

**Minutes of the WADA Executive Committee Meeting
24 September 2017, Paris, France**

The meeting began at 9.05 a.m.

1. Welcome, roll call and observers

THE CHAIRMAN welcomed the members to the WADA Executive Committee meeting. He gave the floor to the Minister for Sport of the French Republic, Ms Flessel.

MS FLESSEL stated that it was an honour for her to welcome the members to Paris on the occasion of the Executive Committee meeting of WADA. The role that WADA played in harmonising anti-doping legislation was essential. For France, the fight against doping in sport had always been a priority and France focused on that because it wanted the 2024 Olympic Games to be exemplary in that area. The aim was for France to be ethical and act with full integrity, under the guidance of the President of the French Republic. France would be assigning about 10 million euros to the fight against doping in sport over the coming years, and that was about 10% more than in previous years, and supported research in that area and hoped to have a chair for anti-doping at the University of Nanterre in Paris. France would also like to examine all possible cooperation in the area of research in the fight against doping in sport. The ambition was to give full value to ethics in sport, because sport was an important vehicle for all those values. As with politics and economics, it was necessary to show that France was exemplary in that area. She hoped that France would be able to play a leading role internationally in that area. The subjects with which the Executive Committee members were dealing were of capital importance when it came to the fight against doping in sport. It was necessary to focus on research and the Prohibited List, and she hoped that WADA's decisions would help better organise the fight against doping in sport. She thanked the members for attending the meeting.

THE CHAIRMAN thanked the minister for her words. He was encouraged; there was little doubt that, 100 years from 1924, there would be a wonderful celebration of sport in Paris. It was some time since somebody leading an Olympic Games organising committee was a member of the WADA Executive Committee and Foundation Board, and he wished Mr Estanguet every possible success.

He noted apologies that morning from Mr Moses, who was unable to attend the meeting. He was sure Mr Koehler would be able to cover for him in the education report. He offered a special welcome to Ms El Fadil from the African Union and Mr Bańka from Poland, attending their first Executive Committee meeting.

The following members attended the meeting: Sir Craig Reedie, President and Chairman of WADA; Ms Linda Hofstad Helleland, Vice-President of WADA, Minister of Culture, Norway; Ms Beckie Scott, Athlete Committee Chairperson; Mr Francesco Ricci Bitti, Chair of ASOIF and Chair, WADA Finance and Administration Committee; Professor Ugur Erdener, IOC Vice President, President of World Archery and Chair, WADA Health, Medical and Research Committee; Mr Jiri Kejval, President, National Olympic Committee, Czech Republic; Mr Patrick Baumann, IOC Member, Secretary General, FIBA; Mr Tony Estanguet, IOC Member and Member of the IOC Athletes' Commission; Mr Witold Bańka, Minister of Sport and Tourism, Poland; Ms Amira El Fadil, Commissioner for Social Affairs, African Union, Sudan; Mr Marcos Díaz, CADE President, Dominican Republic; Mr Toshiei Mizuochi, State Minister of Education, Culture, Sports, Science and Technology, Japan; Mr Godkin, representing Mr Greg Hunt, Minister for Sport, Australia; Mr Jonathan Taylor, Chair, Compliance Review Committee.

The following members of WADA's Management Team attended the meeting: Mr Olivier Niggli, Director General, WADA; Mr Rob Koehler, Deputy Director General, WADA; Ms Catherine MacLean, Communications Director, WADA; Dr Olivier Rabin, Science and International Partnerships Director, WADA; Dr Alan Vernec, Medical Director, WADA; Mr Benjamin Cohen, European Regional Office and IF Relations Director, WADA; Mr René Bouchard, Government Relations Director, WADA; Ms Maria José Pesce Cutri, Latin American Regional Office Director, WADA; Mr Rodney Swigelaar, African Regional Office Director, WADA; Mr Kazuhiro Hayashi, Asian/Oceanian Regional Office Director, WADA; and Mr Frédéric Donzé, Chief Operating Officer, WADA.

The following observers signed the roll call: Hannah Grossenbacher; Richard Budgett; Neil Robinson; Andrew Ryan; Matteo Vallini; Andreas Zagklis; Warwick Gendall; Rune Andersen; Eva

Bruusgaard; Anders Solheim; Jan Aage Fjortoft; Sergey Khrychikov; Rafal Piechota; Hubert Dziudzik; Shin Asakawa; Ichiro Kono; Jugo Imaizumi; Nobuhiro Takegawa; Machacha Shepande; David Howman; Marie-Geneviève Mounier; and Joe Van Ryn.

– 1.1 Disclosures of conflicts of interest

THE CHAIRMAN asked the members if they had any conflicts of interest in relation to any of the issues on the agenda. In the absence of any declaration, he would continue.

2. Minutes of the previous meeting on 17 May 2017 in Montreal

THE CHAIRMAN drew the members' attention to the minutes of the previous Executive Committee meeting, held in Montreal on 17 May 2017. The minutes had been circulated. He thought that people had made some modest translation enquiries. Apart from that, were they regarded as a true record of what had taken place in Montreal? If so, could they be approved?

DECISION

Minutes of the meeting of the Executive Committee on 17 May 2017 approved and duly signed.

3. Director General's report

THE DIRECTOR GENERAL informed the members that there were a number of very important items on the agenda that day and a number of presentations, so he did not wish to spend too much time on the written report that the members had on the table; however, he wished to put on the record a number of facts that he thought were important for the discussion. There would be a full discussion on Russia after the presentation from Mr Koehler later on. He would touch on what was part of his report and which concerned specific cases. The bigger discussion on Russia would come later on in the agenda.

Some of the members might not have seen it, but a summary of all, or most, of the documents for the Executive Committee together with comments had been published on the INADO website prior to the meeting. That was unfortunate. He had had a word with INADO about it and the CEO of INADO had apologised and indicated that it had been a mistake and internal miscommunication. He had acknowledged that; unfortunately, it was the second time it had happened. The same conversation had already taken place about one year previously. The result on this occasion was that a number of comments had appeared in the media and other fora, on documents that had not yet even been discussed by the Executive Committee, and that did not really help the discussion.

In particular, there had been a focus on a portion of the report on Russia and result management of cases in relation to Russian cases, on page 6 of the report. There had been criticism of how WADA had been dealing with the cases on the grounds that WADA had decided not to appeal 95 of those, as indicated in the report. Before having the discussion in the Executive Committee, he had received a call from the New York Times on the question. He wished to make a few facts clear. First, before he had seen comments and criticism appearing in press releases, in particular from the NADOs, not one NADO had contacted WADA to understand what had been done with the cases, the process and what the cases had all been about. He thought that, as a matter of partnership and cooperation, firstly one would seek to understand from the other party what was going on before criticising. He could only regret that. More importantly, the comments simply ignored one very important fact, and that was where they were particularly unhelpful. They ignored the fact that the McLaren report had been written to find evidence about a system and institutionalised doping in Russia, and that was what the McLaren report had confirmed: that there had been an institutionalised system in Russia. The McLaren report had never been about individual cases, and WADA had made that clear at every meeting, saying that the evidence available for individual cases was limited because Professor McLaren had been unable to get more, and that was not his fault, and that was not the focus of the report. He thought that, by focusing on individual cases and criticising and forcing WADA to discuss in the public domain the fact that there was a lack of evidence, the entire McLaren report became weakened. There were considerable amounts of evidence about the system in Russia, and that was the focus of the report, and WADA should not get distracted or weaken the report by focusing on something that had not been the aim of the report. WADA was dealing with the cases and had a process in place. For each of the 95 cases, WADA had reviewed them internally, sought an external legal opinion and forwarded them to Professor McLaren, and all had been in agreement that there had not been enough evidence on those cases. Of course, if further evidence were revealed in the

future, the cases could be reconsidered; but, at that time, WADA had to deal with what it had, as did the IFs, which were dealing with the cases. In relation to the initial cases, it was no surprise that they had been closed. They had been the most straightforward in terms of not having enough evidence. There were many that were being processed by IFs, which took more time, and would be heard by the CAS, so it was ongoing; but, of the 95 cases, about 40% had been a negative report from the laboratory with the name of the athlete, so they clearly did not represent an anti-doping rule violation. About half involved one name on a list; there were no samples available for retesting. A number of them were out-of-competition marijuana tests, and marijuana-taking did not represent an anti-doping rule violation, so he did not think that there was much concern about those cases. They had had to be dealt with, and WADA would continue with its process and check on each case as it went forward. WADA had agreed with INADO that it would hold a teleconference with it on 4 October so as to discuss and answer questions in relation to the issues they had, and he looked forward to a collaborative discussion, rather than a "in the press discussion" on the matters.

Just briefly, he wished to comment that the recent declarations in the media (in particular from Mr Rodchenkov), that nobody had contacted Mr Rodchenkov to be a witness were simply untrue, since WADA and the IFs had tried to have Mr Rodchenkov available for months. He was not saying that Mr Rodchenkov did not want to cooperate, but the response received again and again had been that he was part of a witness protection programme in the USA and cooperating in an investigation by the US Department of Justice and that therefore he was not yet available. If he was, as seemed to be the case given his recent declaration and lawyers' letters, that was good, and WADA would inform the IFs that they could have a witness for their cases, but saying that nobody had tried to contact him was simply not the case and he had an exchange of letters between WADA and Mr Rodchenkov's lawyers which he would be happy to share if anybody wished to see them.

WADA was being sued by three Russian cyclists, as was Professor McLaren, in Canada, for several million dollars on the grounds that there was no evidence in Professor McLaren's report. Of course, WADA would defend that vigorously. He did not think that there was a case (the cases had been dealt with by the CAS), but it just went to show how discussion on individual cases in the public domain would fuel arguments for those trying to lead the cases.

WADA was pleased about the progress being made with ADAMS; a lot of work was being done. There had been discussions many times around that table, but it was intended that the members and the athletes would start seeing progress soon. WADA had been changing the engine of the car, so it would be totally invisible to the users, but it was a very important step forward, after which new releases and features would be launched on the ADAMS site later this year.

In the aftermath of the Fancy Bear attack, there had been an audit from the Canadian authorities on data protection. It had gone as well as an audit could go. When he had news, he would of course update the Executive Committee.

He highlighted the fact that, as of the following day, UNESCO would be holding its conference of parties in Paris and WADA would be taking part in that. A lot of work had been done, in particular by Mr Bouchard, to try to help UNESCO, and he was looking forward to the discussion. Hopefully the public authorities represented on the WADA Executive Committee would have a chance to take part in the meeting.

PROFESSOR ERDENER thanked Mr Niggli for his very detailed report. On behalf of the Olympic Movement, he wished to say something related to the office of the privacy commission investigation. The Olympic Movement had taken good note of the ongoing process of the investigation, and recommended regular information for the Executive Committee members on the progress of the report.

MR BAŇKA stated that he was honoured to be with the Executive Committee members for the first time; since he had not previously had an opportunity to congratulate WADA on its activities in Russia, he wished to do so at that point. The doping scandal in Russia had exposed the weaknesses of the anti-doping system but also allowed WADA to mature as an organisation. The Pound commission and the McLaren report had opened up a whole new chapter in WADA's history and indicated the direction in which the organisation should grow. Nobody doubted that a strong WADA, enjoying the support of all stakeholders with the appropriate expertise and appropriate funds was needed. As the McLaren report had just been mentioned, he expressed concern that the IFs were not successful enough in investigating individual cases of athletes referred to in the report. Taking that into account and being mandated by his European colleagues, he asked WADA to take measures to ensure that the investigations were properly completed. Some IFs were lacking the necessary investigative capacity or competence and were not able to deal with the assigned tasks alone;

therefore, WADA should provide assistance if necessary. Moreover, the conclusions of the McLaren report should be a lesson to all. It was time to learn from the lessons and move on, and that was why he asked WADA to take into account the conclusions of the report when planning the future revision of the World Anti-Doping Code, in particular in relation to what constituted an anti-doping rule violation and how it was investigated.

In relation to the issue of good governance, Europe stressed once again that achieving independence for the governance of WADA should be the paramount goal of the Working Group on WADA Governance Matters according to the terms of reference of the group. That involved determining whether improvements were required to enable WADA to better exercise its functions in a transparent, effective and ethical manner and addressing conflicts of interest.

Last but not least, he had been approached by many sport ministers recently asking him to stress at the meeting that all decisions and statements on key issues given by the President or WADA management should be consulted with major stakeholders within the Executive Committee or Foundation Board. It was necessary to make sure as an organisation that WADA spoke with one voice.

MR RICCI BITTI thanked the Director General for his report, but picked up immediately on what the Polish minister had said. He was much more concerned about the NADO side than the IF side. He could assure the members that the IFs were not perfect, but they were very well equipped and were surely leading the fight against doping in sport, and he had been at WADA for 15 years and the Polish minister had been there for a few months. The minister had stated that the IFs were not equipped. He could tell the minister that he was much more concerned about the NADOs.

Having said that, he wished to state something about what had happened in relation to INADO and to reinforce what the Director General had said. Everybody had to remember what his or her jobs were. He was not against freedom of expression; he liked to debate. The problem was that there were certain venues for debate and then there were missions. The mission of the NADOs was the same as that of the IFs. They were an operational body, and they could consult their governments if they had ideas or positions. In relation to the Russian case mentioned by the Director General, there were formal weaknesses and weaknesses of merit. The formal weakness was that the NADOs leaked documents that should not be leaked. The IFs obviously also distributed documents, but they were never leaked. Obviously, a position was formed that was represented at the WADA Executive Committee. He recommended that INADO consult with its governments. That was the place to express political statements, as had been the case in the past. The second point was merit. He did not want to but he repeated that the IFs had been confronted with the McLaren report. There was good reason to say that the McLaren report had proven systemic (rather than institutionalised) malfunctioning of the anti-doping system in Russia, but obviously one had to be realistic. The IFs were very well equipped in relation to sanction management, but there was not one individual case that had been brought forward that would have a chance of winning in a CAS case. The IFs were not suicidal, and they did not wish to spend money, and obviously the federations that had evidence had acted accordingly, and he complimented the IAAF on what it had done. That could not be generalised. He could say again, if the minister had not read the McLaren report (he had read it because he was speaking as a representative of the Olympic IFs, but he was also the Chairman of the WADA Finance and Administration Committee), that it had been a very expensive exercise, but it had not given a lot of evidence. He recommended waiting for the final conclusions from the commissions that the IOC had put in place (the Schmid and Oswald commissions) to see what would happen. He assured the minister again that the IFs had done everything possible but were not in a condition to spend money on nothing. That was their judgement on the McLaren report, which had been very good in terms of discovering systemic malfunctioning but was less important with regard to individual cases.

Having said that, he believed that the priority of INADO was to represent the common interest but not to make political statements. The priority should be to have RUSADA reinstated as soon as possible and to force the Russians to do what they had to do to be very serious and very tough; but, because Russia was a big country and the interest was to have anti-doping operations reinstated and not to make political statements, that was not the job of the NADOs.

MR DÍAZ expressed grave concern on the part of the governments of his region about the statements made by WADA against a very important part of the anti-doping world. More than 30 NADOs had published a statement. They were free to talk. There was concern about the very delicate issue at a very particular moment and the issue of consultation. He totally supported what Mr Bañka had said and expressed his deep concern about those statements.

THE CHAIRMAN responded that there would be a full debate under item 6.1 on Russia. Did anybody have anything specific to say about the Director General's report?

MS HOFSTAD HELLELAND thought that, since the Director General had spent so much time talking about Russia, it was the right time to have the discussion, so she wished to make a statement.

THE CHAIRMAN asked Ms Hofstad Helleland to make her statement, which if necessary, would be discussed in more detail later.

MS HOFSTAD HELLELAND said that, as the WADA Vice-President, she had learnt from the media about WADA's position in relation to Russia and the NADO statement from Denver on 13 September. As the President knew, she had been surprised to be reading about WADA's position in a newspaper, especially being the Vice-President. To distance WADA from an important stakeholder group was significant and warranted clarification within the WADA leadership. That included her as the Vice-President of WADA and also the Executive Committee. The NADOs were important stakeholders in WADA, as were the governments and the sport movement. The way in which that was perceived by many in the anti-doping community called for an extra effort on the part of WADA to completely restore confidence among many of its stakeholders. She would not take a stand on the concrete issues raised at the NADO summit. There might be many different views and valid arguments that should be discussed around the table and not outside the room, but it was inappropriate to be subject to a WADA position with which many disagreed and had had no means of influencing through a process. So, during the past week, she had received considerable input from many stakeholders, especially many sport ministers from around the world who were very concerned about the process and very uncomfortable with what was currently happening at WADA. That should change going forward. She was also aware of the situation in the IAAF and IPC, but that should be separated from the issue with which WADA had been dealing the previous year and before the Olympic Games in Rio in 2016, when the Executive Committee of WADA had unanimously decided to recommend that the IOC ban Russian athletes from competing in the Olympic Games. She was fully aware that the President was disappointed that NADOs had not contacted him and WADA before the members had read about the resolution in Denver in the media, but the same principle should also apply to WADA. It was unfortunate that a disagreement between WADA and one of its most important stakeholders should appear in the media. The governments were not used to such processes and she thought that the situation was very unfortunate. WADA currently appeared in the public eye as if it was losing its credibility, and that was of concern to the governments. She had to say that on behalf of many governments. She suggested that WADA establish a policy on how to position itself externally on various issues that had not already been discussed formally at an Executive Committee meeting.

MR BAUMANN said that he had a point to make on the Director General's report. From an IF or sport perspective, it was important to see that work was being done with the various NADOs under scrutiny to improve their practices and procedures, and that was extremely important, as there were still NADOs that did not have the basic know-how about how to do things on the ground, and there had been feedback from IFs and teams or athletes going to different events in different countries who were being tested by NADO officers who were not used to seeing the minimum standards. That should be strengthened and increased. He had seen cases in India, for example, and it had been quite disappointing, and the Australian women's team had been complaining heavily about the basics, so the more that WADA could improve and get them up to speed, the better.

On what had been tabled at the meeting, the Executive Committee was the place to discuss such issues; there was no doubt about that. It was the only place. Whether or not there had to be a policy for formal or official positions of WADA, he thought that the President and Director General had been appointed to do a job and they had the Executive Committee members' trust, or at least he hoped that that was the case. If positions had to be defined there, they could not be pre-empted by other stakeholders beforehand or behind the scenes or the day before meeting; that was not acceptable. Whether it was the sport movement or the NADOs or IFs, for him, the IFs and NADOs were on an equal footing, and they had to work. They were service providers and had to make sure that tests were done and that the cheats were found and punished in accordance with the WADA Code. It was not up to them to take political positions, whether or not to ban a country or a sport; that was something that had to be discussed there. If comments were received that were written and published before the Executive Committee had the ability to meet, there would be no reason to meet, since public opinion would already have been formed, and that was not an appropriate way of proceeding. The discussion had to take place there and political choices had to be made there and the political statements had to come from there.

MR ESTANGUET asked three minor questions about the report, and to better explain the context of his comments, they were linked to the fact that the IOC would be organising an international

athlete forum in one month's time bringing together different representatives of IFs, continental associations and the Olympic Games organising committee, so there would be questions on anti-doping and he wanted to make sure that it would be possible to answer them with the support of Ms Scott, who would be joining them. The first question regarded ADAMS. Was it necessary to have specific training or education for the athletes to use the new platform? The second question had to do with data protection and investigations: what kind of message could be sent to reassure the athletes that their data would be better protected and what kind of action had been taken specifically on that point? Finally, on the reanalysis of samples, could WADA not send a message that priority would be given to the samples linked to athletes who would be participating in Pyeongchang? This was because among the athlete community, this was considered a priority in preparation for the next edition of the Olympic Games.

Since it was her first meeting, MS EL FADIL spoke on behalf of the African Union commission to thank the Chairman for his leadership and the Director General for his report. The African region had just had its first anti-doping think tank forum, which had taken place at the beginning of August in the Seychelles. The participants had renewed their commitment to WADA and some very good recommendations had come out of that meeting. She thanked the WADA Director General and the regional office director for attending. There had been a meeting in Kenya at the end of August with the ministers of sport in Africa, and all the ministers had been called upon to commit to WADA and also financially to make sure that their contributions were paid. She was conveying the messages on behalf of the African sport ministers.

MR DÍAZ referred to point 5 of the report. The legal part mentioned a verbal update since May 2017 on Operación Puerto. If there was any information about that, he would like to hear it.

THE DIRECTOR GENERAL responded to the comments. He told Professor Erdener that he would keep him updated and, of course, once there was a decision from the data protection office in Canada, he would draw the members' attention to it.

On his report, without going back into the whole Russian thing, he said one thing that was very important. Words were important and each body had a role to play. The IFs did result management, and WADA had a right of appeal. WADA would of course look at all the evidence there and ensure that everything available had been taken into account, and was in close contact with the IFs on that. Some IFs had put in place a real strategy on how to deal with the cases so as to go with those that had the best chance of succeeding and therefore create a good precedent. That could open other cases if the bar was not set too high by the CAS. A lot of things were going on behind the scenes. The WADA Intelligence and Investigations Department was fully aware of the matter and was looking to gather evidence if possible, but that was no easy task and everybody had to realise that, despite the fact that WADA had spent about four million dollars on the two investigations, all the information had come from whistleblowers. Not one single piece of information had come from interviews with athletes in Russia. There might be more, which was why WADA had created the framework and programme to try to encourage whistleblowers, but WADA also had to be realistic about what could and could not be done and the chances of success and how it invested its money. If the department got more evidence, he would make sure it was provided to the IFs so that they could factor that into their cases.

In response to the question about Operación Puerto, following the discussion that had taken place at the previous meeting, WADA was moving forward. The issue had been passed on to the Intelligence and Investigations Department. WADA had a sample of the blood bags. The work ongoing was to identify who was behind the blood bags, and it was a real investigation job, as it was necessary to try to find other samples to do a DNA match. That was work in progress. Mr Fuentes had filed a motion in Spain to get an order for WADA to give back the blood bags, but he did not think it would apply as the blood bags were now in Switzerland. The Intelligence and Investigations Department was continuing with the work agreed upon at the May meeting. To set the expectations at the right level, he did not think that there would be a way of using the information for prosecuting cases, as the statute of limitations had been reached; however, it would be very important in terms of intelligence and targeting athletes who were still competing. Once WADA had the information, it would share it on a confidential basis with the appropriate NADOs and IFs.

Regarding the question from Mr Estanguet, as the new models of ADAMS emerged, there would be certain training available and WADA would see how that could be implemented. The idea was that it would be a lot easier to use and intuitive, but there would be some training, whether it was through a webinar or other means.

On data protection, WADA was still at the point discussed previously. First of all, the system had never been hacked. The hackers had entered one account by stealing passwords and logins. Since then, WADA had been investing a substantial amount of money on security and making sure that the network was being monitored. There had been no further breach or attack on the system and, as far as data protection was concerned, he was confident that WADA was in line with European and Canadian legislation. New legislation would be entering into force in Europe the following year. That was an important step for Europe. There would be a need for all European governments to have in place in their legislation a recognition that anti-doping was in the public interest before the legislation entered into force so that the exchange of data did not get stopped.

In terms of the reanalysis of samples, the question should be asked of the IOC, which was conducting reanalysis of the Sochi samples. Mr Oswald was overseeing that and was prioritising those athletes going to Pyeongchang. The cases should be dealt with relatively soon. There was a process that was taking time, because it was not just a matter of analysing the sample. It was also necessary to perform a forensic examination of the bottles to find evidence as to whether or not the bottles had been opened. To obtain the right proof took a little bit more time. He thought that the laboratory capacity was three or four samples a day. That was the reality, but he understood that it would be done way before the Games.

He thanked Ms El Fadil for her comments. There had been a very good meeting in the Seychelles, he had had the privilege to be there, and it had been interesting to see the African continent having a good dialogue on anti-doping and how it could organise itself. That was the first time, but he was hopeful there would be many more, as it had been a very productive meeting.

He understood that Ms Hofstad Helleland's proposal would be discussed under item 6.1.

DECISION

Director General's report noted.

– 3.1 WADA headquarters

3.1.1 Cost/impact analysis of tender and/or relocation

THE DIRECTOR GENERAL said that he would be very brief. The members would be hearing from Montreal International on their offer. That was a continuation from the discussion that had taken place in May. As discussed then, WADA had put on the table the parameters that any change to the WADA headquarters would generate, and in fact the Boston Consulting Group had helped with that, partly pro bono, and the members would see the study there. There were two key figures, one which was the estimate of what it would cost to actually move the headquarters, which was between 8 and 12 million US dollars, and also the cost of organising a tender, which would be around half-a-million US dollars if WADA were to do so in a professional fashion. The members also had the other elements of a move that were not quantifiable in terms of money but which had to do with the potential disruption to operations and so on. That was the information before the members for a discussion of the issues, all the parameters were there. WADA had asked the Canadians to come with a detailed offer, and that was what they were going to hopefully provide today.

DECISION

Cost/impact analysis of tender and/or relocation noted.

3.1.2 Offer from Canada/Montreal

THE CHAIRMAN thanked the guests for joining the Executive Committee. Mr Hubert Bolduc was the President and CEO of Montreal International, the company and organisation with which WADA dealt.

MR BOLDUC said that, for the past 17 years, WADA had been strongly supported and had received very significant financial support from the government partners in Canada since 2001. The members had also received strong support from Montreal International, of which he was CEO. WADA was in Montreal, one of the cities with the lowest costs of operation in North America, and being based in Montreal gave WADA access to a very skilled multilingual workforce. Montreal was considered to be the most trilingual city in North America. The proof of the success was that WADA had started off with 30 people and currently had 85, of which 60 were Canadian. Montreal had been named the world's best student city and had beaten Paris and London. It had won best university city in the world, notably because of security, cost of living and joie de vivre and, for all those reasons and

others he was going to present, he thought that WADA should seriously consider staying in Montreal. During his presentation, he would touch on the benefits granted to the WADA headquarters, then to the staff, and then provide an overview of additional benefits that Montreal International was looking into. He would then detail what Montreal International had planned in terms of help for expansion.

The benefits granted to the WADA headquarters included money. WADA had been receiving 1.5 million Canadian dollars since 2001, and that had been indexed since; therefore, WADA currently received the equivalent of 1.9 million Canadian dollars, spread between the Quebec Government and the Federal Government. WADA also benefitted from a country that was the third biggest contributor to WADA after the USA and Japan. Looking at it on a per capita basis, Canada would be the strongest supporter and contributor to WADA, and it was ready to continue that funding over the coming ten years. Furthermore, WADA was exempt from municipal, school and property taxes, roughly the equivalent of 100,000 dollars per year. Most importantly, WADA benefitted from an accredited laboratory in Montreal, one of the leading laboratories in the world, and also benefitted from access to key universities, research centres and prestigious researchers, and that was a great advantage to WADA being based in Montreal. Since 2015, WADA had been recognised under the personal information protection and electronic documents act, which applied to personal information that the organisation collected, used and disclosed. That was important for WADA, and the members could rest assured that Canada would continue to strengthen the data protection regime in line with international standards.

Looking at some of the grants given to WADA staff, first of all, there was no federal income tax, no provincial income tax and a reimbursement of the consumption tax imposed in Quebec, which was roughly 7% on anything bought in Quebec. Obviously, there was access through Immigration, Refugees and Citizenship Canada (IRCC) to a rapid and efficient temporary delivery of work visas and residency status, which was also available for Executive Committee and Foundation Board members. Furthermore, the minute an expatriate came to Montreal or Quebec to work, they had access to free healthcare from day one, and that meant that, if they or a member of their family needed medical assistance, they would not pay a dime for access to great healthcare services. The expatriate employees also had access to the Quebec pension plan and coverage of labour standards in the event of occupational injury. Another great advantage related to spouses and children: if their children wished to go to university, expatriates would pay the same amount of money as a Quebec student, 3,000 dollars, half of what any international student would pay and almost four times less than any international students outside France. Those were the lowest tuition fees in the country. 3,000 dollars per year to do an undergraduate course was not very expensive at all. In terms of education support, the children of expatriates could go to French or English schools, and they could have access to a driver's license without having to take an exam or pass a test.

Since June 2017, the Government of Canada had put forward a very aggressive strategy on global competence, allowing WADA to bring a highly-skilled worker within ten days into the country without having to go through the process of work permits. That was very fast and probably the most aggressive strategy in the world. WADA had mentioned in the past that it wanted to sit down with the government partners, and the government partners committed to meet with WADA annually to discuss and further the ongoing partnership with all three levels of government. Also, through customs fast tracks, with the IESP programme administered by Canada's border services, WADA had access to streamlined border procedures and processes, and the same applied if WADA wished to host conferences, meetings or events in Montreal and Canada.

The final part of his presentation had to do with expansion plans. He had heard that WADA was thinking of going through an expansion process. Canada was ready to commit to additional funding for the expansion of the WADA headquarters expansion. On top of what Montreal International already gave WADA, which was 1.5 million Canadian dollars indexed in 2001 (currently 1.9 million), government partners had come up with two options: a one-time contribution of one billion Canadian dollars granted by the Government of Canada, Quebec and the city of Montreal, which would run from 2018 to 2021, so one million dollars split over three years, or option two, an additional indexed annual contribution of up to 700,000 dollars, starting in 2021 through the signature of a new host agreement, which would represent a total annual contribution of up to 2.6 million Canadian dollars. That was what was being put on the table. Before concluding and passing the microphone to his colleagues, he told the members that WADA had been in Quebec and Montreal for 17 years. Everything was going very well. WADA had expanded. The grants provided were important. The benefits that the WADA staff had were exceptional. Montreal was a great place to live, and the staff enjoyed living in Montreal. One-third of the staff members had been with WADA for the past 10 years, 60 were Canadian and 25 were expatriates. They enjoyed their quality of life, and he was pretty sure that, if they were asked, they would elect to stay in Montreal.

THE CHAIRMAN thanked Mr Bolduc very much indeed. He had had the benefit of having a quick look at Minister Garneau's CV, and the Executive Committee should know that he had been an astronaut in a previous life. It seemed to him something of a surprise that one of the members of the board of the Russian anti-doping agency was also an astronaut, but he was currently at a research centre somewhere in space. Clearly, WADA was moving into areas it had never considered before. The minister was very welcome and he passed the floor to him in gratitude.

MR GARNEAU said that it was a pleasure to have an opportunity to say a few words to the members of the Executive Committee. He wished to talk about a subject that was extremely important to him personally, to the city of Montreal, where he lived, the province of Quebec and Canada, and the Prime Minister of Canada, Mr Trudeau, who had asked him to be present that morning to present the case for keeping WADA in Montreal. He would not dwell on the points highlighted in the presentation by his colleague from Montreal International, but said that, in his career prior to entering politics (and he would mention it), he had been an astronaut, and he was telling the members not in order to boast about it but rather to make a point about the larger global perspective. When one saw earth from space, one became particularly sensitive to the importance of dealing with collective challenges, and the environment came to mind, but also a very important challenge: a clean, drug-free international sport movement. That was certainly one of the challenges. It was a challenge that everybody shared and everybody should take on collectively, with each individual making a contribution, and Canada was ready to do its part. Montreal was a very proud Olympic city and was making such a contribution and had been doing so extremely well for the past 16 years. Montreal had taken a position of leadership by welcoming WADA 16 years previously and, by all accounts, had done a very good job of fulfilling its mandate. He was currently minister for transport for Canada, and he knew that many of those present were also ministers. The members would therefore not be surprised when he told them that he, like the other ministers, had to deal with a number of issues within his portfolio, some of which were challenging, which was why he never went looking to make changes to areas of his portfolio that were already working very well. He had to be very candid and question why there would be any thought of moving the WADA headquarters. Why on earth was it even being contemplated when it was working so well? That frankly puzzled him. Canada had championed the anti-doping movement from the very beginning. Canada was proud to host WADA in Montreal and support it and its employees strongly at the municipal, provincial and federal levels of government. Canada would continue that commitment in the years ahead. There were important perceived advantages to keeping WADA in Montreal rather than co-locating it with the IOC. That perception had to do with it being viewed as being at arm's length in that important mandate that it must fulfil. From a country that had proudly hosted several Olympic Games and hoped to continue its strong commitment to the Olympic Movement in the years ahead, many of the fundamental values that Canadian citizens cherished in their lives were identical to the values of the international Olympic Movement. Canada, Montreal and all the employees of WADA were strongly committed to making amateur sport clean and nothing would change that. WADA would continue to evolve in many important ways in the coming years. He asked the members to think seriously about the long-term stability of WADA and the need to avoid unnecessary disruption and considerable spending by relocating the agency when the members had before them an agency that was working well in Montreal and which Canadians were committed to continue to strongly support. If money was to be spent on WADA, he suggested that it be spent on research to make WADA even more effective rather than making a move that was frankly not necessary.

MS ST-PIERRE said that she was proud to be present. It was an honour to take the floor to say how important the presence of WADA was in Canada. It played a tremendous role in defending the integrity of sport and athletes and Canada sought to support WADA in fulfilling its mandate. Everybody knew how important the agency's mission was for the future of sport, the health of young people and the regulation of high-level sporting activities. More than ever, it was necessary to have political will, substantial resources and efforts on a wide range of fronts, including research, international coordination, compliance and training, education and awareness. Many states, including Canada, had pledged their commitment to the fight against doping in sport by ratifying the UNESCO convention against doping in sport. The Government of Quebec had also declared itself bound by that instrument. The presence of WADA in Montreal was proof positive of the value placed on the fight against doping in sport and the need to maintain the best conditions for WADA to effectively fulfil its mandate. That was why the government of Quebec intended to ensure ongoing support for the advantages it granted to the agency: tax exemptions (notably income and consumption tax) granted to the organisation and its non-Canadian employees, benefits granted to non-Canadian employees in relation to health, immigration, drivers' licenses and education. Montreal offered a vibrant and stimulating environment and strong innovation potential for international organisations. The city was home to four major universities (including McGill University), and numerous

international researchers who were members of large international research scenes from a wide variety of fields, from pure and social sciences to law and management. Those advantages benefited WADA and the families of the employees, who enjoyed Quebec's competitive tuition fees that allowed access to quality university education for less than 3,000 dollars per year. Montreal had been and would continue to be a valuable asset to ensure the credibility and growth of WADA's operations. Maintaining the headquarters in Montreal was a guarantee not only of its success but also the continuity that was essential for preserving WADA's expertise, and that expertise was key to WADA's independence. The Government of Quebec profoundly committed to the joint offer of additional funding for a total contribution from Quebec of roughly 900,000 dollars per year from 2021 to 2031, as it hoped WADA would elect to grow its capacities in Montreal. As history had shown, the Government of Quebec had always supported the expansion of international organisations in Quebec. Quebec sought to put everything in place to ensure that the cooperation with WADA would continue and strengthen over time. She believed that WADA should stay in Montreal, Canada, the best country in the world.

MR BOLDUC said that the Mayor of Montreal had been unable to attend the meeting, but he had been asked to send in a video.

MR CODERRE greeted the members. He regretted that he was unable to be with the Executive Committee in person in Paris. He had just begun a municipal election campaign and the final Montreal City Council meeting would be held the following day. WADA was a highly valued partner and international organisation in Montreal. WADA's presence in Montreal since 2011 was a matter of great personal importance to him, as it was to all Montrealers. He had accompanied WADA on its journey to Montreal and its flourishing there as former Canadian minister of sport and currently as the mayor of Montreal. Throughout his long political career, he had always understood and championed the power of sport. Montreal, together with Quebec and Canada, was proud to host the WADA headquarters and accompany WADA in fulfilling its mandate for a world of fair and clean sport. Since arriving in Montreal, WADA had established deep roots. 60 of its 85 employees were Canadian and so many members of the expatriate workforce had established themselves in Montreal. Almost a third of the team comprised long-standing employees of 10 years or more. Montreal was a proud Olympic city, the only city outside Lausanne allowed to display the official Olympic rings. In October, it would host the annual meetings of the World Union of Olympic Cities, of which it was a member. The thriving headquarters in Montreal formed part of a rich ecosystem of some 78 international organisations. Montreal was also a UN city as home to the International Civil Aviation Association. Montreal was truly an international city, and it was privileged to hold the presidency of Metropolis, the world association of major cities. Home to four large universities and numerous colleges, it was consistently ranked a top city for international students. Furthermore, the diverse workforce was among the most multilingual anywhere. Montreal was connected to the world. Almost 20 new international flights had been launched over the past 18 months, and 90 international destinations were served from Montreal. Facebook was the latest high-profile international company to set up shop in Montreal, adding to the world-leading artificial intelligence ecosystem. The joie de vivre and quality of life in Montreal were second to none, and that incredibly diverse, talented and international society, so rich in culture and the arts, added greatly to what made Montreal tick and so attractive to international organisations such as WADA. It had been a pleasure to host the members at City Hall in May during their meeting. They all knew Montreal well. In Montreal, together with Quebec and Canada, they had solid partners to ensure the continued success of WADA in its critical mission. He looked forward to the continued presence of WADA in Montreal for many years to come. The members knew as well as he did the reason WADA was in Montreal. They wanted to make sure that there was a balanced approach to ensure that they gave a chance to ethics in sport. It was not just a matter of money; it was a matter of values. He thought the members understood that as well as he did. Long live WADA! WADA had stuck with him because he was an ally, and it was clearly a good thing that Montreal remain the headquarters of the World Anti-Doping Agency.

THE CHAIRMAN said that he was not surprised it was a video, because he would have been very impressed had Mr Coderre been speaking live from Montreal at 6:30 on a Sunday morning.

For those members who had not been around all those years ago, Mr Coderre had been the Canadian sport minister when the Foundation Board had decided to move the offices to Montreal. He was pleased to see that Mr Coderre had moved on to become mayor of his city, and he had hosted WADA at its previous meeting.

He asked if the members had any questions to ask the Canadian delegation.

MR BOLDUC noted that obviously a lot of effort had gone into preparing the proposal, and two ministers had shown up. He knew that a decision would be taken that afternoon, and he would be very grateful if the members would let him remain and be informed of the decision.

THE CHAIRMAN said that the Executive Committee did appreciate very much the time taken to come and make the presentation.

MR BAUMANN wished to say thank you. A great deal of effort had gone into the work. It had been a wonderful journey for WADA in Montreal and Canada, and it was wonderful to hear the commitment to continue that journey. Perhaps the comment by the mayor about WADA's real reason for being there might be considered somewhat controversial, but that might be a matter for internal discussion. He thanked the group for their presentation.

THE CHAIRMAN said that he would of course get back to the delegation following the decision.

DECISION

Offer from Canada/Montreal noted.

3.1.3 Next steps

THE CHAIRMAN observed that the presentation had been very impressive.

THE DIRECTOR GENERAL thought that it was up to the Executive Committee to have a discussion on the matter. Options had been put on the table and it was necessary for the members to talk about what direction WADA should be taking.

PROFESSOR ERDENER said that a really excellent presentation had been made by Montreal International together with very high-ranking authorities and the Mayor of Montreal on video. The Olympic Movement had to thank them for the great support given over many years and also their new commitment, which was really important for the improvement of WADA; there was no doubt about it. Just in principle, he supported a kind of tandem procedure for perhaps seeking better conditions for WADA; maybe the procedure would make it possible to get closer to a larger majority of stakeholders. In any case, he would respect all decisions taken.

MR KEJVAL observed that a great presentation had been made. The last time, he had spoken about the contribution and tax payments, and since then, there had been a discussion with Ms Pisani, and he had been given revised figures, which were a little different, but generally the most important thing was that the trend was the same. His opinion was that WADA had negotiated a fantastic deal in 2001 but, during the years, WADA had significantly increased its presence in terms of volume, and tax had increased almost three times since then, and there was a number of possible calculations, including rent and taxes. He was very happy about the fact that Montreal International had increased its bid, which was fine. Everybody had seen the analysis from the Boston Consulting Group about relocation, and costs would be very high, so that had to be taken into account, but it would be necessary to take into account all sorts of considerations and all the issues. He highly appreciated the offer of Montreal International, but it was necessary to stick to procedures to respond to the stakeholders and put that into a tender, and there should be a justification of the money over the long term.

MR BAÑKA spoke on behalf of Europe to support option number two in the document and proposed that WADA first enter into exclusive negotiations with the Canadian authorities in relation to the renewal of the headquarters agreement with a view to obtaining from Canada a revised and improved proposal. That should be done before the November meetings. The team to run the negotiations should be made up of the WADA President and Director General and should also include the WADA Vice-President.

MS SCOTT had a question. Why was that being considered at that time? WADA had thrived and grown and expanded, and had served the clean athletes and the global sport movement very well at its headquarters. What needed to change at that point? It was a call from one stakeholder, and it was hard for her to understand why the other stakeholders were not calling for the same thing, so why was WADA considering it at that time?

MR DÍAZ said that, on behalf of the CADE presidency, he fully supported Montreal as the headquarters and moving forward with the process of negotiation. He also supported what had been suggested by the European member, that the Vice-President of WADA be included in the negotiating team.

MR GODKIN observed that he had been given the mandate to also strongly support continued negotiations with Montreal with a view to the WADA headquarters remaining there.

THE DIRECTOR GENERAL responded to the questions rather than the statements. The only one was from Ms Scott, although he was not sure it was addressed to him. On the timing, it had come from Montreal itself, wanting to renew the agreement. That was why it had been put on the agenda in May. Why was a tender being considered? He thought that the question was not for him to answer. Perhaps the Olympic Movement would want to answer.

MR BAUMANN said that he was not sure he could answer on behalf of the Olympic Movement. However, it was proper governance; WADA had been in Montreal for 16 years, and had spent a lengthy period of time in a country under certain conditions. Conditions changed, and the financial conditions were changing; the situation was not as it had been, so it was right that the Executive Committee should ask questions and review those conditions. It was up to the Executive Committee to decide whether or not the city of Montreal had responded properly to the changing circumstances over the years. There was also a second element, and the mayor had given the answer himself. He thought that that had been an unacceptable comment made by the mayor about why WADA should be in Montreal and not elsewhere, as he did not believe that any other country in the world would accept such a comment coming from the office of the mayor. He would not mind WADA staying in Montreal from a personal perspective. However, he would also like to add that there were a lot of stakeholders in other parts of the world and, being Swiss, he drew a comparison with the UN. There were UN offices in New York and equally strong offices in Geneva. He lived there, and he was not suggesting that the headquarters be in Geneva. That was absolutely not his point. There was certainly significant interest in having a much closer relationship with a lot of the stakeholders who were in that part of the world.

MR KEJVAL answered Ms Scott. WADA had been looking for resources, but it was not just a matter of money. There was some kind of analysis, on how much it would cost to move the office, but there was no analysis on how much it cost the stakeholders to go to Montreal. Generally, nobody wanted to move WADA from Montreal. There was the possibility to renegotiate, and it was necessary to look at all the aspects. That was related to corporate governance; it was necessary to be able to respond to the stakeholders. There was a huge commitment on the part of Quebec province, the government etc., and that was great, but it was a multidisciplinary issue, involving money, VIK (value in kind) and other stakeholders, and it would be necessary to evaluate the offer. At the end of the day, there were many arguments about employees, and there was the cost of around 10 million dollars for relocation. Those were strong arguments, which would always be on the side of Montreal. It was important to be transparent.

MS EL FADIL added that she supported the continuation of the headquarters in Montreal. The question was whether the host agreement needed updating. She was referring to the different articles in the host agreement. Did they need updating?

MR RICCI BITTI said that he had not wanted to intervene, but he had to contribute to try to find a practical solution. He had nothing against Montreal, but there were two items, one being to maximise the income from Montreal, because the cost of moving was not really manageable, and the second was to accommodate a group of important stakeholders with offices in Europe. Both requirements could be answered. Nobody was against Montreal; he had been part of the team for 15 years. It was doing a good job. He focused on the two points: maximising what Montreal was giving to WADA and accommodating some more concrete measures a little better. That was what the stakeholders were asking for.

MS HOFSTAD HELLELAND said that, before taking the decision, it would be important to know what kind of scenario was being supported, and then she wished to know whether or not the Executive Committee would approve the proposal made by Mr Díaz. She assumed that that would not be a problem for the Chairman, that the Vice-President be a part of the negotiations.

THE CHAIRMAN noted that, looking at the conditions and the very detailed work being done, he thought that there were risks across the board: financial risks for WADA on tender processes for half-a-million dollars that WADA did not have, and questions about whether WADA would generate (and he understood the transparency and openness argument) applications from cities/countries who would have to face very high costs. Thirdly, and more particularly, it was the disruption to the business of WADA that worried him more than anything else. He was not sure that one could assume that one could ask 80 people in Montreal whether they would like to go to a nice city like Glasgow. A lot of what Montreal International had said in terms of benefits and costs was genuine. There was another thing that the members should take into account. He thought that the Executive Committee

should ask Mr Niggli and him ,and he would delighted if Ms Hofstad Helleland would join them, to negotiate with Montreal International, as he was not sure whether or not that was the final offer, and to get that clear and then bring that to the Foundation Board in November, because the Foundation Board had to take that decision and it would require a two-third majority, and he saw no point in going through all sorts of financial risks and other work when WADA then ran the risk of the Foundation Board turning round and saying that it did not want to move. He thought that that question needed to be asked first. He asked the Executive Committee to let the Director General, the Vice-President and him go and negotiate with Montreal International, and that would be put to the Foundation Board in Seoul, and then the question would really be quite simple: did the Foundation Board want to move? If the Foundation Board wanted to move, then WADA would tender and work it out. WADA was under current contract until 2021. That contract would expire, after which a new contract would be necessary. That seemed to him to be the most effective way of getting through that. If the members were happy, the Director General, the Vice-President and he would take that on and try to see if they could get Montreal International to sharpen their pencils.

MR RICCI BITTI completely agreed and supported the process. He wanted the Chairman to be very tough with Montreal because Montreal might have to pay something in terms of what WADA had to do to adjust the situation.

MR KEJVAL said that he also understood the political situation, but he was always in favour of going to negotiate with a different offer in his pocket.

THE CHAIRMAN replied that he would be happy to see anything that Mr Kejval could suggest that might strengthen the negotiators' hands. He thanked the members.

DECISION

The President, Vice-President and Director General to continue negotiations with Montreal International.

– 3.2 Independent Testing Authority update

THE DIRECTOR GENERAL informed the members that the management had followed the process agreed at the meeting in May in relation to the appointment of a board for the Independent Testing Authority. The process agreed had been to receive a proposal from the IOC on the Independent Testing Authority members; the composition was to be two independent members (one being the chairperson), one representative of the IOC, one of the IFs and one athlete. WADA had received the IOC's proposal and appointed a selection committee to look at the composition of the group and make sure that they had the required competence and mix. The group was made up of Mr Patel from the UK Government, Mr Zagklis, the FIBA legal adviser, and Mr Syväsalmi, the head of the Finnish Centre for Integrity in Sport. The three gentlemen had looked at the proposal, reviewed it and asked many questions, and their report could be seen in the members' files that had been tabled. They recommended the adoption of the proposal unanimously for four of the five members and by majority for one member and explained their position. As indicated in the paper, WADA had been waiting for them to complete the work and it was up to the Executive Committee to formally nominate the board, which would start its work with the Independent Testing Authority, once the Independent Testing Authority was in fact incorporated in Switzerland, which had not yet been done but was under way. The decision was to approve as the independent chair of the Independent Testing Authority Ms Fournayron of France, Professor Erdener of Turkey as the representative of the IOC, Mr Ricci Bitti as the IF representative, Ms Coventry as the Athlete Committee representative and, as the other independent member, Professor Chen of China. The recommendation was on the table and the members of the selection committee were present if anybody wished to ask them a question.

THE CHAIRMAN thanked the Director General. The issue was quite clear. WADA had to establish the board, and it had gone through the correct process. Was it the members' view that the five people should form the board and get on with it?

MR GODKIN asked for clarity if the document had just been tabled and whether the Chairman was seeking a decision from the Executive Committee on that at that session.

THE CHAIRMAN confirmed that he was.

MS HOFSTAD HELLELAND said that two documents had been tabled that morning and one required an Executive Committee decision. The governments had discussed the unfortunate and unusual practice for democratic organisations and believed that such practice went against the principles of good governance that WADA aimed to promote. Stakeholders should have a possibility

to properly examine the documents before taking decisions and consult their constituencies. She therefore requested that the Executive Committee refrain from such practice in the future and circulate documents sufficiently in advance. In relation to the two documents on the table, the governments were not prepared to take a stance on them and support any decisions at that meeting as a matter of principle. At the very least, they could have been given the document before the breakfast meeting that morning. She hoped that their position would be understood.

THE DIRECTOR GENERAL pointed out that, in the documents in the members' folders, it had been stated that it had been anticipated that the Independent Testing Authority composition would be presented to the WADA Executive Committee for ratification at its meeting on 24 September, because the group had actually been doing the work and had finalised its work the previous day. That was the understanding; it was not that the management was not trying to provide the information in advance, but it had had to work within the constraints of the new body that was being set up.

THE CHAIRMAN asked if it was the members' desire that the five people form the Independent Testing Authority board and get on with the work.

MS HOFSTAD HELLELAND apologised but said that the governments did not like the procedure of being given papers on the same day and therefore refused to go any further with the discussion. The decision should be postponed until the next meeting in November.

THE CHAIRMAN said that he was sorry that the members had not had the paper until that morning. WADA had not had the information until the previous day. People had been told in advance that that might happen. He accepted that the members might be unhappy with the process, but it did nothing for the advancement of anti-doping in sport to delay the decision for another three months.

MR RICCI BITTI asked the minister what contribution or discussion she was looking for. It was the right of the IOC to nominate the people and the right had to be confirmed by the committee, so the process was perfect and complete. The point the minister was making was very political.

THE CHAIRMAN noted what had been said, but came back because he thought that it would make good sense to have that ratified.

MR MIZUOCHI said that, in relation to what the Vice-President had just said, he thought that very high-level organisations such as WADA should ensure very good information-sharing and he had been surprised to hear from the Vice-President that she had learned of some information for the first time from the media and not WADA. It was regrettable, a very serious problem in terms of procedure, and he hoped that WADA as an organisation would share information better in the future.

THE CHAIRMAN took note of what had been said, but still thought that WADA should continue to support that body. He had been asked about an independent testing authority at least two years previously. It had been a matter for discussion at that table for two years, and WADA was at the final stage, the only stage in which it was involved, after which it would allow the Independent Testing Authority, which would deal almost exclusively with IFs, to get on with its work. He asked the members to approve the five names and then move on.

There would be a vote.

PROFESSOR ERDENER said that, if WADA needed to have an active Independent Testing Authority by the start of the following year, it would be necessary to decide then and there, because procedures were under way in accordance with Swiss law. Otherwise, time would be wasted.

MR GODKIN noted that there was mention of some contention within the selection committee about the conflict of interest issue. Was it possible to get some further understanding about that issue?

THE DIRECTOR GENERAL asked Mr Patel, who was observing the meeting, to summarise the discussion that had taken place within the committee.

MR PATEL informed the members that Mr Zagklis was in the room as well so, if his recollection of what he was about to say was incorrect, he would be happy to stand corrected. One of the issues with which the committee had been grappling was whether it would be a conflict of interest for a president of an IF to sit on the board of an independent testing authority that would be providing a service to its own sport. Two of the members had taken a pragmatic approach and felt that, if the independent chair were empowered to implement a best practice conflict of interest policy, it would be felt to be manageable. Reflecting on the point about the Independent Testing Authority not being

a Code signatory, it had been felt that, because IFs were bound by the Code, there would be sufficient oversight from WADA as well. On the discussion set out in the paper, that provided the overview.

THE CHAIRMAN said that, if there was some reluctance to take a decision, there could be a vote by correspondence within seven days. First thing Monday morning, the members would receive a letter.

MR RICCI BITTI stated that he was rather embarrassed to talk, because he had another job. He wished to clarify to the minister that it was a proposal by the IOC. The IOC would be paying for everything and nobody was being asked to contribute anything. The names had been proposed in accordance with some criteria, and the IOC wanted them to be endorsed by WADA, but it was an endorsement and, in accordance with Swiss law, strictly speaking, the IOC should not even need that, so the logic of the minister's intervention was completely out of order. Notwithstanding, he was ready to listen.

THE CHAIRMAN said that, rather than get involved in a public argument over Swiss law, if Mr Ricci Bitti did not mind, WADA would organise a paper vote the following week and resolve that because, as Professor Erdener had said, the IOC's intentions in relation to the Independent Testing Authority deserved some speed, because it had work to do, probably in connection with the Olympic Games in 2018. The members would have a very short period during which to respond, and it would be those five names agreed upon by the selection committee. He thanked Mr Patel for coming to the table to update the members, and to he and his colleagues for doing the work. Was everybody happy with that?

DECISION

Independent Testing Authority update noted. Decision in relation to Independent Testing Authority board to be taken the following week.

4. Operations/management

– 4.1 Standing committee memberships 2018

THE DIRECTOR GENERAL said that the item was to remind the members that WADA would be looking at the standing committees to table composition at the meeting in November, so the members could provide proposals until 6 October. The members would see the list of vacancies in their papers.

THE CHAIRMAN encouraged the members to influence nominations and good people who might like to join the committee structure, because having good people made WADA's work better.

MR ESTANGUET said that the athletes had discussed the matter of standing committee nominations and reminded the members that they would appreciate it if they could appoint athletes already in the system, athletes already elected by athletes in their IFs or NOCs who already had experience in representing athletes and also had expertise. He was sure that there were plenty and he encouraged WADA to appoint them, respecting gender balance, diversity and geographic representation.

THE DIRECTOR GENERAL thanked Mr Estanguet for his comments. The management would look into the matter when looking at diversity. The mechanism for appointments was in the constitution. That was a topic under discussion by the governance group but, until the constitution changed, WADA would follow the same process. As always, WADA would look at ensuring the best balance and skills around the table.

DECISION

Standing committee memberships 2018 noted.

5. Finance

– 5.1 Finance and Administration Committee Chair report

MR RICCI BITTI reported that the Finance and Administration Committee had had a very fruitful meeting in Lausanne in July as usual, and the committee had reviewed the yearly accounts and

accepted the auditing report, for which he complimented the Finance Department because, once again, no deficiencies had been found.

It had been noted that contributions received had been slightly lower at that time, but the situation was currently slightly better. The Special Investigations Fund had already received 1.4 million dollars, and the balance remained at around 754,000 dollars, and would be kept as a reserve to be used for future investigations. The members would see that in the balance sheet as deferred income. The six-month financial results had been discussed as usual. The activity of WADA's finance was very seasonal: contributions were received very early on in the year, and expenses were obviously spread throughout the year, so WADA looked very good half-way through the year but that was not the real situation.

Coming to the most important point, the four-year plan, it had taken a lot of time and discussion by the Committee members had been very interesting. He would go immediately to the conclusions and then come back to the figures. Three recommendations had been made by the Finance and Administration Committee. It was clear that WADA needed more money for more activity. As indicated at the previous meeting, new activities had been approved, and WADA could not continue to cut activities that were vital. Over the past year, to fulfil the commitment not to deplete more than the 500,000 dollars in reserve, it had been necessary to make cuts in science research, and he did not think that that was a very healthy exercise. A combination of new activities and reinstated activities meant that WADA needed much more money, so the Finance and Administration Committee had accepted the four-year plan presented as being adequate and necessary to fund the activities of WADA. The second recommendation was to the public authorities, and the Finance and Administration Committee thought that it was time to review the system, the formula of distribution of contributions between and within the continents. With the increase in contributions, the difference was growing, and the opinion of the Finance and Administration Committee was that it was not totally fair to some continents, such as Europe. The world was changing and the balance of activities was changing, and he believed that the situation could not be solved with voluntary contributions but should be solved systematically, and that was the second recommendation of the Finance and Administration Committee. The third recommendation was that the Finance and Administration Committee obviously encouraged the WADA management to look for additional sources of funding to complement the standard contributions. That was the general summary. He would then go to the items in the agenda.

DECISION

Finance and Administration Committee Chair
report noted.

5.1.1 Voluntary contributions protocol

MR RICCI BITTI said that he recommended that WADA put in place guidelines. Voluntary contributions were received from many countries and they were very welcome, but there had been some problems in the past, and the Finance and Administration Committee had in fact recommended turning down a contribution three years previously. It had been very wise given subsequent events. It had been from Russia. He thought that the contributions should be really meaningful and targeted to some specific activities. The aim of the protocol he asked the members to approve was to give some indication as to how the voluntary contributions should be accepted by WADA. The points were very clear. He thought that the members had the information in their papers. He believed that it was clear. WADA wanted to improve its system (it was a matter of governance) and justify the protocol relating to the voluntary contributions by countries. It represented a clear improvement in governance.

THE CHAIRMAN asked if the members were all happy with the protocol for voluntary contributions.

MR BAŇKA said that he supported the adoption of the protocol; it was definitely a step in the right direction, allowing WADA to react to every voluntary contribution offer based on the objective rules established; however, Europe asked to delete part of the second paragraph of point 3 to read as: *contributions may be given for specific activities without specific instructions*. The reasoning behind the proposal was that the role of the WADA management in assigning the contributions should not be exposed.

THE CHAIRMAN asked if Mr Ricci Bitti was happy with that.

MR RICCI BITTI agreed. It was a little bit less specific, but it was acceptable. It was necessary to move ahead.

THE CHAIRMAN asked if, subject to the comment by Mr Bařka, the members were happy with that.

DECISION

Proposed voluntary contributions protocol approved.

5.1.2 New member – WADA Remuneration Committee

MR RICCI BITTI said that the WADA Remuneration Committee had been instituted some years previously. The process was that the WADA Finance and Administration Committee chairman would appoint the members based on criteria. There were criteria for the appointment of members who had to be replaced. Members selected had to be Executive Committee members or officially registered deputies for Executive Committee meetings. Members must not be from the same governmental region already represented on the committee, and they should represent the opposite stakeholder group to the Finance and Administration Committee chairman (that was him). The terms of the members would coincide with the term of the Finance and Administration Committee chairman. In line with those criteria, he proposed Mr Andrew Godkin from Australia as a new member and sought the approval of the members.

THE CHAIRMAN congratulated Mr Godkin and thanked him for his help.

DECISION

Proposed process for appointing new members to the WADA Remunerations Committee approved, and proposal to appoint Mr Godkin as the new member of the Remuneration Committee approved.

– 5.2 Government/IOC contributions

MR RICCI BITTI said that the contribution situation was slightly better than it had been in July. WADA had obtained 96.95% of the budgeted public authorities contributions; that was slightly higher than the previous year, although there were still outstanding contributions from major countries, including Venezuela and Greece, and a shortfall from Italy, unfortunately. The additional contributions from public authorities were higher than the previous year at that time, due to additional grants received from two countries, Azerbaijan and Saudi Arabia. He also thanked the traditional contributors such as Japan, Kuwait and Australia.

DECISION

Government/IOC contributions update noted.

– 5.3 2017 quarterly accounts

MR RICCI BITTI said that the information was not very meaningful; the members would see that WADA looked very profitable, but they were only half-way through the year and it did not mean anything because WADA had variable monthly expenses of between 2.2 and 2.8 million dollars per month, so WADA had just about enough money to get to the end of the year. The money that looked like it was a profit was money that WADA would have to spend. Expenditure would come in much later than contributions. He mentioned two items. He had already mentioned the 754,000 dollar deferred income for investigations to be completed and the 200,000 dollars from Korea that will be applied to the cost of ADAMS, ADAMS being a vital tool for WADA activity. Those were the two items he wished to mention, as they were specific, but there was nothing in the quarterly accounts that was of greater significance.

DECISION

2017 quarterly accounts noted.

– 5.4 Revised budget 2017

MR RICCI BITTI informed the members that the budget had been reviewed very thoroughly by the Finance and Administration Committee and there had been several changes made. One change

was on the exchange rate used; with the strengthening of the US dollar versus the Canadian dollar, the exchange rate had been modified from 1.22 to 1.25, whereas the Swiss franc/US dollars rate remained at the same level of 0.95. What was important to note was that the revised budget took into account the enhanced activities and the newly initiated core activities to be seen in the 2018-2021 budget. There were new activities in the four-year plan as well as the enhanced activities, and the revised budget took into consideration the beginning phase of the new core activities, such as increasing financial commitments, communication strategy and positioning. To cut a long story short, WADA had a total budget income increase of 541,000 dollars and a decrease in cost of 65,000 dollars. Basically, there was a depletion needed of cash reserves of 117,000 instead of 500,000. That was a good result, because it was in combination with the addition of enhanced activities and the new core activities. It was a good trend and WADA could increase depreciation and reduce the depletion of cash reserves; that was a very important aspect of the budget so, instead of depleting the maximum amount of 500,000 dollars, the revised budget allowed for a depletion of only 117,000 dollars of cash reserves. That was the summary. He would be happy to answer any questions about variances on the revised budget. That was a revised budget that was moving in a positive direction.

DECISION

Revised budget 2017 noted.

– 5.5 2018-2021 draft budget

MR RICCI BITTI said that there had been a discussion on the four-year plan. The Finance and Administration Committee had been used to seeing the general numbers (percentage increases) for three-years, but now the planning had been requested to be more detailed and had gone up to four years because the increase called for a longer-term vision. The budget was based on the new activities requested by WADA at the November 2016 Foundation Board meeting. The activities were based on what had been decided. WADA had been given a new mandate and that budget reflected the financial needs required to meet and carry out the mandate successfully. Obviously, it was a very important switch in requirements, but he asked the members to consider the proposal positively. He asked the Director General to make a short presentation on the four-year plan.

THE DIRECTOR GENERAL said that he would try to be relatively brief. The goal of the presentation was to summarise a document that was relatively detailed. It was the first time WADA had prepared a four-year detailed plan. All the details and explanations were provided over a four-year period. He did not need to state where WADA was coming from. The members were all aware of that, and the new challenges that WADA had to face. The first thing he wished to do was say that WADA should either do things and do them well or not be doing them. That was very important in terms of the budget discussion. The management had put on the table what it thought was necessary to do the job. If the budget was too high, the management needed to be told what it should not be doing. WADA should not be doing things by halves. The constant expectations that were put on the management had a cost if the members wanted the management to do them well.

To give the members an idea of what had happened from 2011 to 2015, the WADA budget had decreased in real terms because the average annual increase had been 0.8, which was lower than the rate of inflation every year, except perhaps for 2013, which had been about the same, meaning that WADA was doing more with less money. It came as no surprise that the science budget had been reduced, because it reflected the trend that there had been more and more activities and the money had been reduced over time to allow WADA to carry on other activities. As mentioned by Mr Ricci Bitti, it was important to look at where WADA was. There were expectations on the management to do more on a certain number of activities, and there were also new activities put upon the management. The green was what was already being done, but more would have to be done, and the blue represented what was new. Harmonisation of rules, Code revision and standards were in preparation; there would be more rules to develop in relation to governance and so on. In terms of capacity building, WADA needed to do more, help more NADOs and RADOs in some parts of the world to develop and ensure a level playing field and have good programmes implemented everywhere. That was in line with compliance: it was not only to point out deficiencies, it was also to help stakeholders improve. Social science research education was important, and WADA needed to keep investing in social science research, because that was how WADA understood how to communicate and try to improve. In terms of accreditation of laboratories, a working group had been chaired by Professor Erdener, WADA needed to do more and ensure quality, and there was a cost to that programme. Scientific research had gone down and down in the budget; there was a pocket of money from the fund provided by governments and matched by the IOC but, in two years' time, the funding would be over, and WADA would be back to a low level of scientific research and, unless

WADA invested, it would be falling back behind the cheats. He did not need to mention the fact that ADAMS was key to many athletes. That was just doing what WADA was currently doing but with more expectations. Then there was a new compliance programme. That comprised audits, there was a new questionnaire and tools and so on, and that all had a cost. In terms of intelligence and investigations, there was a new department with six people, and that had not been on the WADA accounts until recently. There were a lot of requests coming in to the department. He had separated the whistleblower programme from intelligence and investigations, because the work being done with whistleblowers was done by people other than those doing the investigations, to ensure proper management and protection of the whistleblowers. Given the success of the Speak Up! programme put into place, there would be an increase. Combining all that and putting it into the four-year plan, the members would have seen the figure in their papers.

Looking more closely at where the money was going, the members could see where the efforts were being put year by year. In terms of harmonisation of rules, he knew that, the following year and in 2019, WADA would have to make a huge effort. That would form part of the Code revision and revision of the standards, after which the efforts would reduce for a number of years. Capacity building was obviously an ongoing project, and he hoped that, if WADA got the support it was seeking, it would be possible to increase the capacity and invest properly in developing a programme in a number of parts in the world. Social science research was growing modestly. WADA maintained a level that allowed for the funding of a number of projects that were important in terms of tools to provide education. Regarding accrediting and monitoring laboratories, WADA needed to step up. There was a phasing of increasing proficiency testing and audits, and then he hoped it would stabilise, because the number of laboratories would not increase too much and might even go down a little bit. There would then be a routine of auditing and it would be a matter of making sure that WADA could monitor properly. Scientific research had been capped at 3.5 million dollars. It was not enough. It was the minimum required to carry out the mandate. In fact, WADA could invest a lot more in scientific research. There were a lot more demands out there, including the Athlete Biological Passport and the research WADA should be engaging in to develop new parameters for the Athlete Biological Passport and keep it evolving. WADA had kept it at 3.5 million dollars in order to remain within reasonable amounts in terms of the overall budget. In terms of developing ADAMS, the major efforts would be required then and the following year, after which he hoped that WADA would be able to maintain a level of around 1.6 million dollars per year. There would always be a cost for IT services. Once WADA had done the work in terms of getting the next generation, it would be more a matter of updates than a complete refurbishment. New activities included compliance, and there could be a debate: how many audits, how much did the members want WADA to do? He thought it was important to have a significant amount of audits every year; otherwise, the turnover to see all of the stakeholders could be as long as 10 years, which was too long. The aim was to try to see at least two-thirds of stakeholders on a four-year cycle to be on top of things and know what was going on. Again it was a matter of investment. There was no secret. The more people, the more audits could be conducted, and the more work one could do on that front. On intelligence and investigations, that was the estimate given the amount of work coming in and the amount of information being received by the WADA Intelligence and Investigations Department. It was a significant amount but it remained quite reasonable, and added to that was the whistleblower programme, for which he thought there should be more people to manage the whistleblowers. It was very important that those managing the whistleblowers were not the same as those doing the investigation, as WADA did not want to be in a situation in court of having to reveal the name of the whistleblower. The investigator testifying in court would not know the name of the whistleblower. That would be managed by other people in the organisation.

The final slide showed what was needed to do WADA's core mandate. It was what the management thought the members' expectations were. He thought that the management would be able to do a lot more if more resources could be found, in particular from the private sector. Nevertheless, it was necessary to be realistic. The next discussion involved seeking further resources.

MR RICCI BITTI asked how the discussion might proceed, because there were other presentations that would have an impact.

THE CHAIRMAN said that the additional finance presentation was unlikely to have a huge impact on the instant budget, but he hoped it would have a huge impact on further revenue. He thought that the Executive Committee needed to have a clear idea of how to move forward.

MR RICCI BITTI said that the Finance and Administration Committee had had a very interesting meeting. Management had developed a budget from a clean slate. It was not a zero-based budget, but a clean-slate budget, and a four-year plan had been produced as required by the public

authorities in particular. The plan had to be considered in its entirety so that WADA could put the plan in motion. If the members were not ready to support the increase of 8% later in the year (for 2018), and then 15% every year after that, the members should at least consider that it had to be a plan in motion and not a plan that could be approved step by step or year by year. It was necessary to express a direction. Repeating the recommendation of the Finance and Administration Committee about the increase in contributions called for consideration and he reiterated the contribution of the public authorities which was very welcome. He thought he spoke on behalf of the IOC when he said that the IOC would be ready to match what the public authorities paid. The members of the Finance and Administration Committee representing the public authorities had agreed that it was time to reconsider the contributions. It was a tough job for the public authorities colleagues, as he believed it should be reviewed between the continents and also within the continents. It was a big job, but the time was right, because the contributions were becoming significant. The IOC had faced the problem many times: something that looked great at one point no longer looked so good after 15 years. He noted the Finance and Administration Committee's support of that plan and was ready to answer any questions on the merits of the proposal.

THE CHAIRMAN observed that it was certainly the most complete presentation of a long-term budget. WADA had been asked for one by the public authorities. A huge amount of work had gone into setting it out.

MR BAŃKA expressed his appreciation to the WADA management for their efforts to come up with a four-year plan. It was a good document and a good response to the need expressed by the governments to have an evidence-based multiannual policy in place for WADA to serve as the basis for any financial projections. He congratulated all the staff involved in drafting the document. Although the four-year plan was not yet tabled for adoption, he assumed that the Director General expected the Foundation Board would adopt it in November together with the budgetary framework for the years 2018-2021; however, given the complexity of the document, he suggested postponing the adoption of the multi-year budget and the plan itself until 2018 and launching a robust consultation process with all the stakeholders, otherwise there would not be sufficient time to examine all the proposals contained in the document and its implications on the global and national levels. Taking that into account, Europe would actively engage in the process of consultation by organising extraordinary CAHAMA meetings with the relevant WADA representatives. At that stage, he could make some minor comments on the four-year plan.

The proposed number of compliance audits and level of capacity building should be reassessed as they seemed quite ambitious. Regarding 2018, a one-year budget should be proposed for adoption at the November Foundation Board with several scenarios, including 3%, 5% and 8% growth. WADA should take into account the timeframe for drafting national budgets while proposing the 2018 WADA budget. In most of the countries, the budget had already been drafted if not adopted, and that was why it was so important to adopt the multiannual financial framework based on the four-year plan no later than May 2018.

MR MIZUOCHI appreciated such a detailed report. He understood that funds would be necessary to bolster WADA's activities; however, he wished to state the position of the Asian region in relation to the proposed budget increases over the coming four years of 8%, 15%, 15% and 5% respectively. The 2018 budget was forecast in Asia to rise by 5% based on the WADA budget increases of recent years. The governments of the Asian region, after spending several months debating the formula for appropriations for each country in the Asian region, had decided that they could bear up to a 5% increase in the 2018 budget, but not 8%. A 5% increase for 2018 could possibly be accommodated by Asia, but not 8%. Many countries, including Japan, had already begun the process of budgeting for the next fiscal year, so a proposal for further increases was too late for them to consider; therefore, Japan supported the proposal that the 2018 budget be separated from the subsequent three years and discussed at the meeting to be recommended to the Foundation Board in November. Then, the subsequent three years could be discussed at the May meeting the following year. Contributions from the public authorities in 2021 would be 1.5 times those of 2017, and even the 5% increase proposal had caused a very heated debate. One might easily expect huge resistance to a 15% increase in the budget. It was unrealistic. It was also unfortunate that the issue was being debated at a WADA Executive Committee meeting that was not more fully represented by all five continents.

MR GODKIN thanked the Director General for his presentation. He had very adequately outlined a lot of the challenges and it was a very ambitious programme. It just raised the question as to how that all fitted into an overall strategic approach for the agency. How was it all being pulled together in such a strategy? Was there further consideration along those lines? He would be interested to

know how all those elements were brought together. He noted in the Finance and Administration Committee minutes that the issue of ADAMS had been raised along with the write-down, and the members had sought some reassurance that the Finance and Administration Committee was content with the progress that was currently under way. Could the Director General reassure the members that that was the case? It was quite a significant issue in those straitened financial times.

MR KEJVAL had a comment to make in relation to the voluntary contributions. He supported the opinion of the Finance and Administration Committee, especially in relation to very small donations, such as those made that year from Azerbaijan and Saudi Arabia.

THE DIRECTOR GENERAL told Mr Godkin that WADA was proposing having a discussion on the strategic plan given everything that had happened over the past year. That four-year budget was a response to the priorities outlined at the meeting in Glasgow, and it responded to the amount of work and expectations placed upon WADA. It was necessary to be responsible and say what the expectations would cost. In light of what the members would hear in the next presentation, the view was that it was important to undertake the exercise, also in terms of branding because, if WADA was planning to seek private funding, it needed to go forward with a clear message as to where it was and where it was going. It was necessary to deal with what had been put on the table in Glasgow and answer that. On the second question about ADAMS, WADA had completely changed the way in which it operated the ADAMS revision. The problem that had led to the write-off was that WADA had engaged a service provider to do all of the work and then had realised some time into the project that the service provider was not actually delivering what was required of them. The project had now been split into small projects, the longest being a three-month project, and WADA was maintaining control over each of the separate projects. He did not see the same issues occurring. On top of that, WADA had changed the team and had a new multidisciplinary team, so was a lot closer to its end users. He was very comfortable with the way in which it was progressing and certainly in terms of finance he thought that there were now better safeguards in place.

MR RICCI BITTI made some comments from a general point of view. Even the Finance and Administration Committee had been aware that it was a very provocative proposal, and that was clearly something different, but the members had believed that the proposal of the management was acceptable because WADA had to work on a long-term basis. It was a little bit surprising to hear from the public authorities representatives. They had requested four years. WADA had been happy with two years, but had been asked clearly by the public authorities, and he remembered his Flemish friend repeating the request in particular. The Finance and Administration Committee had provided what had been required. He was also somewhat surprised about the compliance issue. The Polish minister had asked for much stronger action in terms of compliance and was now saying that compliance had been over-considered. WADA had to decide which way to go, but it was necessary to be consistent.

Many people had mentioned the budget process. He understood that there were constraints, and the problem had to be solved. He thought that it was an excuse. The budget process was always over when the Foundation Board had to make a decision. WADA had to decide on the timing, but the story of the budget had to be finished. Those were his comments. He apologised for being so frank, but it was his duty.

On ADAMS and the 5% proposed by the Japanese delegate, the Executive Committee had to decide what to propose to the Foundation Board. He had no authority. He could recommend that talking about one year was cutting the aim of the WADA management to have a vision for the following years. He asked the Chairman to deal with that. He acknowledged Mr Godkin that ADAMS had been a long and not very happy story. WADA had made some mistakes in the past and had changed direction and what was good was that the users were happier. There was growing acceptance on the part of the users in general. That was a good sign. The key point was the users. It looked as if the users would appreciate what WADA was doing.

He thanked Mr Kejval for his comment.

He thought that the Chairman had to open a discussion on where WADA should go in terms of the proposal from the Executive Committee to the Foundation Board. There was a four-year plan with a very important increase and vision, then there were some proposals coming from Europe and the minister from Japan. He did not know how to deal with those. His aim was to come up with a proposal for the Foundation Board meeting in November.

THE CHAIRMAN observed that the debate had always been likely to head in that direction. One of the effects of the whole Russian mess was that it had forced everybody to examine the whole

structure of the anti-doping process. There had been a fusillade of comments about the structure being broken, when in fact the only thing it had been unable to handle was the biggest country in the world breaking the rules. But everybody in the anti-doping community, starting principally with the athletes, wanted WADA to do more, and they had clearly indicated the areas on which they wanted WADA to deliver. That was a hugely complex and detailed document that stated what WADA needed to do to respond to the requests being made and what WADA needed to deliver. If WADA was to deliver it, it needed the finance, at least to start it. WADA needed a decision on what it took to the Foundation Board in Seoul in the knowledge from comments made by the public authorities that they needed more time to consult and discuss a considerable rise in contributions, and there were different ways of doing that, and some work had already been done but it could not be done and imposed by WADA on the public authorities; it had to come from the public authorities, so he was sure that work could be made available. He would be really keen if WADA's Executive Committee could go to the Foundation Board with the recommended higher figure, which was just enough to get started on the whole project. He understood that 5% was easier than 8% and that there were difficulties in budgeting processes, but the difference was relatively modest. It would be a good sign for the future of the whole anti-doping movement if that meeting would take the current planned 2018 budget at 8% to the Foundation Board and it could look at all the paperwork before meeting in Seoul and take a decision at that time. 5% did not progress anything. It allowed WADA to do just what it was currently doing and that was not really acceptable to anybody around the table. That would be the only request.

MR RICCI BITTI said that his point was precisely to make an effort to have the figures for 2018. He reminded the members that the 5% had included travel expenses; those expenses had been reinstated, so effectively the figure was 3%. It would be good to have a figure for the first year and perhaps to defer the direction and the trend, with some adjustments for the next three years. He believed that an effort should be made there to give a direction on the first year with the assumption that WADA would be going up. He did not want to say how much, but that would be his wish as the chairman of the Finance and Administration Committee, to have the tools to see a bit further achieved. A figure for 2018 should be the task for that day. He repeated that 5% was not that much, because the travel expenses had been reinstated. 5% meant in essence, no change. He would ask the members to be a little bit more generous, although it was not his job.

MR BAŃKA thought that Mr Ricci Bitti had not understood him. The recommendation was good, but the public authorities needed more time. But what about the four-year plan?

THE CHAIRMAN said that he thought that the plan was sound and it outlined everything WADA needed to do and deliver, and it outlined the cost, and the base funding (forgetting any additional money WADA might be able to raise) started first on contributions from the public authorities, which were then matched dollar for dollar by the sport movement, and the sport movement had said that that would happen. It was a much bigger exercise. If he could do it for the minister, he would be presenting a means of how that could arise, but the ultimate decision would depend on the public authorities. He thought that the Executive Committee should note that a recommendation would be made for 2018 at an acceptable level and request that the public authorities consult and examine in detail, and the WADA management would let the public authorities have some background work carried out on a number of methods that they might find attractive or unattractive. The four-year plan could work only if the public authorities were prepared to meet the increased level of contribution.

MR BAŃKA asked when it would be adopted.

THE CHAIRMAN said that it would have to be done in the spring of 2018 (northern hemisphere), but even then it might be a relatively brief period of consultation, because governments needed quite a long time to do that kind of work. An ideal date would be November, but he knew that that would not work. If a working group could be established to take that on and start doing it immediately, with a bit of luck, it would be done in 2018. And it had to be clearly understood that the cost increases would last for a number of years, and they were inevitable, from what people had told WADA that it had to do, particularly at the meeting in Glasgow. Would that be acceptable?

Would it be better to put the budget forward with two figures or a preferred figure and then allow the Foundation Board to decide in November? His plea was that, as WADA started to do that and changed the whole structure, despite the budgeting processes and systems that the public authorities had, the modest increase up to 8% be accommodated.

MR RICCI BITTI said that he was very flexible. The only thing the management wanted for November was a figure to develop a budget because, if the figure was not 8%, the budget would

have to be changed and something would have to be cut. He had understood perfectly what Mr Baňka had been saying. The Finance and Administration Committee needed the figure to produce options. He was very open. The IOC had already supported WADA in telling the public authorities that it was ready to match whatever decision the public authorities made. The public authorities had to tell the management what kind of technical exercise it had to do. The management knew what the priorities were and what choices to make. He had been seeking a direction. Starting with the 5% would be very poor, in his view; at any rate, he was ready to do what the public authorities asked.

THE CHAIRMAN stressed that a budget needed to be put forward. The figures had been done. He suggested bringing it forward, having noted the observations made by Mr Mizuochi, and that WADA put forward a budget based on a contribution rate increase of 8% and that WADA ask the Foundation Board to support it. If the Foundation Board supported it, WADA would be moving in the right direction; if the Foundation Board did not support it, those who had difficulty accepting the modest increase should have some idea of the activities that WADA should then not undertake. Were the members happy with that?

He thanked Mr Ricci Bitti.

MR RICCI BITTI added that the cash projection for the four years meant that WADA should keep the reserve at the same level.

Following a break, THE CHAIRMAN informed the members that, after having had a private discussion with Mr Baňka and Mr Ricci Bitti, it had been agreed that, in Seoul in November, a budget would be produced showing two potential rates of contribution, 5% and 8%, but with the very strong recommendation that it be the higher of the two figures.

DECISION

Executive Committee to put forward a budget with two potential increases, 5% and 8%, to the Foundation Board in November with the strong recommendation that it approve the higher of the two figures.

MR DÍAZ raised later in the agenda, that there had been some public authorities uncertain about what WADA would be recommending for the budget in November in the end: 5% or 8% or both. He just wanted to make sure that everybody was clear.

THE CHAIRMAN said that Mr Díaz had not been there when he had dealt with that. WADA would provide both figures with a recommendation of 8%.

– 5.6 Additional funding strategy

THE CHAIRMAN said that there had been discussions about money on an almost never-ending basis for years and, in an attempt to get a proper funding strategy, WADA had been seeking some high-quality outside advice. As the members were aware, WADA had created a charitable foundation in the USA, but that would be of use only in one particular area of the world and WADA needed to have a much broader and better strategy. WADA had asked for professional advice, which had been generously given, a significant part pro-bono. He introduced Mr Ulrik Schulze, who was the Senior Partner and Managing Director of the Boston Consulting Group in Zurich; Mr Rolf Hoffman, who had expertise in the pharmaceutical industry and who had already been of great help to WADA, because WADA had its first donation from one of the pharmaceutical companies (where Mr Hoffman had previously worked) already in the bank, which he assumed was a tax-efficient process as far as they were concerned; and finally, because WADA needed to have an athlete involved, Mr Trent Dimas, a gold medallist at the Olympic Games in Barcelona, whose expertise was in the fundraising development business. WADA had asked the three gentlemen for a presentation on how it might move forward, hopefully to create a fund of money, which WADA would have and which it could allocate where it needed to allocate. He could not wait to get into an argument about how WADA would spend more money. The argument was currently about how to get enough money to do the base production.

THE DIRECTOR GENERAL thanked the three gentlemen. They had worked on the project pro bono for WADA and had put a lot of effort into it, and believed in what WADA was doing. He was very grateful for the hard work they had put into it. The presentation was not just about fundraising; it was about a real aspiration that had been shared with the Executive Committee on how to really change anti-doping. Just before, the four-year plan had been discussed, but that allowed WADA to simply only maintain its current mandate. He was talking about another level, to which WADA could

go if it really wanted to change the game and change the fight against anti-doping. The Executive Committee members would hear from people outside the normal system, people with a different vision and background. Hopefully, they would find that helpful and encouraging. That was the bold aspiration. The idea was for WADA to be the leader of clean sport, to rebuild confidence in the system and, more importantly, for the clean athletes to prevail, and WADA wanted to do that by putting the resources required for it to get there.

MR SCHULZE thanked the members for giving him the opportunity to work with WADA. As a father of two sons both into sport, the mission of WADA was already something that resonated with him in terms of ensuring they could keep competing on a fair playing field. What could he bring to the table? In his day job, he worked with boards of directors, CEOs and senior executives of global companies to help them articulate their visions and strategies and translate them into plans, helping them implement those plans to achieve those strategies and missions. In doing so, a range of tools and methodologies were applied and he had taken those and applied them to the work with WADA. Part of that was where WADA wanted to go. As the members would see, it was a significant step change from where WADA currently stood. If one really wanted to stretch companies to achieve something grand, that was a way of starting. Then one had to go back and start thinking about how to get there. Before doing so, it would be very helpful to understand the starting point in terms of the surrounding environment and where WADA was coming from. He would talk about that, and then Mr Hoffman would cover the elements around what it would take in terms of the different initiatives to get there, and then Mr Dimas would talk about closing the funding gap by looking into fundraising that went beyond the traditional sources that had funded WADA.

It was very clear that WADA was recognised as an organisation with great strengths; not only was it the guardian of the Code, it ensured that there were standards in the world of anti-doping, and had built up an extraordinary network with local anti-doping organisations and many other stakeholders to engage and effectively operate in that space, and it had become very clear, in particular over the past couple of years, with the observations about state-sponsored doping, that WADA was a bold partner that did not hesitate in terms of talking about the inconvenient truths. Looking to the external environment, that year was just an indication to illustrate that the topic of doping was not something that was going away. He did not need to tell the members that. That was what the members worked on on a daily basis. That had been indicated on the screen in terms of the number of medals stripped at the summer Olympic Games. It was not to point the finger at the Olympic Games, but it was because the IOC had been transparent and had made the data available. It was more an indication of the underlying. There had been an increase; the numbers for 2012 and 2016 were not firm because there was a time-lag, and also because of the whole action about Russia. The numbers would certainly have been bigger had there not been bans for some of the Russian athletes participating in Rio. The bottom line was that doping was prevalent and there were other studies out there to indicate that it was something that was prevalent, and there was a high degree of doping that went undetected. WADA had been in the midst of all of those things. The topic of anti-doping had taken up a significant number of headlines; a lot of broadcasting time had been devoted to that, and it was not just Russia. The members could see that it was a global issue, and the revelations that there had been state sponsors and more institutionalised doping were taking that to a different level. In many ways, it was an opportunity for WADA to seize the moment and do something different and essentially change the game around anti-doping. Why was it necessary to bother about that? The real issue was that doping was violating the public interest in fair play and that was a significant issue, as it eroded the underlying business of sport. Many of the members were probably familiar with the research, but there was a very strong correlation between scandals or revelations of doping and public interest in that. There had been quite a few studies in the USA in baseball and cycling, and there was a very dramatic relationship between the two. Also, when the public was less interested in sport, that turned into fewer people being attracted by advertising, and advertising revenue therefore went down. Corporations might decide not to participate in such things because of the negative halo effect of something negative like doping and being associated with that in terms of brands. That was the message. Sport clearly needed sponsors and, while it would be naïve to say that doping could be eradicated, the ambition had to be that doping was not the dominant issue taking over the agenda and setting the agenda, because that would be negative in terms of the dynamic with sponsors. However, it also went beyond that. It was also a societal issue. It affected the health of athletes who were doping, and there was some correlation between premature death and high healthcare expenditure for people who had doped in the past, but also doping was an illicit set of activities that nurtured an underworld that was not particularly helpful. Last but not least, it was in many ways threatening the future of amateur sport, and many parents would not want to encourage their children to participate in unclean sport. All of that was significant.

Taking a step back, WADA was at a turning point, and there was a window of opportunity to really do something different. In a company, if one wanted to do something different, it was not just about mind-set; it would also require significant funds. A whole host of activities were necessary, so that was a plea for an articulation of a case to significantly change the resources and means that WADA had at its disposal, because otherwise it would fall significantly short of meeting that aspiration.

MR HOFFMAN said that he was a German national and he had been denied the opportunity to participate in the Olympic Games in 1980; he had been a swimmer and had had to swim with the East Germans. That had not been very pleasant, so he cared very deeply about the issue of doping. Sport had really helped him get to where he currently was, and he had been a CEO or president of various biotech and pharmaceutical companies for the past 30 years. When Mr Niggli had approached him, he had immediately wanted to help, as that was a topic that was very dear to his heart.

A slide such as the one that the members could see was very common in the industry. One would challenge oneself and ask what it took to be the best and what one had to do to be number one. One took a very rigorous approach. One looked at the environment in which one operated, needs and gaps in the customer base, one's strengths and weaknesses, opportunities and threats, the impact and cost, and that was what had been done there. With the rigorous approach, the game-changers had been identified, the cost to be the best had been figured out and thought had been given to how it would be afforded. It was not yet an operational plan; it was a strategic direction to provide an idea of where he thought that WADA had to go and, with the Executive Committee members' approval, he would turn it into an operational plan to get back with specifics. The key game-changers were no real surprise and were things that WADA already did for the most part. The question was what was critical mass and what one had to do in a sufficient volume and quantity to be fully effective. It all started with dedication, but it was very tricky to come up with plans that worked and resonated and compelled people to take action. The next was probably the most important point, with which he had been involved over the past 30 years. WADA had to get ahead of the game and, by the time drugs were approved, WADA had to have tests for all drugs with possible performance enhancement potential. In early 2000, when his employer, Amgen, had developed the long-acting EPO, the company had secretly developed a test to detect it and had given it to the Olympic Games organisers and the IOC and it had made it possible to catch the doping cheats in cross-country skiing in particular, helping to keep them off the podium. Those partnerships had already happened, but had to be institutionalised for all drugs. With the genetic explosion, it was possible to have an incredible amount of biomarkers to provide insight into the blood passport. That had to be leveraged. Finally, it was necessary to make sure that the TUE system was not abused. He had been in charge of the Amgen Tour of California, a week-long bike race, and he had always been amazed when, during the press conferences, journalists would ask if he was trying to sell more EPO, clearly showing a public perception that could not be any further from the truth. The industry had absolutely nothing to gain from being associated with doping; it was an industry that already struggled and had a very delicate reputation and it should grab every opportunity it could to be associated with the good side and help a positive reputation. Testing was pretty straightforward. WADA needed to test all athletes in the registered testing pool sufficiently out of competition. He had had personal experience with compliance and intelligence for the past four years. At Amgen, the world's largest biotech company, he had been in charge of the corporate integrity agreement, a contract with the government, and compliance worked only if one did two things: one had to have sufficient capacity to inspect and audit, and a good rule of thumb was that WADA needed the capacity to do about a fourth every year so as to cover all potential institutions that needed to be tested in four years. It was necessary to be able to follow up on all whistleblower reports; otherwise, people would not take WADA seriously and would not step forward. Those were the game-changers. What would it cost, and how much would WADA have to do? The members would see the cost on the screen. He had taken internal benchmarks and external benchmarks where necessary and then elaborated. On education, there was some experience in the industry (cancer awareness and opioid addiction, for example). It was tricky to develop education programmes; it was necessary to run pilots, and it was going to take some time before WADA had a programme that was flexible enough to use worldwide and which would resonate. He knew from the industry what it cost to develop a test for a new drug and develop biomarkers for blood passports. Those numbers were also pretty solid. From then on, it was pure maths. He knew what a test cost and, if WADA really wanted to test three times a year, that was what it was going to cost. If WADA wanted to have the capacity to audit a quarter of all 300 institutions every year, that was what it would cost. That did not mean that somebody could expect to be tested every fourth year. Some agencies might get tested every year or every second year. It did not mean it would be an automatic four-year rollover.

Last but not least, WADA needed to increase capacity. WADA was currently testing 12% of all reported fraud. If WADA wanted credibility and wanted people to have the courage to step forward, WADA had to follow up on all reported cases. He would talk about how to fund that and how to get there. The members would see the current cost, what the request was for the coming four years and what it would take to change the game. In green, the members would see the public authorities and the sport movement as they funded WADA. He did not expect the two contributing institutions to fund any more. The other half needed to be found outside current funding sources. All the extra money being asked for would go straight to the game-changers. He assumed that the current infrastructure was able to absorb the incremental workload and that all the money would go directly to the game-changers. Turning to the left-hand side, it was a very rigorous approach, and first one did stakeholder-mapping and looked at the stakeholders that might have an interest in it, then one looked at potential income streams and then the impact, which was defined by effort and feasibility and timing. WADA needed some different business models. The members could think about potential corporate partnerships, and he had talked about the healthcare industry, which certainly had an interest in being involved. WADA could think about a potential fee for service model. WADA had an expertise and capability that went way beyond what it thought it had already paid for. As part of running the Amgen Tour of California, he had had no idea what to do in the event of a doping case. He had signed a contract with WADA, a potential fee for service, by which he would say, if he had a doping case, he would ask WADA for expertise on how to handle it. He had not wanted to taint Amgen and he had needed help from WADA, which was clearly the expert in that, so there were ways to do that. Last but not least, there were foundations and private donors, who would certainly want to be associated with that noble cause. He was very confident that it could be done and that funds could be generated, as long as WADA clearly aligned with that vision and articulated and positioned itself with the vision as set out by Mr Niggli and as long as WADA was willing to openly look at the business models, which clearly had to maintain integrity and ethics. There could clearly be no conflicts of interest, but he believed that that could be done.

MR DIMAS said that sport for him had always been about equality. It was the one place he still believed and had always believed that external factors could not impede hard work, dedication and the desire to be the very best at whatever it was that one wanted to do. He had grown up in the high deserts of New Mexico in which 60-70% grew up in poverty and crime was higher than anywhere else in the nation per capita, where alcoholism was at record levels and drug abuse was the norm. Sport for him had been a way out, a bright light, something he could do that would take him away from the day-to-day doldrums of what had been around him. It had. Looking back at the boys with whom he had gone to high school, 50% were dead, another 25% were in prison and the remainder were drug addicts. He had escaped that and sport had allowed him to do that. It had given him the opportunity to do more, to achieve his dreams, to be educated and pursue a meaningful career in a sector in which he truly believed.

Over the past two decades, he had had an opportunity to raise capital for companies and help non-profit institutions in the USA raise millions of dollars, and it was a way for them to achieve their goals. He had an amazing opportunity to do something and raise money for something that was truly close to his heart in every sense of the word; it allowed him to give back and do something that was very meaningful. Quite frankly, there was a lot of work to be done. Organisations had to really look at what they were doing and how to link that to donors. Gone were the days in the USA whereby a fundraiser could speak to a donor and make a blank request and a donor would write a cheque. They currently wanted to know that they were making a difference, they wanted answers to particular questions, precisely what they were buying into and what was in it for them and whether the person requesting could do what they said they were going to do. When he had been in finance, he would sit with an individual who had given 10 or 20 million dollars, and they would ask about their return on investment, and he would talk about the 11% return in the private equity area and on fixed income a 3% return and would aggregate that all together. In philanthropy, it was different but the mind-set was the same, because those individuals came from a category of people looking to invest their money in a way in which they could have a philanthropic return, and that was called ROPI, or return on philanthropic investment, and they wanted to know how they were making a difference, so those were the questions they were going to be asking him and he had to have the answers.

For WADA to move to the next level, to make that a cogent argument, it had to clarify and really refine the long-term vision and strategy so as to engage donors in a way that was meaningful to them. That was the only possible way by which WADA would actually raise funds. It would have to touch donors in a way that was meaningful. It would have to be in front of certain things, and it had to identify the donor base, figure out who to talk to, who really cared about what WADA was doing, and implement a protocol by which to engage donors and then measure the kinds of successes it

would have. That day's no was the following day's yes. A donor who gave with the right kind of engagement would become an ambassador for WADA and WADA needed donors that gave continually, over and over. Most importantly, it was extremely important to address the brand. Certain words just did not resonate with particular people, because he believed that philanthropy was a lot about emotion. It was about what people cared about, how they wanted to engage, who they were helping personally. People did not want their money to go into a big black hole in which nothing got done. They wanted to know that they had made a difference for somebody, or come back and say that they had transformed something in a particular way that had helped a person. That was meaningful to a donor. If one could articulate that in a particular way, it would be very important. The brand not only had to be identified and articulated but also protected, meaning that communication around the brand had to be proactive, and WADA had to articulate to its donors what it was doing for them, and they could then take that message to their friends. Many of the individuals he engaged for principal gifts (greater than one million dollars from one single individual) came from referrals. People talked to other people, and the joy that came from giving money spread, then he got referrals and ended up engaging others over a period of time to make gifts. If WADA could lay out a strategy and implement a plan over a period of time and had the strong brand that was emotive and passionate and incited people to action, WADA would be able to do that, and raise the money it needed. WADA and clean sport was not just about his personal story, it was a story about every child around the world who wanted a way out, and he thought that WADA should give that to them. He had had an opportunity, but every child in every country should have that opportunity, so he asked that the Executive Committee members consider what was being presented and that they be supportive, as that could really change the game for clean sport. He thanked WADA for the work that it did.

THE CHAIRMAN thanked the gentlemen. It was hugely encouraging when one sat and listened to enthusiastic experts. Were there any questions?

PROFESSOR ERDENER appreciated the presentation. Related to the second presentation, 32.5 million US dollars had been mentioned for testing. He was slightly confused. Would WADA want to take over testing?

THE CHAIRMAN responded that he could give Professor Erdener part of the answer, which was no. He was sure that somebody would explain the figures.

MS EL FADIL said that she understood that the presentation had been about how to increase WADA's budget, but also noted that the last speaker had touched on the issue of protecting children and society from being abused or drug abuse, and her department was also responsible for drug and crime prevention in Africa. She was a new member of WADA and apologised for asking questions that might be obvious, but did WADA have enough research and data about the level of doping in different continents and countries? When it came to the implementation of the four-year plan or other proposals, did WADA know where to do it, the countries or the priority regions? Did WADA have the data or not?

MR BAUMANN thanked the speakers for the presentation; it was quite an interesting development and food for thought in terms of where WADA could go in an even bolder fashion. It raised the question of cooperation with corporate bodies and how to avoid conflicts of interest, especially if it was the pharmaceutical industry. If the vision of the experts was that there were ways of increasing and giving more strength to the partnership between the governments and the Olympic Movement and what they were trying to achieve, that was certainly an excellent avenue to pursue. He could testify to the ability of the Boston Consulting Group. It had been doing work for some IFs including his. It had not worked pro bono so he must have done something wrong, but he attested to the fact that the group often tended to be right. That was certainly something worth considering.

THE DIRECTOR GENERAL answered no to the first question, but it would be to support testing happening in those parts of the world in which very little was happening, and there were more than 100 countries that were part of RADOs, and that was part of the plan of programme development and making sure it was happening where necessary. WADA would not do that itself; it would allocate funding to it.

Answering Ms El Fadil's question, the answer was probably no. Getting more money to do the research and get the data so as to be able to design adequate programmes all around the world was very important and Mr Hoffman had mentioned the cost of designing an education programme. If one wanted to design well, there was a cost, and WADA was talking about putting more money into education, the research part of education and creating the tools that could then be used in various parts of the world by those at the coalface and with young people.

He told Mr Baumann that of course WADA would have to have a very clear policy on conflicts of interest. As Mr Hoffman had pointed out, there were opportunities there.

MR HOFFMAN told Professor Erdener that very specific assumptions had been taken. He had looked at how many tests were currently conducted and by what countries, had made some assumptions as to who could and could not afford to do testing, and then, if one looked at testing three times a year for the registered athlete pool, that was how the number had been reached.

Looking at the science budget, the prevalence had been there, and he knew what it took and what it cost to do all of that, and he knew where the gaps were, primarily in Ms El Fadil's part of the world. It was part of the pretty big science budget, and it was in there.

He assured Mr Baumann, having worked in the industry for the past 30 years, that he had never talked to another CEO who would have an interest in manipulating or leveraging WADA for their own purposes. His industry had enough problems of its own. One had only to look at the demographics and the price of drugs. If it could work with WADA to fight the good fight, that was all it had to gain. There was nobody he had ever talked to who had any intent beyond that noble intention.

THE CHAIRMAN asked the Executive Committee if it was happy for WADA to move forward and build the brand that was necessary and make the necessary changes to allow the colleagues to deliver what they rather encouragingly suggested that they could deliver.

He thanked the three gentlemen very much indeed.

DECISION

Additional funding strategy accepted, and WADA Management requested to move forward with the outlined plan.

6. World Anti-Doping Code

– 6.1 Compliance Review Committee Chair report

MR TAYLOR said that the Compliance Review Committee would hold a special meeting at the end of October to hear from the WADA audit team that had gone to RUSADA, on operations and progress against the Roadmap, and Mr Nicholson, one of the international experts at RUSADA, would be there too; the hope being that that would help the Compliance Review Committee make a proper and well-founded decision.

The members would see at the bottom of the document that the Compliance Review Committee had received reports on compliance audits completed and corrective actions implemented in Brazil and Kenya. That was a rather bland sentence. WADA had audited two problematic countries, had identified critical non-compliances, had issued corrective action reports, and those NADOs, with assistance from others, had corrected the critical non-compliances, and that was a good news story and the Compliance Review Committee thought that WADA should be commended on that and should publicise that work. It was something to bear in mind when thinking about the importance of audits.

DECISION

Compliance Review Committee Chair report noted.

– 6.2 Compliance monitoring – status report

MR DONZÉ said that he would be relatively quick, because there was a fairly extensive report in the members' binders. The WADA management continued to be extremely active in terms of compliance monitoring; the focus was to try to support stakeholders in enhancing their anti-doping programmes and have in place programmes that were fully in compliance with the World Anti-Doping Code. While he spoke of compliance, one often saw the disciplinary aspect, but the members needed to bear in mind the two examples mentioned by Mr Taylor, most of the work, including when WADA did compliance audits, was to help stakeholders further strengthen protection of athletes by enhancing programmes.

In terms of what had been done since the previous Executive Committee meeting in May that year, WADA had circulated among all IFs and NADOs (equivalent to approximately 300 ADOs) a Code compliance questionnaire back in February, and the deadline for completing and submitting the questionnaire to WADA had been 20 May 2017. Of course, as was always the case, a number of

ADOs had not completed the questionnaire and WADA had been following up very actively with those organisations to try to push them as much as possible to do so, helped mainly by WADA regional offices and other organisations, and he thanked the IOC, which had supported WADA with those NOCs that acted as NADOs. As he spoke, there were fewer than 10 ADOs that had not completed their questionnaire.

The Code compliance questionnaire was one of the criteria being used by the WADA management to select ADOs for Code compliance audits. That had been quite an active programme since it had been put in place at the beginning of the year. The management had been mandated by the Compliance Review Committee to complete 10 audits that year, and a number had already been completed. The selection of the ADOs was based on answers to the Code compliance questionnaire, the data available to WADA, including the ADAMS database and any other information available to or collected by WADA. A number of ADOs had been audited (Brazil, India, Mexico and Argentina), and an audit of the International Handball Federation had been completed the previous week. The selected ADOs were validated by the Compliance Review Committee before WADA went ahead and audited them. A further number of ADOs would be audited that year to reach the number of 10 (the Russian anti-doping agency, to be audited in the coming days, the ADO of Romania and the NADO of China). In terms of IFs, the International Football Federation would be audited later that year and one more IF had been selected, the name of which he could not provide because the federation had not yet been contacted. Generally speaking, the audits had been very successful and the two examples mentioned by Mr Taylor had been replicated with the other ADOs. The compliance audits had helped the organisations enhance their anti-doping programmes; everything took place in a very collaborative way, and experience had been very productive and constructive.

In terms of the non-compliant signatories, and that would lead to the next presentation, the only non-compliant signatory was the Russian NADO. WADA continued to monitor all signatories on a permanent basis, but RUSADA was the only non-compliant signatory at that time. That summarised the activities undertaken in terms of compliance monitoring over the past few months and he would be happy to take any questions.

MR BAUMANN said that the Olympic Movement wished to inform the Executive Committee that it had contacted those NOCs that had not yet submitted the Code compliance questionnaire and asked them to treat it as a high priority, so hopefully WADA would receive those as soon as possible.

DECISION

Compliance monitoring status report noted.

6.2.1 Russia

As the members would recall, MR KOEHLER updated that almost two years previously, on 18 November 2015, the WADA Foundation Board had declared RUSADA non-compliant. Since that time, WADA had been working very hard and a lot of time and resources had been spent on trying to assist RUSADA regain compliance. WADA had been working with the Russian NADO, the minister of sport and the Smirnov commission, and two international experts had been engaged and were on-site and living in Russia. UKAD had at one point filled the gaps in terms of testing in Russia, using independent service providers with an intelligence-led approach. A member of the Council of Europe had also been placed on the RUSADA supervisory board to ensure independence.

In terms of what had been done since the beginning, when UKAD had taken over testing in February 2016, it had been tasked with carrying out an intelligence-led anti-doping programme, it had had oversight of all the whereabouts information, it had decided who should be in the registered testing pool, had reviewed all TUEs and of course encouraged IFs to do testing on Russian athletes. The members would recall the update in the past on capacity within Russia, and whether it was enough to fulfil all the obligations. That was why IFs had been engaged along with outside bodies, and testing had been happening outside the country as well with NADOs.

Since July 2017, the members would recall the WADA Foundation Board in May had approved provisionally that RUSADA start testing under the supervision of the international experts. To date, RUSADA had trained 40 doping control officers, with an additional 30 to be in place the following month. It was still using IDTM and PWC; therefore, not only was it using its own doping control officers, it was also using sample collection service providers used by UKAD during the period of non-testing. All the samples were being sent outside Russia and were being tested at WADA-accredited laboratories, with the exception of the Athlete Biological Passport samples, which were being analysed in Russia, again under the supervision of the international experts. There had been a request to provide more information on testing. He had omitted the third bullet point from the slide.

From 1 January to 17 July, UKAD had had the mandate for testing and it had carried out 1,812 tests, of which 663 had been done in-competition and 1149 out-of-competition. Since RUSADA had taken over, from 17 July to 15 September, 885 tests had been done by RUSADA, amounting to 267 in-competition and 618 out-of-competition. In total, from January to date, the number of tests done in Russia had been 2,697. The breakdown of that was that, for the summer IFs, 1,980 tests had been done and, for the winter sports, 717 tests had been done. WADA had planned to ensure transparency and to ensure that all stakeholders were kept up to date. As a result, it had been agreed that WADA would post the statistics on its website on a monthly basis to ensure people were aware of the testing in Russia. Capacity was being developed and further enhanced in Russia. Of those tests, 38 were currently in the result management process because 38 anti-doping rule violations had been reported for the more than 2,000 tests. In June, RUSADA had been permitted to plan, coordinate and conduct testing. It was currently conducting education, using the result management panel, which was independent from RUSADA (there were independent lawyers on the result management panel), and they were still engaged in and carried out limited investigations. That was to fulfil the requirement that, should an athlete have an adverse analytical finding, there was obligation to talk to coaches and physicians and see what the potential reason for the doping had been. He was pleased to say that there was an independent supervisory board in place; the board had to fulfil obligations, ensuring that everybody was subject to a robust conflict of interest policy developed with the international experts and approved by the supervisory board. The new director general of RUSADA had recently started full-time, and he had gone out publicly and stated that RUSADA did accept the McLaren report and Russia had a lot of shortcomings, and also had concerns about what had happened prior to occupying the position. He was willing to take a stand and stand strong and WADA would continue to support him as he tried to rebuild RUSADA. The staff itself, with the exception of one, was totally new, and the education and outreach programmes continued to be developed and rolled out to the NFs when it came to ensuring that the NFs understood their obligations in Russia.

In relation to the closed cities, there was a process in place. There were currently approximately 30 athletes in closed cities. The provisions were that doping control officers had access to the closed cities in which athletes resided. RUSADA was currently testing the system, and had recently been successful in gaining access and testing the athletes. If an athlete was in a closed city, access for some reason was not provided through whereabouts and a missed test was automatically given. One was therefore not allowed to reside in a closed city if one was an athlete in the RUSADA testing programme. Access to all blood samples was permitted at the laboratory. The international experts would be in place until April 2018 to ensure the transition. RUSADA was moving in the right direction. RUSADA had ensured that there was enough budget to do 6,000 tests and more financial autonomy was being given to the organisation itself.

There were still some things to do. The following month, with the help of the Finnish NADO, there would be TUE and result management training and appeals committee members training for the members of the respective committees to ensure that they were up to date and prepared to do things at the highest level and on their own. It was important to point out that the members had seen the Roadmap; he had a more detailed explanation of what was being done in Russia and he would be happy to circulate the information if anybody wished to see it. What had been posted on the website was a snapshot.

Doping control officer training would be taking place in two weeks' time. More blood collection officers continued to be trained and chaperones continued to be engaged and trained in Russia.

Moving forward, there were still some things that needed to be done in relation to the Roadmap. Russia, RUSADA, the ministry of sport and the NOC needed to publicly accept the outcomes of the McLaren report. That was a condition of the Roadmap. They also needed to provide access to the samples in the Moscow laboratory and provide electronic data for all sample analyses from 2011 to 2015. An audit of RUSADA would be taking place from 27 to 29 September.

He wished to address one thing that was not in the paper. He had had people approach him indicating that WADA was changing the Roadmap. They were right: WADA was changing the Roadmap, but every time WADA had changed the Roadmap, it had raised the bar. It had been criticised by the ministry for always moving the goal posts. WADA had had to demand conflict of interest policies for the board and demand that the chair be independent. Each time, WADA had tried to put safeguards in to make sure that RUSADA was fulfilling the obligations, and so that WADA could withstand public scrutiny in terms of the Roadmap. The final addition was what could be seen on the slide, access to electronic data from 2011 to 2015, which had been added three weeks previously after discussion with the Compliance Review Committee.

RUSADA had come a long way in terms of development. There was still more work to do, more development and engagement, and the experts were still working with RUSADA. WADA continued to liaise with the IPC and the IAAF, so it shared information, all of which would be provided to the Compliance Review Committee, which had a meeting the following day in London, and it would have an opportunity to weigh in on the way forward.

PROFESSOR ERDENER congratulated Mr Koehler on his great efforts, and he fully supported the activities.

MR GODKIN thanked Mr Koehler for a great and very informative report. He was not sure that the members were aware, but the UNESCO conference of parties was to be held over the next two days. One of the reports that was being tabled was the special advisory group report on Russia and an annex to that report, the national anti-doping plan. He did not have them in front of him, but there was an assertion to the effect that there had been no state-sponsored doping programme in Russia, which was completely consistent with what the Foundation Board had been briefed on in Glasgow the previous November and, if he understood the media reporting, that was also consistent with the comments made by the Russian representative in Lima. Given that the Roadmap said that there had to be public acceptance of the findings of the McLaren investigation, was WADA not in an irreconcilable position in the near future in terms of those requirements in the Roadmap being met?

MR KOEHLER said that he thought that Mr Godkin was referring to the independent Smirnov commission report. WADA had reviewed that some time ago and had paid specific attention to two points in that report, in addition to the other things that had been very positive. One point was the rejection of state-wide state-sponsored doping, and the second was that the IPC had no grounds to ban the Russian NOC from the Olympic Games in Rio. The President had written directly to the Smirnov commission seeking further clarification, and that letter was waiting for a response, but WADA had actioned it and made sure that there was some explanation from the Russians in terms of those two points.

THE CHAIRMAN asked Mr Godkin if he was happy.

MR GODKIN replied that he would see what happened.

THE CHAIRMAN said that he seemed to spend at least two mornings a week on the phone to Moscow. Perhaps, in that debate, Russia was beginning to understand that, in the first McLaren report, the phrase 'state-sponsored doping' had appeared, but in the second part the phrase used had been 'institutionalised doping'. At that stage of the negotiations, words meant a lot and WADA worked on that constantly. That morning, there had seemed to be an element of concern. The minister had raised a question on the number of cases that had not been dealt with. Was that correct? He thought that it had been dealt with. Ms Hofstad Helleland had had a couple of concerns that had not been dealt with.

MS HOFSTAD HELLELAND said that a policy clearly outlining WADA's position when it came to important issues that had not been discussed by the Foundation Board was necessary. She trusted that the President together with the Director General and the management to outline something.

THE CHAIRMAN observed that WADA did have a policy in that case, and it had always stuck to that policy, which was that it would respect the Roadmap. That was all. That was what had been discussed and agreed. WADA would stick to the Roadmap agreed upon with the Russian authorities. Many of the problems related to the speed with which the Russians responded to the various items on the Roadmap. WADA stuck to the Roadmap. That piece of paper was to guide that part of the discussion to make it clear what WADA was talking about after the mass of media comments made by a special group of NADOs the previous week. WADA needed to be quite clear about what it was talking about. That was what the paper was designed to do. He had been pretty heavily criticised in the media over the past few days and he thought quite honestly that, if NADOs were entitled to make public statements, he was entitled to reply. Going back to the Director General's report, the members would see that he talked about the work of an ad hoc NADO working group, which met twice a year and worked between WADA and the NADOs.

MR BAŇKA asked if the document that had been tabled before them was for discussion or adoption.

THE CHAIRMAN replied that he would come to that in a minute. Every time there was a special meeting of NADOs, a press statement appeared, and that was pretty inflammatory stuff for the media, who loved it, and some of it was entirely misleading, as it dealt with the cases issue, and it had also dealt with cases that had appeared in the media because the WADA meeting papers had

been leaked and put on the INADO website. None of that was a particularly happy situation. He would rather the members discuss it and get rid of it then and there, and then move forward so as to have a happy, cooperative arrangement in the future.

It was not current WADA policy that it have a view on what sanction if any should be allocated by the IOC to Russia. That was not WADA's policy. The situation then was very different to July 2016, when WADA had not known the scale of the problem. That was why that had been included, so that the members could look at the detailed response to the question of RUSADA's compliance, deal with the relation to athlete testing in Russia and then the participation of Russian athletes at the Olympic Games in Pyeongchang. That was an attempt to get the right thing in the right place at the right time so that everybody knew where WADA was and, if that was an updated version of a policy, there it was. He was quite happy that it be noted and commented on and the members could advise on what to do with it thereafter as long as people understood what WADA was responsible for and what it was not.

THE DIRECTOR GENERAL added that the only purpose was to try to get clarity on the various issues out there, recognising that there were different issues that had been raised in different fora, and the only purpose there was to see if there was a position. There might not be a position, but at least the members could have a discussion on the issues, three of which were the follow-up of the Roadmap; the current situation with Russian athletes and the testing programme in Russia, and the question of the comments made on the participation of Russian athletes in Pyeongchang. He had thought that it would help frame the discussion.

MR GODKIN said that the issue had come up before about the tabling of those documents for immediate consideration but, beyond that issue, if he understood correctly, the Executive Committee was being asked to support the position that Russian athletes, subject to testing, should be permitted to compete at the Olympic Games in Pyeongchang. That was a very serious matter. He would have thought that it was not actually the Executive Committee's responsibility to make such a recommendation. Secondly, if the Executive Committee were to do that, would it not be exposing the Executive Committee to grave risk, because what confidence could it have, particularly when there continued to be large gaps in the Roadmap between intention and requirement? That was an incredibly important moment for the Executive Committee.

MR RICCI BITTI believed that the document tabled that morning was one of clarification, because there was a lot on which one could agree or disagree. He respected all the positions, and it was not for him to judge, but the document clarified the exact remit, and he was sorry for the people talking but the remit was to recommend something. The final decision, at least for participation in the Olympic Games, lay with the IOC. The members could agree or disagree with the recommendation, but he thought that the final two points were clarification and he thanked the management and supported them.

MS SCOTT said that it did seem to her that the Executive Committee was being asked to support a position, and there was a very important point missing from those statements, which was the alignment with clean athletes and the condemnation of state-sponsored institutionalised doping. WADA had gained a lot of credibility the previous year by making a statement of strong support for and standing with clean athletes and aligning with clean, fair sport, and that had to be reflected in any statements that continued to come out of WADA, so she encouraged the management to revisit that statement and include support for clean athletes and condemnation of state-sponsored doping.

MR BAŃKA noted that Europe could not support the two positions, because it needed to prepare consultations with European ministers of sport.

MR DÍAZ added that, the previous year, WADA had made a recommendation and somehow the world regulator had not been able to make the recommendation a possibility. This time, since there was more extraordinary evidence, it should be met with extraordinary consequences. He thought that WADA should issue a statement without any doubt because there was a need for a press statement on the matter.

MR BAUMANN thought that WADA had done enough with statements and had been putting oil on fire for too long. If there were geopolitics that somebody had an absolute need to ban a country for whatever it had done or might do in the future, another body had to take care of that. WADA needed to concentrate on getting RUSADA up and running properly, supporting clean athletes to go wherever they deserved with their skills, and at the same time wait for procedures to end in the bodies working on the matter and making sure all the tests were done. It took ages. WADA had received the reports and needed to let them work. Then, whoever had the responsibility to take decisions would have to

do so and would then be judged based on the work that had been done. Until then, any incendiary statement was absolutely useless and did not help at all.

THE CHAIRMAN thought that, in the main, the explanation was useful but the final two paragraphs might not be appropriate on the grounds that WADA was asked to take a position. Maybe it should just note all the information it had and should not take a position, because it was somebody else's job to take that position and, when they had specifically been taking that position in Lima at the IOC session, the information that had come from the NADOs in Denver could not have come at a more difficult time. On that basis, he would be happy to note the paper and file it and not take a position and leave it to the Olympic Movement, which had that responsibility, to work through whatever process it had and take the decision as it saw fit.

MR GODKIN requested that it be made explicit in the minutes that WADA's Executive Committee had not taken a position.

THE CHAIRMAN told Mr Godkin that he would notice from the 85 pages of minutes received that they were the fullest minutes in the world. It would be made clear in the minutes that WADA had not taken a position. In fact, the easiest way would simply be to remove the last sections in that report and file it as a matter of explanation, so WADA was not dissociating itself but noticing that there appeared to be some confusion between a sanction applied to a country (which it could not do) as opposed to how to deal with clean athletes and the advantage to clean athletes in a country that had been non-compliant (which was what WADA was supposed to do). Were the members happy with that? Did that move things on?

DECISION

Russian update noted. Agreed that no position statement would be made or taken by the WADA Executive Committee in relation to Russia. WADA would continue to follow the Roadmap.

– **6.3 Code amendments and development of the International Standard for Code Compliance by Signatories update**

MR TAYLOR said that the members would remember that the purpose of the amendments to certain Code articles and the new International Standard for Code Compliance by Signatories was to address a pressing request by many stakeholders that there be not a fractured but a consistent, centralised, proportionate and graded response to non-compliance by signatories moving forward. He would not spend lots of time on that. The members would remember that the original decision had been taken in November 2016. In May 2017, the Foundation Board had approved the recommendation to try and move that forward on a fast track, to try and get into a position whereby it would be possible to go to the November meetings with a proposal to adopt changes to the Code and a new international standard. There had been two consultation periods: the first had been in June and July, and the second was from September to October, so WADA was in the middle of the second one. He had received some very useful, constructive and helpful comments. Broadly, everybody had been very supportive, moving in the same direction, and there had been some intelligent and constructive comments on what to do to make the drafts better. He had met the various organisations listed, and he thought that a decent job had been done in terms of trying to make sure that WADA heard from the key stakeholder groups. Every comment had been read. On 1 September, along with a revised draft, a summary document had been produced, and that was in the members' files. It sought to identify the key changes made and also explain why some issues raised had been deferred to the broader Code review.

In terms of the major changes, lots of people had said that it was one document, it had to cover a range of scenarios, but it was necessary to focus on bad faith non-compliance, deliberate non-compliance, and there needed to be a clear, robust system to deal urgently with that sort of case. There had already been provisions, but various changes had been made to try and focus and identify that as a core issue. In addition, for those acting in good faith and seeking to be compliant, to make sure that WADA had an ability to reflect that and the overall aim, which was to get people compliant, not to catch them being non-compliant, there was a proposed policy, which he wished to mention. It would be presented for approval subject to comments received on it, because it had been outlined in the discussion document issued on 1 September, and it would be presented on 15 November for approval subject to those comments. In very broad terms, signatories were categorised into three tiers, and the factors on which that was done were identified in the standards. In the first two years,

WADA focused in terms of the Code compliance questionnaires and audits on addressing critical requirements and high priority requirements of tier one signatories and critical requirements of tier two signatories for the first two years, giving people more time to get their house in order. Many comments had been that the decision on whether or not there would be a formal assertion of non-compliance and proposed sanctions against stakeholders was to be made not by the Foundation Board but by the Executive Committee. The Compliance Review Committee would recommend non-compliance and propose sanctions and, if the Executive Committee agreed, a formal notice would go out to the signatory. There were new provisions to make sure that, once the Executive Committee had made its decision, there would be some transparency so that people would understand and be able to see the decisions made and the reasons for them. It was crucial to remember, as he had mentioned in May, that WADA would not have unilateral decision-making powers. It would not be able to decide that somebody was non-compliant and sanction them. It would assert non-compliance and propose sanctions and the signatories would either accept or dispute, and then it would go to an independent tribunal, and there had been a very clear consensus that that should be the CAS, and the proposal was that it be the CAS and that it be one instance, not the CAS and then an appeal to the CAS, but a one-stop-shop. In the accompanying memo, the alternative would be to have the CAS and then an appeal to the CAS, and the pros and cons of the two options had been set out therein. His own view was that it should be a one-stop-shop, for what it was worth. Formal rights of intervention had been put in place in the event of a disputed case, for those affected by the decision and the proposed sanctions to be able to participate in the proceedings.

Not very many people had been keen on fines. The ability to propose fines had been limited only to extreme bad-faith cases and critical requirements. That seemed to have met with a positive response. WADA did not want gaps in anti-doping coverage, and had clarified what happened in terms of covering those gaps by putting in approved third parties to supervise and/or take over certain anti-doping activities. Judge Costa had been asked to look at the draft and advise on whether or not he thought it was proportionate and he would be advising by the end of the second consultation period, on 14 October, and of course if he said that there were some things that needed to be changed, the changes would be made at that point. There were some things that he proposed deferring to broader Code review. WADA was said in the Code to be a signatory. It was not actually a signatory as he understood it. Its position was slightly different. There needed to be a mechanism for holding WADA to its responsibilities, but it was different to the standard and Code compliance by signatories and there needed to be a different mechanism for that. The responsibility of signatories, mainly IFs, to monitor compliance by their members was being deferred to the Code. A question had been asked as to whether the consequences for non-compliance by signatories should be in the Code. The answer was technically that yes, they should, but the way in which it was happening, the proposal was to put it into the standard in November and then that issue of putting it into the Code could be dealt with as part of the broader Code review.

People had asked about the Compliance Review Committee and whether it should be mentioned in the Code. Again, that was for the Code review. Many had wanted provisions to say that individuals complicit in non-compliance by a signatory should be subject to sanctions under the Code, which was a perfectly reasonable proposal but not for an international standard on Code compliance by signatories; that was for the list of anti-doping rule violations for individuals that were currently in the Code, whether one expanded article 2.10 which was association with banned athlete support personnel or did it some other way.

In terms of next steps and comments between then and 14 October, several meetings had already taken place or were scheduled to take place and, pretty soon, after 14 October, he would be in a position to determine whether or not there was sufficient consensus to bring it to approval at the November meeting or whether there needed to be a further round of consultation. He hoped that that consensus would be achieved. He had not seen anything so fundamental or profound that it could not get resolved. He hoped that he was not being overly optimistic. The draft would be circulated on 31 October and presented at the meetings in November, and the proposal was that the new standard and new Code amendments would come into force on 1 April the following year.

THE CHAIRMAN thanked Mr Taylor. It was a big exercise and it seemed to him to be progressing well.

MS HOFSTAD HELLELAND thanked Mr Taylor for a very comprehensive report. There was no doubt that Code compliance issues would be the main focus in the years to come and it was necessary to make sure that Code compliance efforts were given appropriate and sufficient resources. In relation to the revision of the Code, the members had discussed in May the possibility of a full Code

review and she asked the management for an update on the current situation and where the process was heading.

MR BAUMANN also asked for more information on the full review of the Code. He thanked Mr Taylor for the presentation and the broad consultation. The sport movement had a philosophical issue in that the standards should remain technical documents and it was the Code that gave the governance, so there was a fine line between the two, and his opinion was that WADA had to be careful not to go beyond that line. There were a few more details that would probably come out in the next round of consultation. The sport movement would also like to have a very clear way to enter into the proceedings if there was an agreement between WADA and the signatories, because that agreement could have a direct effect on decisions already taken by members of the sport movement and it was necessary to have a chance to intervene even when an agreement was reached. On implementation, assuming WADA found consensus, which was obviously the same thing discussed the previous time at the Foundation Board meeting, it might be more useful to have a sort of transition period whereby WADA helped all the stakeholders to become compliant as quickly as possible, but to do that there probably needed to be more resources allocated. NADOs and IFs should be prioritised equally. In that sense, he would be happy to hear about how audits were being conducted on NADOs, which was certainly a good step forward. The sport movement had a lot of people and consultation was still ongoing and it would probably be able to make more constructive recommendations and comments during the next round.

MR BAŇKA thanked Mr Taylor for his presentation. Europe wanted to express its support for the process of developing an international standard for Code compliance and the accompanying Code amendments and was committed to constructively contributing to that process.

MR RICCI BITTI echoed what Mr Baumann had already said and wanted to reinforce what he had said on behalf of the Olympic Movement and in particular the IFs. He thanked Mr Taylor and his team because it had been very difficult to bring forward the input of the Executive Committee one year previously. He was happy that the consultation was not over, as the people who managed the programme still had some points to be refined. He hoped that the text of the standard would remain technical. He had some doubts about the disciplinary procedure. He understood Mr Taylor's point about one shot at the CAS, but the first stage of the proceedings should be a little bit more open and not come only from WADA. Mr Taylor was a legal expert and could advise better on how to solve the problem, but the point should be taken into consideration. The third point was that perhaps the transition phase mentioned by Mr Baumann would be very welcome, because the aim was to make the ADO fulfil what was required rather than punish it. Perhaps there should be a procedure, but that was part of the next consultation. A lot of priorities were given, and the priorities were different, and some could be resolved in a few weeks or months, whilst others could not. Perhaps a transition period could be considered. He had something to say about the parties involved in the disciplinary procedures; the NOCs and IFs had been included, so that was welcome, but if they were affected by the agreement on arbitration, did they have the right to come back or not? That question was still open. He thanked Mr Taylor warmly for a great job and hoped that the final phase of consultation would continue.

MR TAYLOR responded to the philosophical issue that it remain a technical document. He was not 100% sure, and needed some clarification. If it was a question about the consequences, they were part of the Foundation Board decision in November that there should be graded consequences. He might ask for clarification after, as he was not sure he fully understood the point.

As to the disciplinary process, they were all good points and he did not think it would be difficult to accommodate the ability for everybody affected by a decision to be able to have their day in court if they wanted it.

As to the transition period, there was a policy, which he would be putting to the Executive Committee for formal approval if the matter went forward in November, which was to prioritise certain enforcement over others. His own view was that the ADOs in question had signed the Code in 2004. They had had a fair amount of time to get compliant with critical requirements. Even then, with the prioritisation policy proposed and with the mechanisms in place, the audit report and the CCQ, there was a document with clear issues and what needed to be done, and one was given time to do them and, if one did not do them, one got further time. The transition period was already in there. WADA certainly did not give athletes a transition period to comply with their obligations. He wondered whether the policy that was being proposed gave the members the comfort that they needed and, certainly from the Compliance Review Committee's point of view, he had only seen WADA task forces trying to get people compliant, not trying to rush into a situation of non-

compliance. He did think that there were checks and balances in the procedure; of course, if people felt that there were not enough, that was what the consultation was for.

MR RICCI BITTI agreed with everything that Mr Taylor had said. The ADOs were not all the same: there were good ones and bad ones. There had been some people that had replied to the questionnaire with effort, not the top ones, and they had been a little scared of the long list of priorities and the difference between the priorities. He agreed with everything Mr Taylor had said, but Mr Taylor had to understand the practical part of the different levels of acceptance of the new documents.

MR BAUMANN said that he did not wish to disagree with the two, having agreed on what had been said, but he would be happy to expand on the philosophical issues in a second round of discussions. WADA still needed to be very careful not to use the international standards as a tool to broaden decision-making policy and give that to other bodies such as the Compliance Review Committee; that should belong to the Executive Committee or the Foundation Board. That was a critical point. Therefore, also in the topic of prioritisation, everybody had received the list, and there needed to be a political discussion first on how and what and who was prioritised and why, and then the Compliance Review Committee should do its job.

THE CHAIRMAN said that he was sure Mr Taylor would be happy to have the details and then it would be taken on.

THE DIRECTOR GENERAL noted that the management had been asked in May by the Foundation Board to come back in November with a plan for Code consultation, so it would submit a plan in November for approval by the Foundation Board with the details requested.

DECISION

Code amendments and development of the International Standard for Code Compliance by Signatories update noted.

7. Science and medicine

– 7.1 Health, Medical and Research Committee Chair report

PROFESSOR ERDENER informed the members that he was pleased to complement the written report that the members had received ahead of the meeting with a few specific points he believed were important to emphasise. In relation to the Laboratory Accreditation Ad Hoc Working Group, as he had explained at the May Executive Committee meeting, the working group had completed its initial work by producing a document featuring a set of key recommendations for the future of laboratory accreditation. The document had been circulated for consultation among stakeholders from 31 July to 15 September. 89 comments from 20 organisations had been received and would be reviewed by the working group in the coming weeks. As the chairman, he was personally very pleased with the dynamic of the working group and the work accomplished to date, and he looked forward to finalising the set of recommendations in the coming weeks. The objective was to produce a final document for approval at the next Foundation Board meeting in November.

On anti-doping research, his colleague Dr Rabin would present the outcomes of a long and thorough process to review and recommend research grants. He drew the members' attention to the need to increase financial allocation to scientific research, as WADA was facing a record low in budget allocations and coming to the end of the Special Research Fund. Some major investments to identify the next generation of anti-doping tests based on biomarkers of doping were ahead and significant resources were needed to face those challenges.

The Prevalence of Doping in Sport Working Group had met a few days previously in Lausanne. The objective of the group would be to develop a set of tools to be used by WADA stakeholders to assess the prevalence of doping in sports and in countries. In the mid- to long-term, the tool could also allow WADA to determine the impact of its global anti-doping strategies on reduction of the doping phenomenon.

The 2018 List would be presented for approval by the members. Most of the changes were the simple addition of substances for clarity or other minor clarifications. Gene editing had been added as an example of gene doping. Glycerol had been removed from the List and alcohol removed from

the four remaining sports in the P1 category. In terms of TUEs, there continued to be an increase in TUEs being entered into ADAMS as ADOs responded to WADA's compliance initiative.

WADA had just completed a very successful WADA TUE symposium the previous Thursday and Friday in Helsinki, with almost 200 participants, mostly physicians. The focus had been on challenging areas and there had been excellent engagement and interaction throughout the two-day event, which had strengthened a harmonised approach to TUEs in the anti-doping community.

THE CHAIRMAN asked the members if they had any questions. Late the previous evening, he had received a report from the Laboratory Expert Group and a draft of a letter telling him that there had been a breach of the doping regulations in the Paris laboratory and that it was likely that there would be a temporary suspension of the laboratory. He would send that message after the Laboratory Expert Group had looked at the problem and WADA would inform the laboratory on Monday, and it would probably become public on Tuesday the following week. It was private information, but it was a pretty serious piece of information, and he did not want the members to get up on Tuesday morning and wish that he had told them on the Sunday. It was regrettable; it would get resolved and, the sooner Paris was back up to full speed and running properly, the better. It was, he was afraid, yet another example of the complexities that the anti-doping world and science presented to the laboratories. As things got more complicated and more difficult day by day, it was hard work for the laboratories to keep up to speed and, when he spoke to UNESCO the following day, he would actually include a wish to governments that, if they had a laboratory in their area, they be prepared to support that laboratory.

DECISION

Health, Medical and Research Committee Chair
report noted.

– 7.2 2018 Prohibited List

DR VERNEC opened with an update to members on the recent Helsinki conference on TUEs, which took place once every four years. It had involved a very engaged group of physicians in an environment of excellent camaraderie, and they had gone far beyond challenging medical issues and into things such as cultural differences in medical practice around the world and how that challenged TUE committees to come to some of the right decisions.

As concerns the List, he indicated that the Prohibited List and the monitoring programme would now be presented for approval by the Executive Committee.

He would skip fairly quickly over most of S1. As mentioned, a number of changes had been made to nomenclature, and there had been occasional additions of some substances for clarity, so he would not spend time on that. It was also hard to read the List on the screen, but the members had all the notes and every single change was in the explanatory notes.

Moving on to S2, there had been some shuffling of the category, again just for clarity, after comments from different stakeholders over the year. One substance, ARA 290, had been removed from the EPO section, as it had become clear from recent research that, although it bound the EPO receptor, there was actually no effect on erythropoiesis; therefore, it had been removed from the Prohibited List.

In S3, beta-2 agonists, there had been a small change in terms of the explanation of the dosing parameters of salbutamol. They had been revised to make it clear that divided doses of salbutamol might not exceed 800 micrograms over any 12 hours. There had been no practical change, but it had just been for clarity. Another beta-2 agonist had been added to the List, again as an example, and that was the approach to be taken to add a substance, rather than just leave it in the unknown category of 'similar biological effects or chemical structure'. It was fairer to the athletes, and now that the lists were really searchable items, as opposed to books, it made sense to add substances.

Moving to S5, glycerol had been removed from the List. Glycerol was a plasma expander and had been on the List since 2009. However, since 2012, there had been some studies showing that there was no performance enhancing effect, and frankly its significance as a plasma expander was very limited. WADA had not wanted to act too hastily until further research had become available, and WADA was now comfortable about removing it from the Prohibited List. There was good reason to get it off if it did not have to be there, as glycerol was found in foods and was used sometimes as a lubricant for catheters, so it was good to remove it if it did not need to be there.

Moving to M2, the permitted volume and timing of intravenous infusions had been changed from 50 ml every six-hour period to no more than 100 ml every 12-hour period. The volume was the same, but one could get 100 ml at any one time. There was one very clear reason for that: essentially, the administration of iron intravenously. Taking iron orally was unpleasant and not terribly effective and getting an intramuscular injection was also not a pleasant experience or very effective, so the use of intravenous iron in the world of medicine was becoming more popular around the world and, rather than catch people with 100 ml of intravenous iron, which would therefore be prohibited as the rules stood, a slight change had been made and the 100 ml had been chosen because it was one of the more standard formulations of the new intravenous iron that was given, and of course iron was not a prohibited substance.

M3, gene therapy, was a constantly evolving field and therefore the definition necessarily needed to be updated every few years. A new line had been added to mention the new technique of gene editing, which allowed for targeting and activation of particular elements within the genome.

For S8, the category of cannabinoids had been reorganised for clarity, and it also specifically stated that cannabidiol was no longer prohibited. Cannabidiol or CBD was a non-psychoactive cannabinoid, and therefore it had been felt that there was no reason for that to be prohibited. There had been a lot of questions on that, specifically as cannabis was not only used therapeutically around the world but was even being legalised in many areas, including the USA and Canada.

For P1, alcohol, after careful consideration and quite extensive consultation over the past three to four years with IFs, it had been decided to exclude alcohol from the Prohibited List, not to compromise the integrity or safety of any sport, but because there had been a lack of logic. Karate and wrestling had prohibited alcohol, and then motorsports, motorboating, motorcycling, archery and shooting had prohibited it. WADA had been asking questions and more and more sports had essentially dropped alcohol as a prohibited substance. That was not to say that alcohol should be allowed in those sports, but the idea was that each sport could simply deal with alcohol; it was a simple thing to do with breathalysers and, if a sport wanted to put the level at zero and have a zero tolerance policy for alcohol and check, they would be free to do that and many of the IFs had been encouraged to communicate among themselves. The P1 section would therefore disappear from the Prohibited List.

The monitoring programme was fairly simple. There were two substances that had been removed: mitragynine and telmisartan, as there had been little evidence of any misuse. Hydrocodone had been removed, but it had been decided to add it back again, as the category of narcotics was still under discussion and there might be changes coming in the next years, so it had been felt wiser to understand the use of hydrocodone and other narcotics on the list. One more substance had been added simply because there had been some suggestion of misuse, and that was bemitil, so the group had decided to add that to the monitoring list.

He would then ask the group if it was ready to accept the 2018 Prohibited List as well as the monitoring programme.

THE CHAIRMAN said that the issue was important because there was a time limit, so the Executive Committee needed to approve the Prohibited List and the monitoring list for the year 2018. Was it the members' wish? He congratulated Dr Vernec and asked the management to make sure that WADA distributed it very widely so that nobody could turn around and say that they had not known.

DECISION

2018 Prohibited List approved.

– 7.3 Research projects

7.3.1 Annual research projects 2017

DR RABIN informed the members that he was very pleased to present the facts and recommendations for the 2017 research projects, the outcome of a collective, thorough and fairly long process involving external experts, WADA expert groups and scientific committees. On a personal note, he was very pleased to be in Paris, the city in which he had started his research activities almost 30 years previously to the day.

Moving on with the research projects, the documents had been provided prior to the meeting. WADA had received 85 grants that year, which was fairly stable. It was necessary to take into account the special requests for proposals which added to the number of projects reviewed every year, which came to 100 to 120. As usual, it was always important to see that a lot of the projects

came from people who did not work directly in the anti-doping field. Every year, there was a selection of key priority themes by the Health, Medical and Research Committee and the number of projects for 2017 had been received in the different categories. The important element as usual was the review process for the projects, and he was very grateful to all the independent experts who agreed to contribute to the process, as WADA really mobilised a number of experts and external reviewers to provide a completely independent opinion on the projects. He was also very grateful to the members of the Project Review Panel for reviewing and putting in place those comments and making recommendations to the Health, Medical and Research Committee. Also, importantly, WADA was very strong on ethical reviews, externally and internally at WADA.

For that year, the projects had been submitted for recommendation to the Health, Medical and Research Committee, which had reviewed them at its meeting on 29 and 30 August that year. He would not spend too much time on the projects that had been approved, but said that 31 had been approved, 19 for the WADA regular fund, and WADA had almost exhausted the fund for that year. Luckily, as recalled by Professor Erdener, there was the special fund, from which it would be possible to take about 12 projects for a total value of 1.1 million dollars. Still, it was a fairly reasonable level of success. He would not go into detail in relation to the projects, but it was important to bear in mind that a lot had been happening on the peptide and hormone front, an area that was growing, and WADA needed to make sure that it could accompany the analytical aspects in support of testing for hormones and peptides, and several projects had been approved in that area. The members had heard a lot about long-term metabolites of anabolic steroids, and WADA wanted to continue in that vein. Some projects had been approved in support of trying to extend the window of detection of anabolic steroids, which was quite important, as technology progressed every day.

In relation to the Athlete Biological Passport, there was one element on the confounding factors, but the members would see that a lot of the projects had been taken from the special fund, as it was considered to be innovative research and very promising. Several projects had been approved in that area.

The elements that also needed to be borne in mind were the support to the anti-doping laboratories (WADA was doing a lot on that front), and reference materials did not appear to be very sexy research, but it was very important to the laboratories to be able to do their work on a day-to-day basis and report some of the more complex results that they found in analytical laboratories.

He wished to mention two projects taken on targeted and reactive budgets, one of which was to review thresholds for the Hgh biomarkers approach (the initial investigator had been supported with a small grant to do that work), and also it was very important to realise that, when some technology arrived at the end of research, to see whether it could be implemented in WADA-accredited laboratories, it was necessary to bridge the gap, and there was a project from Australia, but WADA also wanted to complete it with two other laboratories, and there was a recommendation by the Laboratory Expert Group to spend some money to bridge that gap.

He briefly mentioned the research from the Special Research Fund. There had been a total of 12 projects in relation to that fund, as he had mentioned, in particular improvement on the testing methods in the area of peptides and hormones, as he had said earlier. The passport and autologous blood transfusions were also areas of high interest to WADA from a research perspective, and WADA needed to do more in that field, and that was where the fund was particularly critical. Dry blood spot basically involved taking a drop of blood from the finger and trying to see how much one could test with that. It was an area in progress and it was promising. It would not replace existing tests, but WADA would certainly want to develop the technology for the future.

He asked the Executive Committee to approve the research projects from the regular and the Special Research Fund.

MR MIZUOCHI expressed his gratitude for the comprehensive report. He understood that the development of research in science was an important element for anti-doping activities. At the previous Foundation Board meeting, he had spoken about the university consortium set up in Japan for anti-doping research, and Dr Rabin would be giving the keynote speech at a symposium to be held the following month. During Dr Rabin's stay in Japan, there would be a special meeting between the people in WADA's Science Department and Japan's institute of advanced industrial science and technology. He would like take the opportunity to continue the cooperation with WADA to contribute even further to anti-doping research.

THE CHAIRMAN stated that the details of the successful projects had been in the members' files and made interesting reading. Was it the members' view that WADA effectively exhaust the Special

Research Fund? He had reminded the IOC session that that might happen, and nobody had stood up and given him a standing ovation, but nobody had said no. Was it the members' view that WADA allocate roughly three million dollars to the research projects in the certain knowledge that WADA was not doing enough in that area and that it was a high priority area? Did the members agree?

He congratulated the Health, Medical and Research Committee, which was a big but interesting committee.

DECISION

Annual research projects 2017 approved.

7.3.2 Special request for proposals

DR RABIN continued with what the Special Research Fund allowed WADA to do, which was issue a special request for proposals. WADA identified some very important areas and made public announcements and received projects, for which significant amounts of money were allocated to address the big issues. There had been one of particular interest to WADA, which also made the bridge between some of the prohibited substances, namely erythropoietin stimulating agents, confounding factors, altitude, hypoxia and also the discovery of biomarkers. WADA had issued the special request for proposals for that particular area and had posted pretty widely, even in some scientific publications, a proposal. WADA had received nine projects in total for a significant amount of money, and had of course applied the usual thorough review process, involving independent experts and the Project Review Panel, and two projects had been selected at the very end of the process. There was one project called the Nordsborg project, and he would not go into detail, but of course the grant application met the requirements established, in particular the exposure of athletes at sea-level, EPO, altitude, collecting a significant amount of samples so as to be able to discover some biomarkers. The same applied to the project by Faiss and Saugy, which might be a crossover study, but also with some limitations, so the two projects had been presented to the Health, Medical and Research Committee. First, they had been reviewed by the Project Review Panel and then by the Health, Medical and Research Committee and then there had been some back and forth discussions between the Health, Medical and Research Committee and the Project Review Panel with a lot of expertise, and a final recommendation from the Project Review Panel to the Health, Medical and Research Committee had been made just a few days previously. To come to a conclusion, the project proposed for adoption was the Nordsborg project. The members would see that the amount of money was fairly significant, and it was probably the most expensive project ever to have been approved at WADA, but it showed the trend of where WADA was. A lot of the questions WADA had been facing had been exhausted. WADA was still facing a lot of questions, but the questions WADA was facing did require a lot of resources. In that case, WADA would study tens of athletes in altitude, expose them to EPO and confounding factors and take a lot of samples, and the research needed to be done to discover some of the biomarkers that WADA would need to use in the future to develop new tests for the next generation of anti-doping tests.

THE CHAIRMAN apologised for rather wrapping the two together in advance. He should not have done so. Were the members happy to seek applications for that amount of money for the second issue as explained by Dr Rabin?

DR RABIN clarified that the Executive Committee was being asked to agree that the Nordsborg project would be selected for that amount of money.

THE CHAIRMAN thanked Dr Rabin.

DECISION

Special request for proposals 2017 approved.

8. Athletes

– 8.1 Athlete Committee Chair report

THE CHAIRMAN noted that the Athlete Committee Chair report was rather later in the agenda than normal, and thanked Ms Scott for sticking with the Executive Committee.

MS SCOTT said that she hoped that that was not a reflection of the prioritisation of athletes.

THE CHAIRMAN responded that her comment had certainly been noted.

MS SCOTT said that the members had the report and the outcomes in their files, so she would not go into too much detail. It was the end of the day, after all. The Athlete Committee had met in London during the IAAF World Championships in August, hosted by Mr Taylor at the Bird & Bird offices, as well as UKAD and UK Sport, so there had been an excellent opportunity to engage with the athletes of the UK, many of whom sat on IF committees, and there had been an open session with a lot of good dialogue. The Athlete Committee had also had an opportunity to meet the IAAF's new athletics integrity unit. That had been very enlightening and informative.

The WADA Athlete Committee continued to be actively engaged and committed to the representation of clean athletes and several activities had been undertaken since her previous report, one of which was the process of development of a three-year strategic plan. The Athlete Committee had met in June to begin the process and had finished in August. The conclusions were just being finalised by the members. It had been an exciting endeavour, because it was something that the Athlete Committee had never done before, and she thought that all the members had been engaged and excited about participating. The Athlete Committee had also been actively participating in the governance review through its representative, Mr Pengilly. A lot of athletes had been giving feedback to him to make sure that the athletes' voice was represented. The Athlete Committee had been giving feedback to Mr Kemp on the new ADAMS and the members continued to be actively engaged in opportunities for outreach and to showcase the Athlete Committee. The concept of the charter of athlete rights had first been introduced and proposed by the WADA Athlete Committee in March, and it continued to progress. That concluded her report, and she would be happy to take any questions.

THE CHAIRMAN confirmed that the strategy would be finished and on the members' desks in November. He thanked Ms Scott for her report.

DECISION

Athlete Committee Chair report noted.

9. Education

– 9.1 Education Committee Chair report

In the absence of Mr Moses, MR KOEHLER said that he would provide a brief update; the full details were in the members' files. Mr Moses had asked him to highlight four items. One was the parents' guide to clean sport, and the members should have a copy. It had been developed based on research and, as soon as it had gone out, it had received a lot of attention. It had been co-branded, put on websites and received some really good feedback.

The Education Partnership with the IOC, the IPC, the International Fair Play Committee, the International Council of Sport Science and Physical Education and UNESCO continued to develop. A values-based resource was being developed for teachers, and it was currently in the graphic design phase.

Two education symposia had been held since May, one in Qatar (on training of trainers) and the other in Argentina in the lead-up to the Youth Olympic Games.

He was pleased to announce that the second global education conference would take place in Beijing; CHINADA and the Chinese government would host it, and it would be held on 24 to 25 October 2018.

In relation to the social science research projects to come to the members in November, 37 projects had been received, and they had all gone through peer reviews. A meeting would shortly be taking place to determine which projects should be brought forward for the members' consideration.

The final thing was that it had been approved in May to look at the possibility of developing an international standard for information and education, and a working group would convene in Montreal on 4 and 5 October. The members of the working group could be seen in the paper.

THE CHAIRMAN asked if anybody had any questions.

DECISION

Education Committee Chair report noted.

10. Any other business/future meetings

THE CHAIRMAN asked if there were any other items of business that the members wished to discuss.

MR BAUMANN said that he had listened to the Boston Consulting Group's vision for WADA which might see WADA grow at a certain rate and quite significantly, and he asked the members to take the matter into consideration when discussing Montreal, because it might not be the same WADA in five years' time, and it might trigger other questions or requirements that might need to be tabled with the city of Montreal. Of course, the Executive Committee had not decided politically on the way forward, but it was a ten-year contract and, over those ten years, a lot of changes could happen, and WADA might want to think about that.

MR GODKIN noted that he had been slightly alarmed that morning when his colleague Mr Baumann had noted that an Australian team had had some unfortunate experiences at the hands of a NADO. Even though the timing back home had not been conducive, the research that people had done had indicated that that had occurred in July and in a location in which the NADO had been the subject of identification by the Executive Committee as not being optimal, and indeed, some people in the room had contributed very much to the development of capacity there and, as it turned out, ironically the NADO in his country had been contributing to that as well. He wished to mention it for balance; he hoped that it was not a typical experience, and indeed it was a NADO in which issues had been identified and were being worked on actively.

THE CHAIRMAN informed the members that they were due to meet on 15 and 16 November in Seoul, Korea, and there was constant debate in the media about Korea. He thought that the members should have some understanding themselves on a decision. Quite clearly, if something very serious happened in Korea in the days and weeks before the members were due to go, they would not go. They would keep in touch with their Korean friends. His most recent information came from a personal friend who had been in Seoul and who had been amazed at how calm everybody was. WADA was aware of the situation and, at that moment, the plan was to go to Seoul in November. Thereafter, the Executive Committee would be meeting in Montreal in May the following year. A host had yet to be attracted for the September Executive Committee meeting.

He had enjoyed that day, being in that rather unique location with a unique view. He commended the organisers on all the work that had been done. As yet, there was no venue for September 2018 and, in November, the management was waiting to complete a final agreement with Baku in Azerbaijan.

He thanked the members very much indeed for attending the meeting. He thanked them for their contribution and the openness and preparedness to express their views openly. He wished to go forward with all the stakeholders in the organisation in that spirit and in that way. WADA had been airing its dirty laundry in public for too long, and should not do that. He thanked everybody and wished them all a safe trip home.

DECISION

Executive Committee – 15 November 2017, Seoul, Republic of Korea;
Foundation Board – 16 November 2017, Seoul, Republic of Korea;
Executive Committee – 16 May 2018, Montreal, Canada;
Foundation Board – 17 May 2018, Montreal, Canada;
Executive Committee – 20 September 2018 (TBC);
Executive Committee – 14 November 2018, Baku, Azerbaijan;
Foundation Board – 15 November 2018, Baku, Azerbaijan.

The meeting adjourned at 3.50 p.m.

FOR APPROVAL

SIR CRAIG REEDIE
PRESIDENT AND CHAIRMAN OF WADA