like to hear them.

THE CHAIRMAN said that there were some suggested draft rules for the members' consideration with regard to the conflict of interest policy. He asked the members to provide comments by the end of the year so that, at the first meeting of the Foundation Board the following year, it would be possible to adopt the rules. He hoped that the members would give the matter their earnest attention.

## DECISION

Members to provide comments to the Legal Committee on the draft conflict of interest rules by 31 December 2002.

### **7.3 Appointment of the Executive Committee for 2003**

MR HOWMAN said that it had been set out that the Executive Committee should be appointed for the following year by the Foundation Board at that meeting. At that moment, it was not known who the Foundation Board members for the following year would be, therefore the Legal Committee had suggested that the process be followed without putting names to the individuals involved and adopted by the meeting, and then names could be put to the members of the Executive Committee when the Foundation Board members were known from 1 January 2003.

THE CHAIRMAN hoped that each stakeholder had given consideration to the composition of the Foundation Board.

MR HOWMAN noted that the rotational principle had been approved at the previous Foundation Board meeting, but the names had not yet been submitted by the various representatives.

THE CHAIRMAN said that each stakeholder should come back by the end of the year, sooner rather than later, with the names of the people, as well as who would have the three-year term, who would have the two-year term, and so forth.

MR WALKER noted, with regard to the rotational principal, that the European system for nominating representatives was a hybrid formula, and inside those agreements there was already respect for rotation and continuity. He thought that it was reasonable to say that the principles of the one-, two- and three-year rotation would be followed by the European representatives, but it would not be organised in that particular way. Europe would follow the principle, but the system might be slightly different.

THE CHAIRMAN said that that would be all right; WADA just did not want an entirely new Foundation Board every three years.

MR TOKUSHIGE pointed out that it was extremely important that the responsibilities with regard to the rotational system be fair. Asia and Oceania had only four countries represented on the Foundation Board, so would take it upon themselves to speak to other countries in Asia.

He expected more countries to be present at the IICGADS meeting in Moscow in December and, at that time, they would try to get together as Asian countries to determine their representation.

Continuity was important in the nomination of members, and Japan wanted to continue its responsibility in terms of having a representative on the Executive Committee.

MR HOWMAN noted that formal approval of the decision was required.

## DECISION

Process for the appointment of Executive Committee members as proposed by the Legal Committee approved.

### **8. Committee roles and structures**

DR STRETTON referred the members to the two documents in their files (Annex), which had been put together by Mr Reddie and himself, with some help from the Director General.

The first paper was an attempt to delineate the distinction between the roles of the Executive Committee and the Foundation Board. The role of the Foundation Board was clear in the WADA Statutes, and the appropriate clauses were set out in the paper. The Statutes also spelt out that the Foundation Board delegated to the Executive Committee the actual management and running of the foundation, the performance of the activities, and actual administration of its assets. Given the fact that the Executive Committee had a more detailed role, it probably needed to meet three times a year rather than twice a year. The question of how often the Foundation Board thought that it needed to meet in order to fulfil its role had also been raised.

The second paper suggested a reduction in the number of standing committees. The need for a large number of committees was not as strong now that the secretariat was close to a full complement and had many of the skills in-house. The proposal was to retain the Finance and Administration Committee and the Health, Medical and Research Committee.

Where the Executive Committee and secretariat felt that they needed external advice, then it was proposed that they appoint special project teams to deal with specific issues over a limited period. This would lead to possible budget savings in the order of US\$ 400,000 (US\$ 150,000 from the Foundation Board meeting once rather than twice, and around US\$ 250,000 from the changes to the committee roles).

THE CHAIRMAN said that the Executive Committee had considered the reports the previous day, and the Foundation Board members had two clear options.

The Executive Committee believed that, in a fully mature organisation, what was proposed in the documents made more sense than what was currently being done. The other side of that was that WADA was not yet a fully-fledged organisation, and was trying to make the organisation as inclusive as possible and keep the "W" in WADA. WADA could go either way. Did the members favour the efficient running of WADA, or did they favour inclusiveness?

PROFESSOR DE ROSE noted his concern regarding education, which was one of the main objectives of WADA. It was also reflected in the key WADA programme activities. He suggested retaining the Ethics and Education Committee as a standing committee, because of the importance of education in the fight against doping.

MR RICCI BITTI believed that the direction of efficiency was very clear, but perhaps this could be done gradually, as WADA was not yet a mature organisation. Could there be some intermediate stage?

MR DE VILLERS supported Professor de Rose's comments on education. It would be premature to send the wrong message that WADA was not into educating the entire world as to the merits of anti-doping. He thought that the idea of a reduced size was a good one, but the Ethics and Education Committee should retain its full status as a committee.

MS ELWANI thought that a compromise could be found, and perhaps the weak points could be strengthened.

MR VERBRUGGEN said that he agreed with Mr Ricci Bitti that there was a need for more efficient operations, but WADA should not jump immediately.

DR LORDE supported the statements made beforehand. He thought that education should be stressed and maintained, but otherwise he agreed with the proposals.

MR REEDIE noted the difficulty regarding the topic of education. When the Ethics and Education Committee had submitted its budget, much of it had been involved in a very substantial committee and

using outside consultancies. From a purely financial point of view, he had thought that much of the work could be done in-house, but the reality was that Ms Schneider was unwell and unable to work, and there was neither a commission nor an efficient education department, and this needed to be resolved.

The general idea was that much of the good education work could be done in-house in Montreal.

THE CHAIRMAN thought that Mr Ricci Bitti had put his finger on the real pulse. WADA should get there, but should not give up the Ethics and Education Committee in the medium term. He therefore asked the Foundation Board to ask the Executive Committee to come back with a plan to get there fairly soon, without compromising the growth and development of the organisation as an independent organisation.

MS BARTHWELL believed that the Chairman's proposal captured the discussion on the Ethics and Education Committee, but there was still the issue of switching from one way of working to another.

Perhaps, if WADA was at a point where it had an obvious full commitment from every country involved in terms of payment of the dues, the members could talk about embracing more clearly a system where the authorities were transferred over to the Executive Committee, but she felt that WADA was still at a point where it was trying to garner the support very broadly and would speak against the motion to reduce the involvement of the Foundation Board members, who were the early joiners and had to attract the rest of the world to this endeavour.

She spoke against the first motion to reduce the number of Foundation Board meetings to one per year, as she thought that the Foundation Board's involvement was critical at such a juncture, in terms of development of the organisation.

THE CHAIRMAN replied that this meant that WADA would not have to get the financial accounts approved by mail vote.

He agreed to the proposal of gradualism in the committees, and to the proposal of holding two Foundation Board meetings a year, although he thought that there should be at least one more Executive Committee meeting a year.

He informed the members that he had, on their behalf, persuaded Ms Barthwell to take over the chair of the Ethics and Education Committee.

#### DECISIONS

1. Ms Barthwell appointed Chair of the Ethics and Education Committee.
2. Proposal to hold two Foundation Board meetings a year approved.
3. Proposal to hold three Executive Committee meetings a year approved.
4. Proposal to move gradually towards a reduction in the number of standing committees, whilst maintaining emphasis on anti-doping education and awareness, approved.

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

#### **9.1 Process for consultation**

MR ANDERSEN said that there would be two presentations: one on the Code process and the other on the content of the Code. There was a new draft of the Code (Version 2.0) and the standards, and the process would be going on until 20 February 2003, at which point all of the documents would be submitted at the World Conference on Doping in Sport.

MR FIGVED informed the members that he would be providing them with an introduction to the process of the Code.

The overall structure, or basic concept, of the World Anti-Doping Programme had been organised into three levels: the Code; all international standards; and models of best practice (optional for the stakeholders).

The overall plan included the Code; the list of prohibited substances and methods; the laboratory standards; the testing standards; the therapeutic use exemption standards; and models of best practice as level three documents.

In June 2002, the Foundation Board had endorsed the first draft of the Code. Comments from all of the stakeholders had been received by 10 September, and the team had reviewed and revised the first draft of the Code. The new version (2.0) had been circulated on 10 October, and drafts of all of the standards had been circulated by 10 November. The deadline for submitting comments on the second version of the draft Code was 10 December, and 10 January 2003 for comments on all of the standards.

From January to mid-February 2003, the team would revise everything in order to have a final draft ready for the World Conference on Doping in Sport. There would then be completion, circulation and presentation of all of the drafts at the conference.

The WADA Foundation Board would give its final approval on 5 March at the conference and there would then be a process of obtaining individual acceptance from all of the stakeholders. This would be followed by an implementation and transition phase by all of the stakeholders.

By the time of the Olympic Games in Athens, 2004, all of the sports organisations should have accepted by signing and implementing the Code and the standards within their own jurisdictions. The governments would have one-and-a-half years more until they had to accept and implement the Code and relevant standards (February 2006).

From March 2003 until August 2004, the team would develop models of rules and regulations which were applicable for all relevant stakeholders.

With regard to the process, the intention in September 2001 had been for the process to be inclusive, transparent, open, and goal-oriented with structured timelines and milestones to ensure progress.

The first draft had been circulated in June to approximately 1,000 recipients. The team had received comments from a broad range of approximately 130 stakeholders. The many comments had been valuable for the process, and it was obvious that considerable efforts had been made. The feedback had represented substantial and valuable input.

There had been a short review period to ensure that the team addressed all of the comments. The revised draft (Code 2.0) had been finalised and circulated by 10 October, as stated in the action plan.

There would be consultation meetings with the different stakeholders, including GAISF, the IFs, the IOC, the Council of Europe and IICGADS, in other words, ongoing consultation to ensure that all of the important aspects and issues had been captured

The next steps would include a review of the Code version 2.0 by the stakeholders from 11 October to 10 December, and review and revision of the comments from 11 December 2002 to 1 February 2003. The Code version 3.0 and the Standards version 2.0 would be circulated by 20 February so that all of the stakeholders would have the final drafts before the World Conference on Doping in Sport, which would take place from 3 to 5 March. There would then be an acceptance of the declaration.

## DECISION

Process for consultation approved.

### **9.2 Content of second draft**

MR YOUNG re-emphasised that the process was very important in terms of inclusiveness and making the Code a better document. There had been a lot of experienced and smart people spending a lot of time adding thoughtful comments to improve the Code, and version 2.0 of the Code was a much better document than version 1.0. There had been consistent feedback from the IOC, the IFs, governments, etc., and the general observation was that the document was much better, although not yet perfect.

There was a list of changes in the members' files (Annex) which were very important, including the issue of strict liability (Article 1.2.1.1); the sanction of two years; and exceptional circumstances (Article 1.9.2.3.2). There had been a slight change of language where the latter article was concerned, which added some degree of flexibility, as there would undoubtedly be different circumstances for each case. The aim was to come up with one rule which everybody would apply, and which would enable the reduction of an athlete's period of ineligibility if the athlete was not at fault, but which would not be used as an excuse to give too short a sanction for other reasons. A rule was needed which would be flexible but which would also provide for consistency.

Another change involved the disqualification of all results from the event, and not just the competition in which the positive test had occurred (Article 1.9.2.1). The second draft stated that the results might be disqualified, because there could be a number of different circumstances.

The previous version of the Code had stated that there would be no statute of limitations in doping cases. This had been fairly universally viewed as not a very good idea. The Code, as it was now drafted, did not set any particular statute of limitations but, clearly, the concept that there should be no statute of limitations had been rejected.

There had also been changes regarding therapeutic use standards (Article 1.4.2.3) and health and safety substances (Article 1.4.3). There would be consistency within each sport. The second version of the Code contained one list with two parts. The first part was doping, and it was performance-enhancing. The second part was the health and safety substances. In every case, there would be in-competition testing for both doping and health and safety but with potentially different consequences. The sanctions for doping would be according to the Code, whilst the consequences of a health and safety violation would be left to the individual stakeholders.

Changes had also been made to the issue of potentially overlapping doping control responsibilities (Article 1.12), and the relationship of governments to the Code (Article 6). For in-competition testing, the decision had been that the entity that controlled the event would decide who would do the testing. Clarification had also been made with regard to testing agencies and coordination. As for the relationship of governments to the Code, governments would enter into memoranda of understanding rather than accepting the Code, and those memoranda would touch the bullet points of acceptance of the Code, and then the governments would enter into intergovernmental agreements, by which they would be bound.

There had been changes to the issue of consequences of non-compliance by a signatory or a government (Article 7.5). Countries might be rejected by an IF from an international event if they did not accept the Code. The IOC would take action against IFs or countries that refused to accept the Code, but there was the issue of when and how and whether the Code stated that this had to be done, or whether the IOC, as a matter of sovereignty, said that that would happen.

Finally, there had been a change to the article regarding modifications of the Code (Article 7.6.3).

THE CHAIRMAN asked whether any of the members had any questions or comments.

The process of consultation had been quite extraordinary; he had never seen one quite as extensive in his experience.

PROFESSOR GRUCZA informed the members that, on 13 November in Strasbourg, there had been a special working meeting of the Council of Europe Monitoring Group devoted to the draft WADC. The documents, which included the conclusion of the meeting, were in the members' files (Annex).

Education had been one of the important issues at the meeting, and there had been fruitful discussions, with beneficial WADA representation (Mr Andersen and Dr Garnier).

He proposed the participation of Professor Ulrich Haas from Germany for further elaboration of the WADC.

MR MISHRA referred to the changes from version one to two in the WADC.

With regard to the *athlete support personnel*, he thought that the term *sports scientist* should be included, making it more specific.

With regard to the issue of strict liability, he thought that the intention to use a substance also had to be proved.

As for Article 1.2.1.5, regarding the personnel engaged in the doping control analysis, the Code said nothing about failure on their part, and this issue should be looked into.

Article 1.3.2.2 should be clearly defined.

With regard to the burden of proof, it should be made compulsory that the hearing panel comprise representatives from the country of the athletes concerned.

He believed that, unless and until there was a limitation on actions to be taken, the effectiveness of the Code would be lessened. India suggested that there be a prescribed time-frame for the B sample testing after the A sample was found positive. There should also be a time-frame for imposition of sanctions after the B sample was found positive.

As for Article 6.5, the role of the governments, the term *testing* should also be included. In India, since the laboratory had been established by the Government of India, the Government generally took care of the testing part.

MR RICCI BITTI thanked the working group for producing an excellent document. He had some general comments to make with regard to the IFs.

WADA had been a hope for the IFs from the start, and they wanted to protect the integrity and responsibility. The IFs believed that in-competition testing should be the full responsibility of the IFs. This was stated in the Code, but there was also the possibility for national agencies to test when the IF did not test. This should be made somewhat more precise, and the article should state that the national agencies should test upon request of the IFs and according to the rules.

As for out-of-competition testing, WADA should be the clearing house and avoid multiple testing. WADA should also be the owner of a database.

With regard to testing on foreign nationals, the IFs had to take care of the follow-up, and he thought that WADA should take responsibility for this, as he did not think that it was fair to make the IFs pay for testing performed by other bodies.

Where appeals were concerned, the CAS should be the only ultimate appeal body.

Finally, there was IF concern regarding the acceptance of the Code: the governments' later acceptance could be problematic, particularly where the NFs were concerned. He appealed to the governments to try to hurry up the acceptance process.

He would follow these comments up with some written documents.

MS ELWANI thanked the group for their work on the Code.

As part of the Athletes' Commission, she noted that there was concern regarding the issues of exceptional circumstances, therapeutic use and sanctions.

What were the possible exceptional circumstances? Could these be listed? What was their implication?

As for therapeutic use, she had seen the recommendation in the Strasbourg Report to establish therapeutic use by IFs, which was a great idea, but were there standards that the IFs had to put forward to ensure that an athlete was not pretending to have asthma, for example?

Page 2 of the Strasbourg Report noted that repeat violations would entail longer periods of ineligibility, which she agreed with because, if the initial sanction was not seen as tough enough, an athlete would repeat a violation. It was not sensible to give a two-year sanction to an athlete, during which time the athlete could take drugs and then go to the Olympic Games and win a gold medal. Sanctions should be given for a period longer than two years.

MR TOKUSHIGE thought that the second version of the Code was much better than the first version.

The governments would deal with its acceptance through memoranda of understanding, and the provision of how to accept this also helped the governments.

He recognised the importance of the role of the clearing house, which was to prevent multiple testing, but confidentiality should be maintained.

Japan's Ministry of Justice had asked for a review of the provision on appeal. According to the current provision, the athletes automatically accepted the provision through participation, and CAS was to be the only appeal body, but international arbitration rules agreed that this acceptance had to be in writing. Japan's view was that simply participating in a sporting event or organisation should not automatically take away the athletes' constitutional right for a fair trial.

MR AKIGA noted that the draft Code would be approved by the Foundation Board in March 2003, and would come into effect only at the time of the Olympic Games in 2004. WADA would be coming to the All Africa Games in October 2003 as Independent Observers; why could the application of the Code not begin at that date?

THE CHAIRMAN replied that it would be a miracle to get all of this done in time. After the general acceptance of the Code in March 2003, everybody had to go back and adopt the Code. The governments had a much more complicated legislative process than the Olympic Movement bodies, and it would be difficult to get this done by 2006. There would be an agreement by governments to do so. This was an aggressive time schedule, but the problem of doping in sport was so important that WADA should push ahead as quickly as possible.

MR MIKKELSEN congratulated the working group on its impressive and professional work.

With regard to Article 7.5, he regretted the new version, as he found it crucial that non-compliance have significant and immediate consequences. Furthermore, it seemed out of balance that the article did not include consequences for IFs concerning non-compliance, such as exclusion from the Olympic Programme and refusal by governments to host international events for IFs.

The role of the NADOs was unclear. The NADOs formed the backbone of the international fight against doping. He hoped that this point would be developed further in the next draft.

MR DE VILLERS asked for clarification on the rationale for and the consequence of the removal of the limitation provision. Was there something else in international or sport law that imposed a limitation?

MR BESSEBERG referred to the timetable for the acceptance of the Code. The same timetable should be applicable for both IFs and governments. It would be difficult even for the IFs to keep to the timetable for August 2004 due to their congress dates, and some IFs might need a bit more time. His federation had a congress in September 2004, and it would be inconvenient to call for an extra congress with only one item on the agenda: acceptance of the Code.

THE CHAIRMAN regretted that he did not have much sympathy for that. Either the members were sincere in their fight against doping in sport and would make the necessary arrangements, or they were not.

MS CROOKS asked whether, under the *fundamental rationale*, it would be possible to add to the preamble some footnote about how this fitted into the education process.

Exceptional circumstances included age, and she thought that WADA should also look at influences on young athletes.

As for athletes' roles and responsibilities, she wondered whether, under Article 5.1.2, it would be possible to expand the text to include *to provide whereabouts information*.

MR GOMEZ-ANGULO thought that tremendous work had been achieved. Such efforts should be recognised and applauded. He supported the proposal made by the Council of Europe representative, who had offered a legal expert to assist in WADA's work, and supported the Japanese representative, who had raised the issue of the defence of athletes in a doping case.

There were three aspects involved in contribution: the relationship of the governments with the Code; the consequences of non-compliance; and modifications.

WADA's objective vis-à-vis non-compliance by certain governments should be questioned. The issue of whether WADA's opinion should prevail over national opinion was very important.

MR VERBRUGGEN complimented the work done on the Code.

With regard to the obligations of the Olympic family and governments, he took note of the fact that the national anti-doping agencies, and that meant the governments, would take a prominent place in testing as of 2004, but they would have no obligations until 2006 to accept the Code, which was not correct.

Article 1.4.3 on health and safety substances stipulated that *laboratories shall report substances in the health and safety category to the relevant national and international anti-doping organisation, including the organisation initiating the test*. He wanted to know what the relevant organisation was, other than the organisation initiating the test.

He had noticed that no agency was obliged to apply health and safety rules, and he did not think that this was a sign of harmonisation. The UCI was the only IF that controlled the use of cortisone, for example.

The automatic disqualification of results was valid only for individual sports, and would not affect team sports unless stipulated in the IF rules, and this was rather discriminatory.

With regard to professional leagues, Article 4.3.4 implied that athletes who were not members of a National Federation might be selected for the world championships or Olympic Games if they were available for testing during the year prior to the event in question, whereas regular members had to be available continuously for testing, and this was unfair.

There should be absolute WADA control on what the governments did. WADA should take control on a national level worldwide, in order to be fair to all athletes.

MR YOUNG noted that the legal group of the Council of Europe had provided valuable input already, and the Code team would continue to make use of the valuable input of Professor Haas.

With regard to the comment on burdens of proof, the group had tried to follow the OMADC process, but make it clearer. There were areas in there that could certainly be improved.

In response to Mr Ricci Bitti's comments, these were all significant points that had already been addressed. With regard to the timeline of IF and government application of the Code, there were practical issues to bear in mind, but the objective was to get all of these together as soon as possible.

With regard to the issue of CAS appeals, the Code was written so that the CAS would be the final appeal body. It might only be appealed to subject to Swiss law, in which case there might be nothing that WADA could do about it. WADA's tremendous advantage in its relationship to the courts of the world was that, when all of the governments and sporting bodies in the world agreed that the Code was a fair document, it would be slightly more difficult for a federal judge to have a different view of fairness to the rest of the world.

In response to Ms Elwani, the therapeutic use standards had been proposed, and he expected that there would be follow-up and even more detailed standards for particular conditions.

As for the length of the sanction, when an athlete was suspended for a two-year period, that athlete would continue to be tested, and testing during the suspension period was one of the conditions of reinstatement.

As for the issue of exceptional circumstances, this was obviously something upon which the team would need to continue to work. The difference between strict liability and sanctions in exceptional circumstances was that, if an athlete had a prohibited substance in his or her urine, a doping violation would occur, and the athlete would lose the results of that competition, even if he or she had been sabotaged. The consequences beyond that disqualification of results and a sanction or ineligibility would vary depending on the facts and circumstances of the case. An athlete who had been held down and sabotaged should certainly not get a two-year suspension. The standard, as it was currently written, stipulated that, if the test was positive, the athlete would have to show that he or she had not been at fault.

In response to Ms Crooks' question, age had been added as one of the criteria to look at when determining whether or not the athlete was at fault.

With regard to the Japanese legal point of view, the comment was valid. The Code did not suggest that WADA should not bind athletes through signatures, but it tried to create a backstop to give the testing authorities jurisdiction whether or not there was a signed form on file. In the model rules, however, WADA would certainly recommend that agencies obtained signed forms to deal with the problem that had been raised.

Ms Crooks had made some interesting observations regarding education in the preamble.

As for the non-compliance issues raised by Mr Gómez-Angulo, he thought that sovereignty issues would have to be dealt with at different levels. That was a distinction that he hoped had no difference in reality and practicality.

In response to Mr Verbruggen's comments with regard to the health and safety rules, a report of a health and safety product violation would go to the athlete's IF and the national anti-doping agency, which could be an NOC or a government. There were no uniform consequences to health and safety violations due to the different contexts that might arise.

The fact that there was no set rule for ineligibility and two-year sanctions in team sports might not be a good idea, but there were different kinds of team situations that could arise according to the sports. The team had decided to leave this matter to the IFs, which understood their sports.

As for professional leagues, the idea, which had come from the athletes, was that it was unfair that these people just showed up for the games without having to undergo out-of-competition testing. The sports movement could provide professional athletes with the opportunity to undergo out-of-competition testing and, if these athletes rejected that opportunity, then they would reject the opportunity to compete in the games as well.

In response to Mr De Villers' question, where the elimination of the statute of limitations was concerned, the team had heard that it would create serious constitutional problems for a number of governments. There had also been comments regarding fairness, and the fact that sports bodies would like some finality for events and results. There had been an overwhelming consensus by all that the statute of limitations was a bad idea.

MR VERBRUGGEN asked what the *relevant organisation* was.

An agency was not obliged to have health and safety rules. He had received no answer with regard to his comment that, if this was to be the case, there would be no harmonisation.

With regard to the professional leagues, he thought that WADA could propose that governments perform tests.

He asked whether there would be control from WADA over stakeholders in various countries where there were no controls carried out.

MR MIKKELSEN noted that the clarification of the role of the NADOs was very unclear in the draft.

MR GOMEZ-ANGULO said that he totally supported the Japanese delegate's comments, which went beyond the replies that had been given. To participate in the Olympic Games, it was necessary to apply the rules, but the Japanese delegate had noted that random testing should not target specific athletes.

Also, the right of the athletes to defend their innocence was fundamental, and he did not think that WADA or the IOC should disregard this universal right.

MR YOUNG responded to Mr Gómez-Angulo. Article 1.8 dealt with the hearing process and the right of any athlete charged with an anti-doping rule violation to a fair hearing. Then there was the CAS appeal process, which again provided a new fair hearing. An athlete had a right to be represented by counsel. The one thing that had not been included was for a sports agency to provide a public defender for an athlete in a doping case. To his knowledge, such an argument had never been successfully raised.

The selection of athletes for testing was random, but the Code specifically provided for target testing, for example, an athlete who had already tested positive once could be singled out for a higher level of testing in the future.

With regard to the NADOs, these continued to play a significant role, and a NADO had been defined in the Code as the national anti-doping organisation that had been designated by the country in question. The idea was to have one designated agency at the national level. The coordination between a NADO and WADA was part of what the clearing house was all about.

MR VERBRUGGEN repeated his question about harmonisation when it came to testing by NADOs and governments in a country. Could something be put in the Code for WADA to control testing performed by NADOs and governments?

MR YOUNG replied that the Code provided that a NADO's responsibility was to carry out an effective anti-doping programme, which would include controls, and it was WADA's responsibility to monitor compliance with the Code.

MR KHASHABA noted that blood analysis would facilitate WADA's job in controlling anti-doping.

MR TOKUSHIGE referred to the comment made by the Spanish delegate. WADA would need standards in the event of multi-testing, and such accepted multi-testing should perhaps be provided for in the Code for the sake of fairness, but this was something that should be reviewed.

MR YOUNG said that WADA should not be able to use target testing to discriminate against, or harass, any athlete. It could be put in the Code, but he really wanted to avoid the situation of an athlete testing positive but then claiming improper selection or harassment.

THE CHAIRMAN thought that it was right that it was not possible in an anti-doping code to exclude recourse to the national courts of a country. Recourse to a court, constitutional or otherwise, was to say "I have not been treated fairly by the sport authorities and therefore you have to do something about it as you are my last resort". Where a system such as the one which WADA was trying to set up was in place, such recourse became more difficult as, if all recourses under sport law had been pursued, then it would be virtually impossible to overturn the results of WADA's process.

The role of WADA regarding non-compliance of the Code was simply to report non-compliance. WADA made no judgment, as it was not a decision-making body.

WADA had tried to send drafts of the Code to everybody and, if this was not the case, then more drafts would be sent out to those who had not received one.

As for targeted testing, it was absolutely essential that there be the right to target test. People in the top levels of sport should expect to be tested.

He hoped that the list of issues would get shorter and shorter as the members' points were raised and dealt with one way or another. The issues should be concentrated in and around the points of principle mentioned by Mr Young.

## DECISION

Update on version 2.0 of the World Anti-Doping Code approved.

### **9.3 List standards update**

MR WADE noted that he had the good fortune to have Dr Pipe with him, who would add a few comments on specific standards related to the list and on therapeutic exemptions.

He referred the members to the relevant documents in their files, which included an information update, a cover letter and the four draft standards themselves (Annex).

As mentioned in the Code update, the level two documents were mandatory as part of the WADA Anti-Doping Code. These were mandatory for all signatories to the Code. There were four specific standards linked to the Code: the list; the WADA testing standards; the laboratory standards; and the standards for

review of therapeutic use exemptions. These had been circulated to the same stakeholders who had received the Code.

The Action Plan was the following: Circulation of drafts 1.0 to the stakeholders had been completed by 11 November; drafts 1.0 were to be reviewed by the stakeholders between 12 November and 10 January 2003; comments and feedback were to reach WADA by 10 January 2003; these would be reviewed and revised by 1 February 2003; a final review was to take place between 3 and 7 February 2003; completion of the second drafts was planned for 8 February 2003; drafts 2.0 were to be circulated by 20 February 2003; and the final drafts were to be presented at the World Conference on Doping in Sport.

He appreciated the work done by all the qualified experts in the various fields, who had contributed a great deal to the standards.

The prohibited substances list was mandatory for all of the signatories. The game-plan was that, as of 1 October 2003, the list needed to be posted out, so as to become effective by 1 January 2004

DR PIPE informed the members that, since the late 1960s, responsibility for the development of the list of banned substances had been vested in the Medical Committee, latterly the Medical Commission of the IOC, which had done sport a sterling service over the past three decades in ensuring the preparation of this particular list, a responsibility which would now be taken over by WADA and a subcommittee of the WADA Health, Medical and Research Committee. He was pleased, on behalf of Professor Ljungqvist, to be able to make a few comments about the processes which would guide the activities and organisation of that particular group.

As the list had developed over the years it had evolved to address a number of issues, not least of which had been doping or pure performance enhancement, but also concerns relating to the health and safety of athletes. It had also, at times, attempted to address issues relating to the behaviour of athletes. As a consequence, a number of principles would guide WADA in the development of the new list, and these could be seen in the document the members had in their files (Annex). Of fundamental consideration were: the athletes' right to a fair competition; concern for athletes' health and safety; an evidence-based approach for the evaluation of evidence; consultation; research; and timeliness.

The criteria for the preparation and review of the two categories of list had been provided for the members' information. They were consistent with a very methodical, rigorous and systematic examination of the medical and scientific literature, and an assessment based on the best evidence provided by experts as to what was actually happening in the international sport community.

#### DECISION

Update on list standards approved.

### **9.4 Testing standards**

MR WADE informed the members that the World Anti-Doping Code Testing Standards were important for several reasons. One was that WADA needed to have sound systems in place from a collection standpoint to ensure and maintain the ownership and security of the samples that were collected at all times. The scope of this would be everything from the test distribution and planning right through to the collection of the samples and transport to the laboratories.

The standards that WADA had used as the draft standards for distribution several weeks previously were very much consistent with the ISDC. WADA wanted to use this as a standard for signatories, and was also aiming to have the ISDC certified and accepted as a full standard by the ISO.

With IADA, there were segments of the ISDC as part of the mandatory testing standards, but in its entirety, it would represent a model of best practice on level three of the World Anti-Doping Programme.

The content involved planning; notification of athletes; preparing for sample collection; and conducting sample collection.

The third part concerned the World Anti-Doping Code Laboratory Accreditation Standards. WADA was the client, whereas the laboratory was the service provider, from a conceptual standpoint. The aim

was to develop specific WADA standards that would be very much linked to ISO standard 17025. The process for accreditation would also be linked to the ISO system. One would not be able to have WADA accreditation simply by having ISO accreditation; it had to be combined with the WADA standards and requirements.

The draft version 1.0 was based on the OMADC, and had been prepared by an expert group. There had been initial consultation with the laboratory directors together with the IOCMC subcommittee. An IOC / WADA transition team had been put in place to look at how to phase in elements of the WADA testing programme.

The content was contained in the members' documents, therefore he did not want to go into detail, however he wished to mention the Proficiency Testing Programme, which was a very important part of what WADA was doing. A voluntary programme had been initiated and launched recently, and 23 or 24 laboratories had participated in that programme, which had been a pleasant surprise.

Part four was the WADA Therapeutic Use Standard. Some of the questions that Ms Elwani had raised would be addressed in this standard. The standards before the members were standards of principle, but there were likely to be procedural elements attached to these to deal with specific conditions.

DR PIPE noted that, in document 9.6 (Annex), the members would find the standards for the creation and operation of a therapeutic use exemption panel. Applications to the panels generally fell into two categories: routine (or relating to a certain category of drugs), or very unique exceptional circumstances. The processes that had been outlined permitted the appropriate authorities to develop a panel to fulfil the necessary responsibilities. The document had been distributed for comment and review.

THE CHAIRMAN praised the thorough preparation and excellent work.

PROFESSOR DE ROSE expressed his concern with regard to out-of-competition testing when international or regional games with a medical or doping authority were established. It was necessary to avoid the overlapping of authorities and conflict. Inside the games period, the authority of WADA should be negotiated with the authority of the established medical commission for the games.

THE CHAIRMAN noted that he did not disagree.

MR BESSEBERG referred to the therapeutic use exemptions. He hoped that it would be possible to have an established rule for the use of all medicines. A common rule was necessary, at least for those athletes using asthma medicines.

THE CHAIRMAN said that he saw that the very strong pressure had come from the IFs regarding their own sovereignty.

MR BESSEBERG noted that, at the meeting of the winter IFs two days previously in Colorado Springs, the call for harmonisation on this issue had been unanimous.

THE CHAIRMAN asked Mr Besseberg to talk to his summer IF colleagues. WADA could certainly set up best practices and a model.

MR WALKER congratulated all those who had been involved because there had been a lot of hard work. The Foundation Board now had a much clearer and more complete picture of what the Code would look like and how it would be put into practice.

With regard to the first standard on the list, he looked forward to the adoption of the WADA list. He had been asked to say that he insisted on the importance of the concept of the health and safety list. It was also important that efforts be made to show what the contents of this list should be. It was necessary for the Code to set out clearly who the authority for the health and safety list was.

With regard to the testing standards and ISO standards, both should be complementary. He wondered whether the differences between in- and out-of-competition testing arrangements had been taken sufficiently into account. There was also the problem that these would be mandatory standards, but many NADOs had not yet reached the level where they could be certified in accordance with the appropriate ISO standard. There should not be inconsistency between what was mandatory and what was possible.

With regard to the laboratory standards, a great deal of work had been done, although he had been surprised to see in the first paragraph that the absolute confidentiality principle was breached by a phrase like *unless with the consent of*. He would like to think that what went on in the laboratory was absolutely confidential between the laboratory and the testing organisation.

He was happy to see that there was a process for enabling laboratories to seek and obtain accreditation and thought that this should be further worked on.

With regard to the 1500 tests per year put forward, he now understood where this figure came from, but thought that the group should state why this figure had been chosen and provide some justification.

He was quite sure that, where paragraph 1.5 was concerned, the IFs had a major role in this and he thought that, in practice, the NADOs would have a huge amount of work, so their roles and responsibilities needed to be taken into account. He was not at all convinced that this kind of work could be done at the IF level, and thought that a lot of it would be done at a NADO level.

MR KHASHABA thought that asthmatic drugs were a big section of the beta blocker group, which were anti hyper- and hypo-tensive, and might be a life-saver for athletes.

MR RICCI BITTI fully agreed with Mr Walker's comments about confidentiality.

As for the issue of whether the NADOs or IFs should have responsibility, the problem was consistency, or a lack of consistency.

MR MISHRA said that the accreditation standards would be similar to the ISO 17025 standards, so would it be possible to initiate immediately after getting ISO 17025 the certification to cover a provisional period?

With regard to the prohibited substances, certain articles were somewhat contradictory in nature.

As for therapeutic use, once the exemption was granted, during the hearing, the athlete's personal physician's argument should also be heard

MR BAAR referred the ownership of the samples. Could samples be preserved after the tests?

DR PIPE replied that he would make sure that the observations made were addressed.

MR WADE hoped that there was no confusion with regard to the ISO testing standards and what WADA wanted as mandatory in the Code. There was not an intent to ensure that all countries had to be ISO-certified with the ISDC to be in compliance with the Code. WADA wanted a consistent approach with the ISDC standard, but ISO-compliance was linked mainly to a model best practice. WADA would certainly encourage it, but needed at the same time a balance with what was real, practical and important at a very basic and very minimum level, with a high standard when implementing those standards.

THE CHAIRMAN stated that, with regard to the 2004 list, there had been some confusion as to what it would be. Members should note that no decision had been taken with regard to the 2004 list, and he had instructed the management to advise the chairs of all of WADA's committees that deliberations, until decisions were taken, were to be confidential.

MR DE VILLERS noted that there would be a briefing session on the Memorandum of Understanding that would be on the table at Moscow for the IICGADS meeting for government representatives at 5.30 p.m.

## DECISION

Testing standards update approved.

## **10. Updates and reports**

### **10.1 Health, Medical and Research Committee report**

DR RABIN referred the members to the report in their files (Annex).

The issue of food supplements had been discussed in some detail by the Health, Medical and Research Committee.

With regard to the research projects, he asked the members to look at the document they had been given that morning (Annex). There had been a total of 29 projects received and subjected to an independent peer review as well as an ethical review. The document detailed the approved or approvable projects for WADA funding.

All of the projects together would cost US\$ 2.9 million.

There was also a proposal to enable WADA to call on specific research projects to cover identified research needs, and to share the budget between competitive WADA grants and targeted grants.

Finally, it was proposed that 10 to 15% of the research grant be set aside to react to emerging issues in doping.

MS O'NEILL asked how the projects would work, for example, if there were three EPO test research projects chosen, which results would get picked and implemented?

DR RABIN replied that there was a urine test, but there were a number of elements in that test that needed to be improved and standardised, therefore the aim was to improve existing techniques. New methods were now being studied, and these could either complement existing methods or possibly replace the original test. WADA's role was to coordinate the improvement of existing testing techniques.

THE CHAIRMAN noted that WADA was delighted to have Dr Rabin as its Science Director. Dr Rabin's appointment would enable WADA to be much more organised and more timely with its consideration of, among other things, the research projects. He thanked all of those who had helped to review the applications in the time prior to Dr Rabin's arrival, notably Dr Saltin, who had provided WADA with some very good scientific guidance in the interim.

The Executive Committee had asked the Health, Medical and Research Committee to try and put the research projects into context when bringing them forward. The challenge for the Health, Medical and Research Committee was to put all the complicated scientific material into a language which WADA members would be able to understand. The proposal of having 10 to 15 % of the research envelope had been put forward in order to be able to respond quickly to new developments.

#### DECISION

Health, Medical and Research Committee report approved.

### **10.2 Out-of-competition testing**

MR KOEHLER provided the members with an update on the 2002 key achievements (Annex).

There was a meeting scheduled in December with FIFA to further discuss the options of the Out-of-Competition Testing Programme.

In October 2002, the 2003-2005 drug testing service agreement had been sent to the IFs. To date, two federations had signed and there was a commitment from all of the IFs to ensure that all of the agreements would be signed by the end of the year.

He had met with over 25 IFs in Colorado Springs and received a great deal of feedback, including overwhelming support for the Out-of-Competition Testing Programme. A need for better coordination had also been highlighted, as well as the desire to have WADA take the lead in gathering whereabouts information, in the form of a database. The need for a clearing house had also been made known.

The DFSC, whose contract would be up at the end of 2002, had been the sole applicant for management of WADA's Out-of-Competition Testing Programme. It had partnered with International Doping Tests and Management and 12 NADOs, and WADA would negotiate a one-year contract, as it would be taking the management of the Out-of-Competition Testing Programme in-house for 2004.

With regard to the clearing house, work would begin on the project in January 2003, and the plan was to have it in place for 2004.

MS O'NEILL asked what the percentage of no-notice out-of-competition testing was.

MR KOEHLER replied that it was 100% no-notice.

#### DECISION

Out-of-competition testing update approved.

### **10.3 Lausanne office activities**

MR DIELEN reported that the Lausanne office had been running as a regional office for a short time, but it had already proved to be very effective. He referred the members to the information document in their files (Annex).

The Executive Committee had approved the proposal to go ahead with the relocation of the Lausanne office, which would further reduce overhead costs.

#### DECISION

Lausanne regional office report approved.

### **10.4 Regional offices**

MR HOWMAN referred the members to the reports in their files on the two regional office applications made by Cape Town and Tokyo (Annex); the discussion paper, which was a job description for the regional offices (Annex); and the decision paper (Annex), which was for the Foundation Board to determine whether or not to approve the proposal to open a regional office in Tokyo and one in Cape Town and, if so, when.

Possible timelines had been set out in the documents. Both applications met the criteria substantially; both of the cities had submitted excellent presentations, and would serve WADA well.

THE CHAIRMAN asked whether the members had any questions. Were they content with the recommendations to open regional offices in Tokyo and Cape Town?

As to the timeline, in anticipation of the decision to be taken that day, the Executive Committee had concluded that the opening of a regional office in Tokyo would be given first priority, but only if enough money was contributed by the stakeholders. Therefore, could the Foundation Board direct the Executive Committee to make the decision as to the timing?

He hoped that it would be possible to get something going in 2003 in Tokyo and, in a perfect world, both offices in 2003.

#### DECISIONS

1. Proposal to set up regional offices in Tokyo (to be the first priority, provided sufficient contributions are made by stakeholders) and Cape Town approved.
2. Executive Committee to make the decision as to when to set up the offices in Tokyo and Cape Town.

### **10.5 Athletes' Passport**

MR WADE thanked Mr Koss and Ms Spletzer for all of their hard work.

The document in the members' files (Annex) provided the members with a background summary, and also detailed key results and future objectives.

The programme had been a success, and WADA would continue to communicate with the athletes. He looked forward to future growth over the next couple of years.

#### DECISION

Athletes' Passport report approved.

## 10.6 Outreach activities

DR LORDE thanked Ms Spletzer and Mr Hoistad, as well as WADA, for their confidence in him at the Commonwealth Games in Manchester that year.

Outreach was a global platform to reach a global audience, and had previously been known as Youth Awareness, but it had been decided to change the name as all ages of athlete were being targeted.

Over 2000 athletes from 150 countries and 25 IFs had signed up to the Passport.

The focus was on large multi-sport and multi-national events. There was exposure and outreach in all the regions of the world, high visibility and interaction with the athletes, officials and WADA.

Positive messages for the media came out of Outreach, which showcased WADA and created awareness with regard to prohibited substances and methods, also promoting an image of drug-free sport.

The programme objectives and further information could be seen in the document in the members' files (Annex).

Outreach was an opportunity to interact directly with thousands of athletes and a number of international figures. He encouraged everybody to continue to participate in this programme. The media particularly liked what was being done by Outreach, and in turn spread the positive work of WADA.

MS CROOKS thanked Dr Lorde and congratulated him and his team on their excellent work in a very important area. The IOC Athletes' Commission had created regional athletes' commissions to tie in and tap into the athlete resources in these different areas.

Also, she thought that Dr Lorde might be interested to know that 2002 was the year of Olympic Culture and Education.

DR LORDE thanked Ms Crooks for her comments.

MR AKIGA officially invited the WADA Athlete Outreach group to Nigeria the following year for the All Africa Games.

### DECISION

Athlete Outreach Programme report approved.

## 10.7 E-learning

MR WADE was speaking on behalf of the Director of E-learning projects who had not been able to attend the meeting. He thanked Ms Ebermann for all of her hard work on the programme.

The Ethics and Education Committee had decided in 2001 to build the content of an E-learning project, with several suitable core materials developed by the committee. Part of this had been the development of an important three-year strategic plan.

Further details and information could be found in the document provided (Annex).

THE CHAIRMAN noted that this was an example of using every means possible to reach young people.

### DECISION

E-learning report approved.

## 10.8 European Union projects

MR WADE referred the members to the document in their files (Annex).

Information had been made available the previous day regarding the European Union's apparent inability to finance anti-doping-related programmes, therefore WADA would have to wait and see whether it would receive assistance with the submissions it had made that year.

## DECISION

European Union projects report approved.

### **10.9 Independent Observers**

MR WADE thanked many of the key volunteers who had been involved in the Independent Observer Programme, as well as Ms Ebermann for her assistance.

The Independent Observer Programme was a very high priority for WADA, and was very important as it strengthened the confidence of athletes and the general public.

The members should have received the printed report of the Independent Observer Programme in Salt Lake City (Annex), which contained some very good and strong recommendations.

The Independent Observer update (Annex) detailed past and future activities.

The Independent Observer Programme was a successful one, and he looked forward to its continuation.

ME BESSEBERG asked whether the Independent Observers gave direct recommendations on the spot if they saw things that needed to be improved.

MR WALKER wished to pay special tribute to the report prepared by Mr de Pencier, which was a model report.

He had been rather disappointed about the report to the EU, but on reflection he had realised that the EU had been helping to pay for the training of Independent Observers, which had put a different slant on the matter.

He did think that WADA was reaching the stage where it was necessary to have an overall report, evaluation and assessment, and an investigation into the follow-up given to the recommendations by the various Independent Observer teams.

He had previously promised that the Standards and Harmonisation Committee would try to provide a list of priority events, and he would liaise with the relevant directors in order to provide the list.

MR WADE told Mr Besseberg that the role of the Independent Observers was to observe and report, and that they could not comment at the time, although it was often very tempting to do so.

He would take on board the comments made by Mr Walker.

THE CHAIRMAN thought that it was fair to say that this was a very successful programme, and thanked all those who had led these missions.

The Independent Observer missions gave credibility to the organisations that had used them, such as the IOC. The IOC had had Independent Observer missions at the Olympic Games in Sydney and Salt Lake City, and it was important to note that, at these events, for the first time in years, there had been no suspicion of any cover-up whatsoever.

He thanked all those involved in the Independent Observer missions. These people had done a terrific job, sometimes under trying conditions.

## DECISION

Independent Observer programme report approved.

### **10.10 IADA / WADA**

MR WADE referred to the document in the members' files (Annex).

## DECISION

IADA / WADA report approved.

## 10.11 Ethics and Education

THE DIRECTOR GENERAL informed the members that they could consult the report in their files (Annex).

The Director of the Ethics and Education Committee, Dr Schneider, had been on sick leave for four-and-a-half months, and this had somewhat affected all of the committee's activities. The E-learning and Athletes' Passport projects had been conducted successfully, and he thanked Dr Pipe for having offered assistance.

He looked forward to working with Dr Barthwell and the other members of the group.

### DECISION

Ethics and Education Committee report approved.

## 11. World Conference on Doping in Sport

MR WADE gave the members a brief update on the World Conference on Doping in Sport, reviewed the objective and provided general information on the World Conference on Doping in Sport (Annex). The members should have received an envelope that morning which contained the same information.

He thanked Ms Withers, who had done a tremendous job in managing the process, taking care of every little detail. There had also been a great management team, chaired by the Director General and assisted by Mr Niggli.

There was a great deal of hard work to do in the lead-up to the World Conference on Doping in Sport, but he was optimistic that it would be successful in achieving a Code with which everybody would be happy.

THE CHAIRMAN said that the Foundation Board should understand the importance of the conference. WADA would not force any organization to enact a Code but would aim to achieve a consensus. The members needed to encourage as many of the stakeholders as possible to participate in the conference.

He had written to various organisations, and the IOC and ANOC in particular needed to be well represented. He had asked the President of ANOC to activate Olympic Solidarity to assist the poorer countries in attending. WADA had obtained special airline rates for travel, and was doing everything that it could to enable people to attend.

If any stakeholders saw any possible pockets of resistance or lack of awareness regarding the Code, he asked them to let WADA know.

He wanted the Copenhagen conference to be the opening of a grand debate. It was very important, and could be the most important meeting in the history of the fight against doping in sport.

He thanked everybody for the preparations, which were going ahead very well.

### DECISION

World Conference on Doping in Sport update approved.

## 12. Other business

### – IICGADS

MR DE VILLERS referred to the IICGADS meeting which would be taking place in Moscow in December. A draft International Governmental Memorandum on Anti-Doping in Sport had been circulated, and there would be an addendum to this memorandum. The memorandum would be signed by as many countries as possible in Moscow, and this would formalise the governments' relationship to WADA in the areas of governance and funding.

The draft addendum to the memorandum was an international instrument prepared for the governments to signal their support for the WADC at the World Conference on Doping in Sport in March

2003. The Moscow memorandum and the Copenhagen addendum to that memorandum were viewed as preliminary non-binding instruments that would lead to a future binding international convention or memorandum.

He hoped to have a majority of countries signing and prepared to participate at the conference in Copenhagen.

#### DECISION

IICGADS update approved.

#### – **Inquiries**

MR WALKER asked about the inquiries into internal doping issues, in particular regarding USATF and CONI.

MR HOWMAN replied that, with regard to USATF, he had been one of four members of the inquiry team. There had been a CAS hearing at the end of August, dealing with the issue of the publication of an unnamed athlete within that report. The hearing had been completed, and the report had been described by the IAAF lead counsel as “a masterful report”. The outcome of the hearing was yet to be known.

With regard to the money that WADA had outlaid, there had been very helpful meetings between Mr Niggli and the USOC legal counsel, and he looked forward to a positive outcome shortly.

As for CONI, he had undertaken the inquiry and provided the members with an interim report on the matter. He had received a number of letters from the public prosecutor in Turin, as well as communications from two members of the previous scientific commission of CONI, who had indicated that they might have material of interest to WADA. When all of the information requested was tabled, he would be in a position to complete the report.

#### DECISION

USATF and CONI inquiries to be reported on as and when information becomes available.

#### – **Nigerian Foreign Minister**

MR AKIGA acknowledged the messages of condolence sent by WADA following the death of Mr Aku, thanking the members for their concern.

#### – **Clarification**

THE DIRECTOR GENERAL noted that, 30 to 50 years ago, he had been told by a reliable source that the late IOC member in Finland used to ask, every time that there was an IOC decision on an Olympic hosting city, whether there was a sauna in the athletes’ village. For him, as a Finn, to talk about a sauna was a very natural thing, coming from a country of 5.2 million inhabitants and 1.6 million saunas. However some three months ago, he had been shocked to read in the media that WADA had built a sauna for its Finnish Director General. WADA had made no reaction to the articles which had appeared in the press, but he felt that it was important that the members hear the facts. An excellent office had been built according to the Foundation Board approval of the plans and the money allocated to WADA for this purpose, and he was very pleased to be in the new premises. There were two locker rooms, two shower rooms and a sauna (with a size of 4.5 square metres), and the amenities were used every day. The staff came to work, often on foot or by bicycle, and used the gym on the ground floor at lunchtime or after work. They then used the WADA showers and sometimes the sauna. In addition, there was no other use for the 4.5 metres of space taken up by the sauna, and it would cost more money to rip it out than to keep it.

He had wanted to raise the issue at the Foundation Board meeting so that the members would not be embarrassed.

THE CHAIRMAN thanked the Director General for acting so responsibly.

The Foundation Board should note that the staff amenities, including the sauna, had been included in the Montreal International proposal as part of the bid, and he was content that the members were now aware of the situation.

– **IPC**

THE CHAIRMAN said that he would like to include the International Paralympic Committee in WADA, and proposed that, by the time of the next meeting, an IPC representative be named. This meant that the public authorities were entitled to, and should name, another representative. He asked the public authorities to think about this so that, within the next 30 days, they could let WADA know how they would do this.

MR DE VILLERS noted that this could be put as an item on the agenda for the IICGADS meeting in Moscow. The public authorities could then get back to the Foundation Board and inform the members of the decision.

MR MIKKELSEN supported giving the IPC a representative, and he proposed allocating the government seat to the European governments. The European governments were strongly committed to the mission of WADA, and a fifth seat would ensure that the European interest would be broad and that the commitment would be strong.

THE CHAIRMAN asked Mr Mikkelsen to regard what he had just said as a rehearsal for his speech at the meeting in Moscow. He had heard that there were two things that should never be watched as they were being made: one was sausage and the other was legislation, so he would leave the matter up to the governments to decide, and he hoped that a decision would be taken in Moscow, as it was embarrassing for WADA not to have the Paralympic Movement around the table.

DECISION

Public authorities representatives to come back within 30 days with a definite decision as to the additional member to represent the public authorities.

– **Documents**

MR REEDIE noted that, in response to the difficulty in delivering papers for the meetings, WADA had put them on the website for this meeting. An enormous amount of paper was used for the meetings, and he asked for suggestions as to how to better organise the system.

THE CHAIRMAN complimented everybody involved on the quality of the material and preparations. It was important that the members receive their documents early. If there was a better way of distribution, then he looked forward to hearing about it, but he did not wish to compromise the quality of the material that the members were receiving.

– **Mr Verbruggen**

THE CHAIRMAN informed the Foundation Board that GAISF had advised WADA that this would be Mr Verbruggen's last time on the Foundation Board as a GAISF representative, so he thanked Mr Verbruggen for having stayed on despite being far too busy, and for having shared a tremendous amount of experience. WADA had benefited tremendously from Mr Verbruggen's presence, and everything that Mr Verbruggen had done was greatly appreciated. He was sure that WADA would find a way to keep Mr Verbruggen involved in WADA.

MR VERBRUGGEN thanked the Chairman for his kind words, and noted that it had been a pleasure for him. WADA had really been brought to a great position by the staff and the members, and he reconfirmed the UCI's support for the work of WADA, which was unconditional. He saw WADA as the ultimate answer to solving the problem of doping in sport, and asked WADA to continue to count on the UCI.

### **13. Next meeting**

THE CHAIRMAN informed the members that the next Foundation Board meeting would take place on 5 March 2003.

#### DECISION

WADA Foundation Board meeting to be held on 5 March 2003.

THE CHAIRMAN thanked all of the members for their participation.

The meeting adjourned at 3.15 p.m.

### **FOR APPROVAL**

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