

**Minutes of the WADA Executive Committee Meeting**  
**7 June 2003**  
**Montreal, Canada**

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The meeting began at 9 a.m.

**1. Welcome, Roll Call and Observers**

THE CHAIRMAN welcomed the members to SARS-free Montreal, and thanked them for making the effort to get there. If anybody wished to make any changes to the agenda that had been provided prior to the meeting, now was the time to do so, otherwise the Executive Committee would work through the agenda and anything that had not been covered could be dealt with under the item "Other Business".

Members were asked to sign the roll call (Annex).

MR DEVILLERS noted the issue of government payments as an agenda item but, prior to getting into the agenda, he wished to comment on the press conference the previous week and the comments made regarding government non-payment and consequences, etc. The government side saw WADA as a partnership and, quite frankly, he thought that the comments and the positions taken in the press should have been dealt with around the Executive Committee table as opposed to in the press ("the wall of shame", etc.). There were some serious issues to deal with, with respect to the government payments. The governments acknowledged that, and he knew that, on behalf of the Canadian Government, it had been very distressing to see the comments made, and the approach that had been taken did not make them feel like partners. He would appreciate the opportunity to deal with such issues at the Executive Committee table.

THE CHAIRMAN replied that this would be dealt with under the item on government contributions, where the issue could be ventilated. What he had decided as the Chief Executive Officer was in the best interests of WADA and the financing of its needs, and the way in which WADA got its partners (both on the public sector side and the Olympic Movement side) to do what they promised to do.

MS BARTHWELL echoed that the US Government strongly supported the comments made by Mr DeVillers.

THE CHAIRMAN said that he was most interested in how they proposed to solve the problem, and requests or reminders for payments had not seemed to be having any perceptible effect.

**2. Minutes of the Executive Committee meeting on 2 March, 2003 in Copenhagen**

THE CHAIRMAN said that, subject to whatever the members might have by way of comment, unless he heard anything regarding those minutes by noon that day, he would consider the minutes approved as distributed, and he would sign them.

DECISION

Minutes of the meeting of the WADA Executive Committee on 2 March, 2003 in Copenhagen

approved as distributed and duly signed, subject to amendment on page 2 proposed by Mr Swigelaar on behalf of Minister Balfour (*betting* to be replaced by *batting*).

### **3. Reports by the Director General and the COO**

THE DIRECTOR GENERAL referred to the written report in the members' files (Annex ). He thanked everybody for their excellent cooperation and partnership before and during the World Conference on Doping in Sport. WADA had done very well and still had high hopes to continue to do well and, of course, the Code implementation was one of the things that everybody wished to do. With regard to financing, WADA was assuming an income from governments of approximately US\$ 7 million by mid-July, and the USA had assured him that their payment would be made in October. WADA had written commitments to pay from certain other governments, which was why he had referred in his report to a "good-faith effort" from the Olympic Movement side to pay the second instalment.

Part of the Code implementation concerned the decision taken by the UNESCO Executive Board to be an umbrella organisation and to prepare the World Convention on Doping, or another binding instrument for that. He had called on UNESCO, and had had a very successful meeting with Mr Matsuura. It had been agreed that UNESCO would be official observers at WADA Foundation Board and Executive Committee meetings; they would also report at WADA meetings on the development of the convention. UNESCO had invited WADA to be members of its Intergovernmental Committee for Physical Education and Sport, which WADA had accepted. UNESCO had also invited WADA to be part of the work of the group of experts, which would begin its work on 24 June in Paris. Mr Matsuura had been fully aware of the demanding challenges ahead, but had also wanted to make sure that everybody would work together from the beginning, making the convention a truly global one.

In terms of government examples, there had already been Canadian, Australian, and French efforts, and WADA had also worked with Africa, Asia and the Americas to help to find an improved share split.

In the final paragraph, regarding the sports meetings in Madrid, and the questions as to whether WADA was a service organisation or a sports body, certainly WADA wanted to remain a service organisation. It did not want to do all of the anti-doping work, as some might think. Regarding the creation of WADA, when the World Conference on Doping in Sport had been convened in Lausanne in 1999, the outcome had been the huge need for an independent anti-doping agency, which had led to the creation of WADA. Of course, the role of independent watchdog had been stated at the time of WADA's creation. In answer to the question, WADA was both a service organisation and a sports policy organisation regarding anti-doping issues.

With regard to the comment made earlier by Mr DeVillers, WADA had thought a lot about how to operate, and had not wanted to harm anybody. In every crisis, there was a positive element, which provided the opportunity to reorganise and reprioritise, and that work had begun immediately following the Copenhagen World Conference on Doping in Sport, including such things as the review of staff responsibilities and job descriptions, which Mr Howman would discuss.

MR HOWMAN thought that his report spoke for itself (Annex ). He wanted to encourage all of the Executive Committee members to take home the letter (Annex ) that was being written to all stakeholders to seek resource material. He was happy to answer questions in relation to his report.

He had said that he would verbally report on some of the special counsel matters. The CONI inquiry had been undertaken the previous year. Some further information had been received, including the final interim report prepared by the research team, and he

had spoken to the professors and doctors involved in that. There could be no conclusion, as far as the report was concerned, as it had never been completed, but the material gathered was available to WADA, and he had sought the permission of those who had written it to forward it to the Health, Medical and Research Committee for review and use, if it would be of any benefit. There were still considerable prosecutions and civil actions going on in relation to it, but none of them related to the issue of doping; they were all related to defamation and leaks of the report.

With regard to the USOC / USATF issue, WADA had offered to help the IOC if necessary.

There had been a significant rash of violations at the All-India Games the previous year. From 480 doping control tests, there had been 24 adverse findings. WADA had written to India, and had offered assistance. An update had also been requested, and WADA was now waiting to hear back from India as to the sanction processes in relation to those athletes and a considerable number of others who had returned adverse findings.

The Ad Hoc Working Group on Sanctions had invited members in the normal way that it composed working groups to be part of the working group, and intended to compile information on all of the cases decided since 1 January 2001, where the tribunals had handed down sanction periods less than, or greater than, the norm. The group also wanted to look at the cases that had decided periods less than that in order to analyse them and see whether those reasons amounted to exceptional circumstances under the new Code.

THE CHAIRMAN asked whether anybody wished to make any comments. Did Mr Howman require any particular decisions?

MR HOWMAN replied that he did not require any decisions at this point.

THE CHAIRMAN noted that a few pointed questions had been asked at the ASOIF meeting in Madrid. One or two IFs had said that, in effect, WADA should be a service organisation; WADA was of the view that it did provide services, but it did have an independent existence and a mandate to follow up on doping matters generally, and that was one that it proposed to exercise as soon as it had the resources necessary to do so.

DR STRETTON supported all of the activities in Mr Howman's report. This was an interesting time for WADA to think about its prime role, therefore it needed to think about its focus for the next four or five years. He certainly agreed that WADA's prime role should be as an independent watchdog, in terms of establishing the frameworks, setting the standards, etc., and then taking that further in terms of monitoring, auditing compliance, reporting, recommending sanctions, etc., and this should be done by working with others. It was very difficult for WADA to take on that role and also try and undertake services that others could provide; this would lead to a clear conflict of interest. It was important to have a very clear focus, as it would fail if it tried to be everything to everyone.

DR SCHAMASCH agreed with Dr Stretton's points, but not on the initial WADA mandate. WADA had been created to harmonise in-competition testing and to assist the stakeholders requesting such assistance in anti-doping issues. Having been part of the founding group, and having been present at WADA's constitution, he pointed out that the issue of monitoring or acting as a watchdog had never been mentioned. WADA's primordial role was one of research. If monitoring was to be included in WADA's mandate, then that was fine, but it had not been mentioned in 1999.

THE CHAIRMAN was grateful for the comments and observations. His concern, rising out of the success of the Copenhagen World Conference on Doping in Sport and the adoption of the Code, was that many organisations might think that their work was done and that there was nothing left to do. It was very important to spend some time taking a look at the role of WADA. In the short-term, it would be to continue to ensure that the Code was adopted (WADA had adopted the Code; very few stakeholders had completed

the formal process). When the IOC adopted the Code in a few weeks' time, this would no doubt have a domino effect.

There was a service element in what WADA did. Harmonisation was one of the primary responsibilities, and that had been the focus of WADA's activities in the short term, to get the Code into place. WADA's other responsibilities were to help some of the IFs, especially those that did not have comprehensive testing programmes in place, to develop the appropriate rules, and to do some testing on their behalf; to act as the results management agency; and to do research (WADA was one of the few organisations that devoted funds to scientific research in this area). But WADA was an independent agency, which required it to comment on the application of rules and anti-doping programmes, and this had always been understood from the very beginning. He would not want to give up that role of WADA, as otherwise he thought that the dilution effect would be enormous. The members had sat around the WADA table, and had put in place a five-year Strategic Plan that had led to the establishment of the budget necessary to do that work, and all of the activities contemplated the existence of an independent agency that would comment, observe, monitor and advise organisations when non-compliance of the Code was noted; it therefore went well beyond mere service. He did not think that WADA should contemplate a withdrawal from any fields in which it had been active to date, but if it was the will of the Executive Committee to examine the mandate and the principles underlying that mandate, he was certainly willing to do that.

DR STRETTON stressed that he had no problems with harmonisation. He thought that perhaps he had been using different words to say the same thing as Dr Schamasch.

#### DECISION

Reports by the Director General and the COO approved.

### **4. Finance**

#### **4.1 2002 Audited Accounts**

MR REEDIE noted that the formal 2002 audited accounts (Annex ) had been prepared by PricewaterHouse Coopers in Lausanne, and then the much more detailed accounting had been done by the Finance Committee (Annex ) to disclose every cent of income and expenditure. The third section also showed the 2002 revised budget and compared it with the outcome of the accounts. In general terms, the accounts were fairly straightforward. There was less income than had been hoped for, as some of the partners had not paid within the 12-monthly period in 2002. The Executive Committee would remember that the Foundation Board had approved an additional US\$ 1 million of research grants, so that had had to be taken into account. As WADA was a Swiss foundation, the base reporting currency was the Swiss franc, although much of its business was done in US dollars and, depending on the movement between the Swiss franc and the US dollar, WADA's accounts either looked very good or occasionally not so good, as was the case that year. WADA did not actually convert money, and would not speculate with WADA's money.

MR NIGGLI repeated that the base currency was the Swiss franc, and the 1.2 exchange rate loss reported was not from changing any money. WADA operated in different currencies, but could probably minimise exchange rate losses by having its accounts in US dollars, as these constituted the main income. He therefore thought that WADA should try to present its accounts in US dollars as of the following year.

MR REEDIE noted that this was certainly a view held by the members of the Olympic Movement, and it would certainly be much simpler to present accounts in US dollars. However the approval of the Swiss authorities would be required. He would be in Lausanne at the end of the month, and would take the opportunity to go and start the discussions.

As for the 2002 figures, the Foundation Board would need to formally approve the audited accounts in September. He would be happy to try to answer any questions on the mass of detail that was there, but wanted to stress that the cost of WADA's operations and how money was spent was disclosed in a very transparent manner.

THE CHAIRMAN asked if anybody wished to make any comments regarding the audited statements for 31 December, 2002, and the requirement that these be submitted to the Foundation Board for approval.

MR LARFAOUI wondered whether there were ways of reducing expenses. Perhaps members could hold meetings by telephone or conference call, for example.

The initial provisional budget was US\$ 19 million; after revision it had been reduced to US\$ 15.5 million, and finally, WADA had spent US\$ 19 million. He did not believe that WADA should spend more than it received, and this was a significant difference.

THE CHAIRMAN explained that the audited accounts were what the auditors had reported on: what had happened in 2002. Those accounts needed to be approved by the Foundation Board. Were there any comments or concerns about submitting these audited accounts to the Foundation Board for approval?

DR STRETTON said that, as he understood it, when 2002 contributions were received in 2003, this was counted as 2003 income and not 2002 income. Was this the proper way of doing it?

MR NIGGLI replied that everything was accounted for on a cash basis, and WADA could not accrue for any previous income, apart from research grants, which had been contractually committed.

THE CHAIRMAN did not think that WADA could move to accrual until there were formal obligations in place regarding the financial commitments.

#### DECISIONS

1. 2002 audited accounts approved.
2. Proposal to present accounts in US dollars as of 2004 approved subject to approval of Swiss authorities.

#### **4.2 2003 Quarterly Accounts**

MR REEDIE said that the quarterly accounts to 31 March 2003 looked rather healthy, as arrears of the 2002 contributions had been collected in 2003. The expenses side was roughly along the lines that would be expected in the first quarter, and he did not propose to dwell any further on that. At the next Executive Committee meeting, he would have the half-yearly figures available, so that the members would be able to see how the finances developed over the year.

He asked Mr Niggli to reply to Mr Larfaoui's previous question regarding the budget.

MR NIGGLI referred to the comparison between the revised budget (which was US\$ 15.5 million) and the expenses, which could be seen in Attachment 3 (Annex ). The expenses included exchange rate losses, which were an accounting phenomenon and did not really mean a loss. As stated, an additional US\$ 1 million had been spent on research, so the difference between what had actually been spent and the revised budget was about US\$ 1 million, therefore, in terms of the initial budget, WADA had reduced its activities, and the total expense difference amounted to approximately 5% excess, which seemed reasonable for a budget of that size.

THE CHAIRMAN stated that the budget had not been changed; WADA had had a budget that contemplated certain activities. Towards the end of the year it had become increasingly evident that the stakeholders were not going to make the payments anticipated, and so WADA had decided not to spend certain amounts. To say that it was

a revised budget was perhaps not in keeping with what it really had been; rather, it had been a prudent management of the available cash.

#### DECISION

2003 quarterly accounts to 31 March, 2003  
approved.

### **4.3 Government Payments**

#### **– 4.3.1 Budget Approval and Timing**

MR REEDIE said that it was quite clear that an easier system to make it easier for the stakeholders to make the contributions on time would be useful.

MR NIGGLI noted that some governments had stated that they needed more time to present the budget to their governments, so the Finance Committee proposed having a budget ready and approved in June as of 2004, so that everybody would have the figures six months in advance and would be able to plan accordingly. For 2003, the date had already been set for the next Foundation Board meeting, and this could not be brought forward, however, if the Executive Committee approved the proposal, the committee would advise on the basis of the budget to be presented in September 2003 to the Executive Committee and, if there were requests in the meantime for future figures, then the committee would work that out on the basis of the ceiling agreed by the Foundation Board in 2001.

THE CHAIRMAN asked if anybody had any comments or questions. It was sensible to try and advance the date to June, which would surely be an advantage. Then there would be an interim period for the 2004 budget.

DR BARTHWELL said that the USA would appreciate knowing earlier for its budget cycle, and this would resolve the issue of having planned an increase in appropriations for a planning year. It did not completely eliminate the issue that governments worked on cycles other than 31 December, so even if the request was made, the money would not be seen until the end of October, so it was necessary to come up with a system that allowed the government that had got the money appropriated to have the time to make good on that promissory note, that might slide through the next year to as late as December of the next year, as governments worked on different cycles to WADA. This proposal did help in terms of asking for the increases in time, but it did not resolve the issue of the payment cycles.

MR RIISKJAER strongly supported the proposal. He thought that this would solve some of the problems for European governments, but he had to mention that at least one government could not grant its contribution to WADA before it had seen the accounts of the former years, and he did not know whether that problem could be solved.

THE CHAIRMAN noted that the problem was that the accounts were not obtained until well after the year for which contributions were to be made.

MR TOKAI noted that Japan also had difficulties because of the budget cycle, as Japan's fiscal year went from April to March. It would be impossible for the Japanese Government to pay before 31 December, so he asked if a new system could be studied to take the difficulties arising from different fiscal years and budget cycles into account.

THE CHAIRMAN said that he had no particular problem with payments coming in at different times of the year, as long as it was known when they were coming, and they could be counted on. It was currently impossible to plan the kind of coordinated approach that everybody would like. If governments had a proposal that would allow them to provide the funding on a regular basis throughout the year, then that would be fine. The problem did not concern only government payment. He had had some very hard discussions with the IOC President, who had said that he would not pay until the governments paid. The President had inherited an approach from his predecessor, who

had never thought that governments would pay, so it was a double whammy: every dollar that was not paid meant two dollars to WADA. The IOC had been very good about fronting money for the first few months of 2003, as well as 2002. Once the mechanisms were in place that made these things obligations, it would be easier to go back to the Olympic Movement and ask it to respect the Statutes. Nobody had ever said that the provision in the WADA Statutes was crazy, so he had assumed, perhaps naively, that, because everybody could read and understand then statutes of the organization to which they belonged, they would find some way to comply with the Statutes. This did not seem to have been the case.

MR RIISKJAER pointed out that the governments paid, although some had problems, and those governments in particular should be focused on.

THE CHAIRMAN replied that WADA was focussing with great satisfaction and affection on those that had paid.

MR DEVILLERS said that the governments needed to get together and look at this issue and try and constitute a committee to report at the meeting in September on the possibility of a restructuring of the system, in order to give WADA the predictability that was needed for budgeting purposes, and come to a solution to this predicament. It was necessary to take a governmental look and come back to the Executive Committee in September 2003.

THE CHAIRMAN thought that that would be fine.

DR BARTHWELL noted that, if the governments did that, they would also need to consider where they had come historically, and have a realistic idea as to whether that was going to be the best that could be done, given the state of some governments. They had laid out a plan, and had agreed to an acceleration of budgeting on WADA's part to meet new goals that would be added each year. It might be necessary to reconsider the matter, and understand abilities and wants and desires, and scale back on some of the wants and desires to be more in line with what the collection experience had been. It was an opportune time to do so, as the Strategic Plan Committee was planning to meet to delineate those things that were extremely important to WADA. It was necessary to be fiscally responsible, and see if, until there was a different pattern of collection from some governments, a different pattern on budgeting should be developed. She would suggest very strongly that they did so and that they look at what 88% of the anticipated budget would be able over the next few cycles, until there were more requirements built into the government payments or a realistic expectation on the part of some governments.

THE CHAIRMAN noted that this would be something of a downward cycle if planning was based on the fact that one out of every eight government dollars and therefore one out of every eight Olympic Movement dollars was not going to come in. He would rather say that everybody had promised to pay, and they had to pay. He had begun talks with the IOC President regarding the pressure that the Olympic Movement could put on stakeholders who did not pay. It was not necessary to have the cash in the bank on 31 December, but it was necessary to know that the cash would be coming in. He was very reluctant to allow the staff to go ahead and plan for a clearing-house, as WADA did not have the money to do so. The problem was that everything that WADA did not do was a lost opportunity to advance the fight against doping in sport, and that was the tragedy as far as he was concerned: WADA was not going to be able to do the minimum that it had planned.

DR STRETTON noted that Mr DeVillers had said that this was an issue for discussion around the table. Everybody knew that governments did not do what other governments told them to do. Australia, for example, would be more likely to pay if the Australian NOC or key athletes spoke to the press, not because Canada told Australia to pay. There were ways in which the governments could help WADA to help them if they talked these things through a little bit more. This was not a government problem; it was a problem of some governments.

MR DEVILLERS said that he had been speaking about structural changes in the payment system to facilitate the mechanics of governments getting payments in on a regular and predictable basis.

THE CHAIRMAN pointed out that he was trying to run an organisation that had no idea if, as and when the agreed money would be coming in. WADA could not plan, because its stakeholders were not performing. If WADA could help the governments to perform, then fine, because every dollar paid by governments meant two dollars for WADA. The problem needed to be solved collectively. Ultimately, when there was some legal obligation to pay, that might be a different matter, but right then it was impossible to work WADA until it was certain that the money was in the bank. Every day that went by without doing part of the Strategic Plan that had been agreed on, WADA was losing ground in the fight, and if WADA had to mobilise athletes and public opinion, then it would do so.

DR SCHAMASCH thought that the Chairman had drawn a very realistic, although somewhat sombre, picture of the situation. Everybody was aware of the problem. He thought that the members should take time to review the problem, whether it was a government one or not. It had been agreed that a budget for 2005 would be submitted in June 2004. The worst-case scenario should be taken and used for the moment, and WADA should try and see what could be done with a catastrophic budget over two to three years. However, WADA should also look to a solution to help the stakeholders to fulfil their commitments. Despite the pessimism, WADA had a Code; laboratory accreditation; and a list of prohibited substances and methods: there were many positive aspects. He asked that the Strategic Plan be reviewed, and that the Executive Committee look at the linear increase of the 2004, 2005 and 2006 budget, and cap it to the 88% of the income for the time being to see what could be done with that amount. Activities could be continued with a reduced budget, but the Strategic Plan had to be reviewed. If the situation were to improve, then they could revert back to the original plan.

THE CHAIRMAN cautioned that the budget should not be confused with what WADA would actually spend. If the budget was reduced to 88% of what had been agreed, then WADA would collect 88% of 88%. It was necessary to keep the pressure on to get 100%. If 100% was not collected, that was a different issue; then WADA would have to cut the cloth to fit the receipts, but to give up on the top line was a prescription for disaster.

MS ELWANI said that the athletes thought that, if there was a government that did not want to pay its share, they did not really appreciate the athletes of that government being present at the Olympic Games, so perhaps it would be possible to discuss certain consequences. The criteria for athletes to compete in the Olympic Games should be payment to WADA for the two years prior to the Olympic Games.

THE CHAIRMAN replied that he liked the idea, and had discussed this with the IOC President, who was reluctant to go that far. The President's view was that it was not fair to hold athletes hostage to the failure on the part of a government to act, but the President was willing to consider a number of things, and there had been an exchange of lists regarding possible actions, such as no accreditation to government officials to the Olympic Games; no use of the country's flag at the Olympic Games; no use of the national anthem if any medals were won; and no payments from Olympic Solidarity. There was a lot that could be done that would not affect the athletes.

MR DEVILLERS said that it was not necessarily that some governments did not want to pay; he thought that some governments might think that a richer country in their continent could look after the matter. He agreed that it would be most effective to keep athletes from competing if their country had not paid, but it would not be fair to the athletes. He thought that the IOC should be encouraged to look at intermediate measures.



Looking at payments received since WADA had gone semi-nuclear, THE CHAIRMAN noted that small countries such as Slovakia, Belarus, Mauritius and Serbia had made their payments; it was some of the G8 countries that had not paid.

MR DEVILLERS added that the Canadian payment that Canada had been trying to make since the end of March had also been paid.

MR REEDIE told the members that they should not think that practically everything that had been mentioned around the table had not been tried. This was why the Finance Committee did not reduce, on a budget basis, the amount of money that it asked from the stakeholders.

He thought that the only way to move forward was to sit down with governments and work out a payment schedule that would allow for regular contributions to be made to WADA. There would be a period of pain until such a stage was reached, but regular contributions were essential; in fact, the Statutes would probably need to be amended to reflect that. If it was impossible for a member to pay before 31 December, and governments were clearly not prepared to change their budgetary arrangements to suit WADA, then he was afraid that WADA was going to have to change a little bit to try to suit them and get the money in in full. Thereafter, money was spent in all sorts of different ways; it was spent routinely. The Strategic Plan had a staffing policy that had invited WADA to bring about 35 people to new offices in Montreal. That was what had been achieved, but the staff had to be paid regularly. He thought that WADA should be part of the government group put together to try and knock this problem on the head and get a regular flow of money. The overall costs of the exercise were such that, at that moment, it WADA was not careful, it would run out of money and go out of business. WADA was a Swiss foundation and had to have a certain capital behind it. There were implications in all of this. He thought that the next stage forward was to see if WADA could get regular flows of income.

#### DECISIONS

1. Proposal to have the following year's budget ready and approved in June as of 2004 approved.
2. Government committee to be constituted to look into possible restructuring of the payment system and report back to Executive Committee in September.
3. Budget approval and timing report approved.

#### **– 4.3.2 Government Payments Status 2002 / 2003 / 2004**

THE DIRECTOR GENERAL informed the members that, for 2002, when Italy had paid its contribution, 88% of the budget would have been received. For 2002, US\$ 2.7 million had been obtained from the governments. By mid-July, US\$ 7 million would have been received from the governments. For example, on 16 June, Japan had informed WADA that US\$ 1.5 million would be in the WADA account. By mid-July, there should therefore be US\$ 7 million from the governments, which meant that the IOC should match US\$ 3.3 million. He thought that WADA might consider asking the Olympic Movement to make a good-faith effort and pay up-front the second instalment, because it was known that the government money would be coming in during that year.

For 2004, regarding the preparation of the formula for the budget, WADA would do its utmost to have the government payment schedule prepared. Two efforts were needed, from both the government and the Olympic Movement side.

DR BARTHWELL observed that the term "good-faith effort" had been used frequently. It was necessary to underscore the expectation that the good-faith effort would be a mutual effort, and issues such as the "wall of shame" and shaming press conferences needed to be eliminated from the relationship, as these were not good-faith efforts to

create an environment in which governments could be effective in gaining the necessary support for WADA. The governments needed commitment from WADA to not deal with these internal issues in a public way. Would this be possible?

THE CHAIRMAN agreed that this would be possible if there were a shared commitment on which he could count, but he did not have that at that moment, and he did not know when or whether the governments were going to pay. There was no obligation. WADA did not know when the money was coming, and WADA could not operate unless and until there was money in the bank. If WADA could help the governments to help WADA, then he would be delighted to do so, but so far, a lot of what WADA was getting was a wall of silence.

DR BARTHWELL wanted to make sure that she was hearing the Chairman correctly. As the CEO of WADA, was the Chairman exempt from the governance and the advice of the Executive Committee on how WADA should deal with this issue?

THE CHAIRMAN replied that, up until then, WADA's administration had done everything possible to get the governments and all of the stakeholders to abide by the Statutes of the organisation. They had not done so; they had rigorously ignored that. It would be irresponsible of him not to draw that to the attention of the public. WADA could not do what it was supposed to be doing, and that was because its constituents were not doing what the Statutes provided. There was no commitment; some continents had not even worked out how they were going to divide the percentage of the contribution. He had to do whatever he could to make this operation viable. If there was a way of working this out, he would be delighted.

MR DEVILLERS thought that it was necessary to work together to attain the objective. He did not think that press conferences were the way to do this. Perhaps another way could be found. It was not helpful for work within government groups when everybody was annoyed.

THE CHAIRMAN noted that at least everybody was now paying attention.

THE DIRECTOR GENERAL informed the members that France would be making its payment in July 2003; Germany's contribution was at the Council of Europe; Italy had sent a copy of its legislation (US\$ 1.1 million), which was now in the parliamentary decision-making process, and should be making its payment for 2003, as well as 2004, in June or July; Ireland's contribution of approximately US\$ 50,000 was also at the Council of Europe, and should be arriving any day, as should the payments of Luxembourg and Slovenia; Turkey would be paying the US\$ 145,000 in June or July; and the UK had paid US\$ 600,000 the previous day. The Japanese payment of US\$ 1.5 million would be arriving in the WADA account on 16 June. Korea, Singapore, Iran and the rest of the Asian countries were waiting to finalise the share split within Asia. The previous year, only seven Asian countries had contributed to the budget. The aim was now to get at least 27 countries in Asia committed. Canada had paid US\$ 387,000. All of this would amount to approximately US\$ 7 million by mid-July from the government side. He had heard from the White House representatives that WADA could expect the US payment in October that year. Of course, payments from other smaller countries were in process. In Africa, an attempt was being made to get more countries involved, and to obtain commitment from the countries to the effort. The Americas would discuss the share split in July in Santo Domingo, before the Pan American Games.

MR REEDIE thought that all of this was very encouraging, but the fact that the Italian Government had enacted legislation did not mean that WADA could pay the salaries in July any more easily. The fact that people had promised to pay at a later date did not mean that WADA could be run any more easily. There was a significant problem at the moment, particularly with projects that WADA would like to implement, and WADA would have to be financially responsible in that.

#### DECISION

Government payments status report noted.

#### 4.4 Current Financial Situation

MR NIGGLI noted that the document (Annex ) had been prepared on 12 May, so there were some changes with regard to the figures, for which he would provide an update. The IOC share had not changed; there was still 37% of the approved budget. From the governments, the share had risen to 27% from 16%, which was some progress but, overall, WADA had so far collected only 32% of what it expected to collect. There was a little more cash in the bank, due to the fact that WADA had received some more payments, and there had been no change to the recurring costs. With regard to the minimum projects to be achieved, a list of activities had been produced, which was already a very reduced list of what had initially been projected, but these were also things that needed to be achieved if WADA wanted to do what it had been created to do. Therefore, the members would see that there was a commitment amounting to approximately US\$ 1.3 million per month that had to be paid out, and the reality was that WADA had enough money for four months' operation, until the end of September. The paper included a proposal to postpone or freeze activities until WADA had another US\$ 7 million in the bank, making it possible to achieve the minimum, at least until the end of the year. An attempt to limit recurring costs would be made.

There was another decision that the Executive Committee would have to take. There had been a loss the previous year because of the lack of income, therefore there had been a reduction in the initial capital. As a Swiss foundation, WADA was not supposed to go into debt, and having capital was only a sound way of having a small reserve in the event of payment not being made at the appropriate time. The Finance Committee therefore recommended that the initial capital be reconstituted as quickly as possible.

From a financial point of view, it seemed that the project regarding the clearing-house would be closer to US\$ 3 million than the US\$ 4 million set out in the documents, however, it was a five-year project, and some contingency was involved. If the project were to move forward, there would be major impacts on other projects unless there was an increase in the budget.

Did the Executive Committee agree to the various decisions proposed?

MR REEDIE supported the proposal. There were two issues. Until WADA actually achieved the US\$ 7 million of contributions, it would be necessary to look very closely at the projects listed in the files (it would be possible to reduce the budget for the Outreach and Independent Observer Programmes, as well as some of the IADA funding). In-house, he would like to think that WADA was much more rigorous in its own expenditure, and he had instructed Mr Howman and the Director General to produce a proper system of purchase requisitions, expense and, above all, travel planning claims. All of these things should be subject to approval in advance, rather than the happy old days of approval after commitment. That, he was afraid, was reality, and WADA simply had to look after and manage its own internal affairs responsibly if it was turning round and saying, on a temporary basis, that it could not do as much as it would like to do externally. That seemed to him to be sound financial planning, and Mr Howman, as the COO, would take that on.

MR TOKAI said that Japan supported the proposal of prioritisation regarding the reduction of projects, but the clearing-house project should have top priority, as well as the opening of the regional offices, which were essential for the implementation of WADA's objectives. WADA should seek outside financial input from the private sector.

MR RIISKJAER fully agreed that WADA should not initiate any new projects before the money was in the bank.

MR SWIGELAAR concurred with the Japanese view. It was necessary to see that, through other programmes, such as the regional offices, the awareness of WADA in the various countries could be raised. The only way in which countries would pay was if they knew what they were going to be paying for. As such, he strongly agreed with Japan that WADA's presence in countries should be ensured, in order to ensure that everybody

knew what WADA was about and, most importantly, that the athletes knew that their government was behind WADA to protect their rights and their interests.

THE CHAIRMAN did not think that anybody wanted to back away from the regional offices; this was a very important element in the Strategic Plan, but WADA's finance people were saying that WADA did not have the money to do it, and WADA could not go into debt or speculate. The regional offices were very important and, as Mr Coderre used to say, this was a matter of keeping the "W" in WADA, but they could not be set up without money.

MR DEVILLERS noted that WADA would get more countries willing to participate by showing good fiscal management and sending strong fiscal messages of responsibility. This was a two-edged sword.

DR SCHAMASCH pointed out that the Chairman had previously said that, before going to private organisations for funding, WADA needed to get its stakeholders to pay first, so the problem needed to be sorted out.

MR LARFAOUI thought that WADA should move towards a policy of austerity, and that it should be realistic. He supported the proposal made.

DR STRETTON agreed with everything that had been said. What did "as soon as possible" mean with regard to reconstituting the capital? This was somewhat vague.

MR NIGGLI replied that the following day would be ideal but this was currently impossible, therefore as soon as contributions were received in 2003, what was received for 2002 should be used to reconstitute the capital. The target was to try to put some money aside on a daily basis. He guessed that WADA would be speaking to the Swiss Government soon about the matter.

MR RIISKJAER asked whether the regional offices were being discussed. As far as he could see, they were not included in the list of projects to be postponed through the decision proposed.

THE CHAIRMAN replied that the regional offices were not included in the expenditures that WADA would begin to make; it was not that they were excluded, they still formed part of the budget.

As for the private sector aspect of raising funds, if WADA went out with its financial statements to the private sector, private organisations would ask why WADA was there if its stakeholders were not paying. The less the commitment by stakeholders was, the more difficulty WADA would have in the private sector.

The capital had been eaten into in 2002, therefore WADA should decide that any 2002 contributions should be put back into the initial capital. WADA certainly did not wish to lose its status as an organisation because it had been fiscally irresponsible.

#### DECISIONS

1. No further commitment to be taken by WADA until at least US\$ 7 million received after 12 May 2003.
2. WADA to reconstitute capital as soon as possible. Any contributions received in respect of 2002 will first go towards reconstituting the capital.
3. Executive Committee to recommend that the Foundation Board agree to an increase of the WADA budget of US\$ 3 to 4 million for 2004, 2005 and 2006 in order to allow for clearing-house funding, or to recommend a reduction of WADA's accepted activities to create the necessary

available funding to move forward with clearing-house project.

4. Proposal to recommend the search for extra funding from WADA through private sources postponed.

#### **4.5 Government Contributions**

MR NIGGLI suggested that WADA consider the modification of the Statutes. He thought that the members should think about how to amend the Statutes so that countries would be sanctioned by WADA if they did not make their payments.

MR RIISKJAER said that, at the meeting of the EU Sports Ministers in Warsaw in September 2002, it had been agreed that no European country could be represented on the WADA Foundation Board, Executive Committee or related WADA committees if it did not pay.

MR DEVILLERS suggested making that regulation applicable to all regions.

DR SCHAMASCH asked whether this policy would apply to committees and sub-committees.

THE CHAIRMAN thought that this would be a very good idea. It was certainly what the Europeans had done and what Mr DeVillers had recommended.

MR SWIGELAAR supported the Canadian proposal.

THE CHAIRMAN said that this could probably be done right away. The Statutes would have to be amended, but it would certainly be possible to have a policy on committees to go into effect immediately.

MR DEVILLERS referred to the application of that policy. When was a country not in compliance when the formula was not yet in place? It might be necessary to be cautious in the application.

THE CHAIRMAN replied that it would be fair to say that a country was not in compliance if it did not pay anything.

MR DEVILLERS pointed out that the difficulty was that the Americas were collectively responsible for 29%; there was no individual country obligation that could be pointed to until that formula was accepted or something was worked out. Could application be postponed until agreement on the formula as a continent was obtained?

MR LARFAOUI asked what the impact of such a measure on a country would be if that country was neither a member of the Executive Committee or the Foundation Board.

MR DEVILLERS agreed; some countries had absolutely no interest.

THE CHAIRMAN replied that the measures had been discussed in relation to the Olympic Games: a country would be deprived of its flag, national anthem, etc. at the Olympic Games. WADA had a limited number of seats around the table; this was true.

MR TOKAI informed the Executive Committee that, in Asia, only seven countries had shared the Asian contribution; an attempt was now being made to increase this number to 27 countries, thereby increasing the commitment. There had not yet been a conclusion to this issue, therefore it would be necessary to wait until the new formula was accepted by all.

DR BARTHWELL asked whether the Executive Committee was adopting a policy to go into effect before the change in the by-laws.

THE CHAIRMAN replied that it would be possible to say immediately that, Italy, for example, could take its seat on WADA only once it had paid its contribution.

DR BARTHWELL asked whether this applied to the individual countries or the continent.

THE CHAIRMAN replied that this applied to the countries.

DR BARTHWELL noted that the Americas would be going forth with a different formula. Time was necessary in order to develop the interest in countries.

MR DEVILLERS added that this would apply to payment or commitment, so the policy should not prevent representation if the commitment was there.

THE CHAIRMAN asked whether everybody agreed to the proposal.

#### DECISION

Proposal regarding exclusion from representation in WADA for non-payment or non-commitment of funds approved. Executive Committee to send proposals for discussion at next Executive Committee meeting in September.

#### **4.6 Modification of Financial Policies**

MR REEDIE noted that this item was purely internal book-keeping. WADA now had a financial controller, and the Finance Committee requested that the Executive Committee accept the proposed amendments to the financial policy (Annex).

#### DECISION

Proposed amendments to the financial policy regarding signatures approved.

#### **4.7 Out-of-Competition Testing Insurance**

MR REEDIE informed the Executive Committee that there had been a significant problem, particularly with the Norwegian consortium member, who simply had not been able to get the cover in the market place. WADA had been able to get this cover for the Norwegian member, and he anticipated that, if this had to be done again, there would be a modest rise in the premium the following year. He thought that it might be possible to get away with about 15% which, at the moment, was extremely good.

#### DECISION

Out-of-Competition Testing insurance report approved.

DR SCHAMASCH noted that, taking into account the financial consideration, it seemed that one of the recommendations would be to put a cap on the budget until 2006 based on the 2003 budget, with none of the increases planned two years previously. He had been asked to make this proposal.

THE CHAIRMAN said that he was not sure that he had understood what he had just heard.

DR SCHAMASCH referred to the problem of finances. The IOC thought that WADA should review the 2001-2006 calculations and cap the increase, basing themselves on the 2003 budget, and not adopt the linear increase that had been accepted previously.

THE CHAIRMAN noted that the Foundation Board had agreed to the maximum levels of budget expenditure up to 2006.

Now that there was a Code in place, WADA had more obligations, and the whole issue of the clearing-house and related activities would cost a fair amount of money. His understanding was that WADA would have to do all of that within the maximum budgets that had been approved, which might require some reallocation of the resources, or, if WADA could go out to the private sector and obtain additional funding, then the Foundation Board could consider whether it should increase the budget, taking into

account the additional revenues available, without increasing the core budget, which WADA's stakeholders were required to finance. If the current situation was changed, it would be necessary to go to the Foundation Board with a recommendation in September. This could probably be done with a little more certainty when it came to September.

DR SCHAMASCH asked that the issue be discussed at the Foundation Board meeting in September.

MR LARFAOUI supported Dr Schamasch's proposal, as WADA should not spend more than it received.

THE CHAIRMAN noted that WADA would certainly not spend more than it took in.

#### DECISION

IOC proposal to cap the budget to the 2003 budget figures to be discussed at the Foundation Board meeting in September 2003.

### **5. Administration**

#### **5.1 Working Committees**

THE DIRECTOR GENERAL said that, in November 2001, the Foundation Board had decided on the process of membership to committees and, after the Copenhagen World Conference on Doping in Sport, requests had been sent out in relation to the committee composition for 2003 (Annex ). An attempt had been made to put together three committees to ensure that the "W" would remain in WADA. With regard to Dr Barthwell's Ethics and Education Committee (Attachment 1), he signalled the proposal to include a representative from ATHOC, who would be a member of the committee or a liaison member until the end of the Olympic Games. For the Finance Committee, he noted that Mr Reedie was on the sports side as opposed to the government side. Unfortunately, Professor Ljungqvist, the Chair of the Health, Medical and Research Committee, was not present at this meeting. In terms of the committee list, Professor de Rose was representing the sports side as opposed to the governments. Proposed representatives signalled "sports and governments" had been nominated by both their NOCs and governments. There had been two Japanese nominations, and he wished to confirm Japan's choice.

MR TOKAI noted that both of the nominees were of a high calibre, but he recommended Dr Kono, who also happened to be present at the meeting.

MR DEVILLERS referred to the Finance and Administration Committee. In terms of regional component and gender, all members were male and, certainly from the government side, came from one region. What was the thinking behind this? In the Health, Medical and Research Committee, there was only one female.

THE DIRECTOR GENERAL replied that the three standing committees, if they were all looked at together, showed diversity in terms of gender and regional background. With regard to the lack of women, this reflected the lack of nominations.

DR BARTHWELL said that there were two US representatives on the Health, Medical and Research Committee. She had had an opportunity to discuss the nominations from the US Government with the Intergovernmental Affairs Office at the White House prior to the meeting, and it would like to consider, or have the possibility of, making recommendations that might include people other than the two individuals nominated. She would get the nominations to WADA soon after returning to Washington, and would ask that women be nominated, if that would be of some help.

MR LARFAOUI asked whether sports organisations could make proposals.

DR SCHAMASCH said that, having seen the proposed lists, he would like to postpone, rather than oppose, the proposals, because of the numbers: 14 people were far too

many. Japan had proposed Dr Kono, but there had been no information received regarding the nomination. Professor Ljungqvist requested that the nomination of this committee be postponed until further consultation.

MR RIISKJAER asked why the sizes of the committees differed so greatly.

MR SWIGELAAR referred to three of the names on the Health, Medical and Research Committee. Could there be some clarification as to by whom they had been nominated?

THE DIRECTOR GENERAL said that a request had been sent for nominees to all stakeholders, including the entire Olympic Movement. The committees included a number of representatives from various areas of the Olympic Movement. On the government side, with regard to the different committee sizes, an attempt had been made to respect the decision in principle that had been taken with regard to size but, bearing in mind the huge area of work in the Health, Medical and Research Committee and the Ethics and Education Committee, such respect did not work in terms of keeping the "W" in WADA. Therefore, in the Health, Medical and Research Committee, this also took into account sub-committees, including the List and Laboratory Committees, and hopefully this would reduce the amount of members and therefore costs. If the numbers were to be reduced, there would be undoubtedly be a number of unhappy regions in the world.

THE CHAIRMAN noted that it was disappointing that those who had submitted nominations had made overwhelmingly male ones. It was hard to believe that there was only one female scientist in the world who was capable of being on the committee, or that there was no female in the world who could balance an unbalanceable budget. He was concerned about the fact that, if the decision were to be postponed even further, WADA would not get things done.

DR BARTHWELL wondered whether it would be possible to ask the governments to support additional members beyond the set figure of six. In other words, if a region wished to have more than one person, the government could support the second or third so that WADA could then still be fiscally responsible about limiting the size of these committees to six, but if others were going to be represented and a region wanted more than one representative, then the region would have to pay for travel and associated expenses for the additional member. It would be easy on the Ethics and Education Committee to bring the figure to six, as there were five regions represented, and to ask that somebody beyond those original five nominations be picked up. The committee had clearly struggled a lot in terms of getting adequate representation from across the world, as it felt that it needed this in order to have adequate educational outreach, but she also knew that the situation was more dire now than it had been when the recommendation to keep committees to six members, and for this to be reversed without giving some consideration as to how people would be supported was probably not a good signal to send.

THE CHAIRMAN said that he was less worried about the numbers; it was the cost of the meetings, etc. that was a problem. The Executive Committee could agree to have meetings over the telephone or by video-conference and not incur large travel expenses, and then there would be the benefit of technology and a broad consultative base. This still did not address some of issues, nor did it address the delay in appointing the Health, Medical and Research Committee. Such issues needed to be dealt with. What did Professor Ljungqvist suggest?

DR SCHAMASCH noted that 50% of the members came from Europe, which went against the "W" in WADA. As for the fact that the members would be part of the List Committee, four out of the 14 nominations were members of the current List Committee, and one of the Chairman's proposals was not to change the current List Committee. Such change was not a good idea, as the list would be approved on 22 September, and he thought that it would be fair to continue with the same committee until it had fulfilled its task. If a new List Committee were to be nominated, he was sure that the members of the previous List Committee would not be as keen to continue work, knowing that they



would probably not be reappointed. Therefore, the proposal was to postpone the nomination of the new List Committee until after 22 September, with a decision to be taken by the time of the next Executive Committee meeting in November.

With regard to the Health, Medical and Research Committee, 50% of the members were European, and there should be more information on some of the members proposed. With regard to his Japanese colleague, everybody fully agreed that Mr Kono was very skilled, but his field of activity was unknown. The Chairman of the Health, Medical and Research Committee recommended postponing and reconsidering.

Finally, some activities were ongoing in the medical field, but later on the members would see that there would be research projects for 2003 to be decided upon.

The main task for the Health, Medical and Research Committee at the moment would be the list, and he reiterated the proposal to postpone the nomination of the committee list until 22/23 September. Therapeutic Exemptions would be the next task. Once again, the Health, Medical and Research Committee would prefer to reconsider the names, await the US proposal, and get back to the Executive Committee with some new names.

DR RABIN noted that the Health, Medical and Research Committee, along with the other committees, should be nominated rapidly, because of the important decisions to be taken in the very near future concerning the list, research projects, laboratory accreditation and the way in which things were moving. The Health, Medical and Research Committee should not be mixed with the other working committees. Transparent information and continuity between the various bodies were necessary, but this did not necessarily mean that the representatives of a committee should be members of the Health, Medical and Research Committee.

MR DEVILLERS referred to the Finance Committee. All of the nominated members were male, and the two government representatives came from Europe. Could the structure be reviewed?

MR RIISKJAER asked whether some of the names could be reviewed in light of what had been discussed earlier, in that the members should be only those from countries that had paid their 2002 share of the budget.

DR BARTHWELL suggested allowing the current Health, Medical and Research Committee to continue its work in the form in which it was currently constituted until September.

THE DIRECTOR GENERAL noted that all of the government representatives on the list came from countries that had paid their share of the budget for 2002. Italy's representative was from the sports side, which had paid its share.

He told Dr Schamasch that, with regard to the many European members on the Health, Medical and Research Committee, all of the IOC nominees were from Europe as well. The situation had been looked at in terms of representatives of different bodies as opposed to regions.

THE CHAIRMAN told Dr Rabin that one of the proposals was not to change the Health, Medical and Research Committee structure until September. Would this have any adverse impact on what had to be done by the working groups and so forth?

DR RABIN replied that this would have no adverse impact for the Health, Medical and Research Committee itself. For the other committees, the problem was probably more for the Laboratory Committee, where there was a need to start work on the transition phase, and it would be good to have some continuity up to the end of 2004.

THE CHAIRMAN concluded that the world would not end if WADA continued with the existing committee until the end of either September or 2003 in the case of some of the working groups.

DR RABIN replied that this would be quite possible. The only thing he needed was to have some people identified so that the meetings could be held; he would be able to

work with whoever was on board. The only problem would be the for the Laboratory Committee, for which some decisions would need to be taken in the very near future.

THE CHAIRMAN asked if anybody wished to make any comments. Was the Executive Committee content to continue with the same Health, Medical and Research Committee until September at least, and possibly to the end of the year in the case of some of the working groups?

DR BARTHWELL agreed, with the caveat regarding more diverse representation in terms of gender and geography.

THE CHAIRMAN said that the members should be encouraged to recruit rather than receive nominations from stakeholders. The chairs of the committees could not name their committee; this was done by the Executive Committee.

DR SCHAMASCH stated that it was never easy to speak on his behalf, but wondered whether he might be given an observer status. He would not mind not voting if this made the situation easier.

THE CHAIRMAN replied that this could be helpful. He asked Dr Schamasch to discuss this proposal with his boss to see whether it was satisfactory.

Did the Executive Committee agree that the Health, Medical and Research Committee could continue as it was? He urged the committee to seek representation to cover the scientific and political issues that had been identified.

Would the Finance and Administration Committee be able to find a female representative?

MR REEDIE agreed to look at the list of nominations again. He had also been trying to keep costs down.

THE CHAIRMAN appreciated the frugality, but the costs of the meetings could be restricted as much as possible.

He asked whether the Ethics and Education Committee composition could be approved.

Therefore, the Ethics and Education Committee was fully constituted; the Finance and Administration Committee structure was confirmed, with the recommendation to look for at least one female representative and review the regional aspect; and the Health, Medical and Research Committee was to continue as it was currently constituted, as would the working groups, and WADA would be looking for possible changes to the List Committee at the September meeting after it had finished its work on the list for 2004, and any of the other working groups to which the same timelines might be appropriate. If there were others that needed to go through to the end of the year, then they would go through to the end of the year.

#### DECISIONS

1. Health, Medical and Research Committee and related working groups to continue working with current composition until September 2003 at the earliest.
2. Finance and Administration Committee structure confirmed, with the recommendation to seek female representation and review the regional aspect.
3. Ethics and Education Committee approved.

## 5.2 Regional Offices

MR HOWMAN noted that the paper set out quite clearly the decisions that he was asking the Executive Committee to make that day. He encouraged the Executive Committee to allow the WADA administration to continue with the process in setting up a regional office in Japan. The process itself was going to take some time, and the regional office would not be ready for opening prior to October at the earliest. Therefore, he asked the Executive Committee to agree to continue the process, bearing in mind that expenditure could not be committed until WADA accumulated more funds.

THE CHAIRMAN told the members that they were being asked to approve the proposal that the preliminary background work could continue so that, as soon as WADA was in a fiscal position to go ahead, it would have done the background work to enable that to happen much faster.

MR TOKAI said that Japan had been working closely with WADA and, once the office was opened, there would be an expansion of activities, and WADA's work would be more effective in the region. Japan was increasing the number of contributing countries in Asia, and was very aware of the financial situation and the conditions, but also thought that there was a good chance of receiving the US\$ 7 million of income by mid-July from the governments, therefore he urged the Executive Committee to agree to allow Japan to go ahead with the process of hiring a director and carrying out any other preparatory work.

THE CHAIRMAN asked whether the Executive Committee approved to continuing out the process but not pulling the trigger until they were in a financial position to do so.

MR HOWMAN noted that the previous decision made had been to defer opening. The South African Government had made an offer to fund an interim office in Cape Town for 12 months (the correspondence was attached to the report in the members' files) until such time as the permanent office could be opened. It would probably be necessary to undertake an operational audit prior to any commencement of such activities to ensure that there was no real or perceived conflict, to ensure that there was no real or potential breach of confidentiality, and to ensure that there was no employment issue that would preclude the director from having reporting lines through to the WADA office and not through to his or her minister. This proposal had considerable merit from a financial point of view, and would enable WADA to start important work in the continents that currently did not have any representation with regard to Code implementation, education and the collection of dues. The recommendation was such that the Executive Committee needed to consider whether it was an appropriate method to use to open this office in the interim style set out in the papers. He did suggest that, if the members approved it, an operational audit be carried out prior to commencement.

DR BARTHWELL was reluctant to keep beating this dead horse, but WADA would be obligating itself with something that it might have to take over in a year's time. She supported the opening of the Japanese regional office, but was concerned that WADA might be getting ahead of what it could afford with regard to the South African proposal, and she did not favour spending on the promise of relief in the future, so she recommended postponing the opening of the Cape Town office until the situation in terms of dues collection was known.

MR SWIGELAAR thought that the offer from the South African Government said that it realised that there was a need to move forward into the continent and to expand on WADA's education and awareness efforts, which was essential if WADA was going to be able to get all the contributions from the countries. The offices needed to be used to get the money in from the different countries. He understood WADA's concerns and the financial position. At the World Conference on Doping in Sport in Copenhagen, a few countries had indicated the need for regional offices (he clearly recalled Minister Caborn from the UK raising the issue), and South Africa was concerned about the awareness of WADA in its continent. As an example, he had recently received a visitor from Benin,

who had never heard of WADA. Extension of funding for the one-year period could be discussed.

MR RIISKJAER understood the need for a regional office in South Africa, and supported the proposal which, in his view, imposed no economic commitment to WADA in the short-term.

DR STRETTON had some issues. A creative proposal required a creative response. WADA would hope to be able to take over in one year, but if it could not do so, it could not do so. He appreciated that there was a risk associated for everybody, but felt uncomfortable about doing nothing in Africa. Could this problem be solved?

THE CHAIRMAN highlighted the need to balance the desire to get into Africa as soon as possible against the loss of face of closing the regional office down if WADA was unable to keep it up.

MR HOWMAN said that the South African Government had committed to renovate an old building in Cape Town, in which WADA would be privileged enough to have rent-free existence in that building in the long-term. WADA would have to spend on staffing and operational costs. There would be a clearer picture by the end of the year.

THE CHAIRMAN pointed out that outreach in Africa would require travel, which was very difficult and very expensive. The Executive Committee needed to decide on the most appropriate conduct. The independent nature of any operation that was there needed to be ensured, and Mr Howman could deal with that issue. The second issue was whether WADA should pursue the offer with whatever amendments that might be necessary to negotiate on the basis that the regional office might fold after one year. There was a risk there.

All those in favour of going ahead as soon as practicable on the one-year basis that would be supported by the South African Government (subject to independence issues) were asked to raise their hands. Two members, Mr DeVillers and Dr Schamasch, were opposed to the proposal, and Dr Barthwell had not voted.

MR HOWMAN said that he would keep the members informed as to the operational audit.

#### DECISIONS

1. Executive Committee approval to proposal to carry out the process, but not pulling the trigger until the contributions have been made, for the office in Japan.
2. Proposal for WADA to pursue the South African offer regarding the regional office (subject to carrying out an operational audit) on the basis that the regional office may fold after one year.

#### **6. Sponsorship / Private Monies**

MR HOWMAN noted that this was a matter that he wanted to recommend very strongly, with two major issues by way of background. The Foundation Board had approved the Strategic Plan some months back, and the seeking of private money had been clearly identified as a matter that would be pursued at an appropriate time. The Foundation Board had therefore accepted and agreed to the principle of seeking such monies. These were monies that he was suggesting be sought as incremental to the existing dues from stakeholders, and that they be devoted solely to special or clearly identified projects or plans. In that regard, the document (Annex ) referred to such activities as the clearing-house and also issues of research, both of which had clear identified paths as projects and could be clearly separated from other parts of WADA's budget and other operational activities. He sought the members' approval to go ahead

with a strategy, to be created by a small group (to include the Chairman), and approval of the formation of such a group to work out an appropriate strategy and action plan and start the work as soon as possible.

DR SCHAMASCH asked about the rationale behind linking private funding to specific projects. Of course, private corporations would be more interested in linking their names to specific projects, but otherwise, was there any reason?

THE CHAIRMAN asked Dr Schamasch to imagine if WADA could get a computer company to sponsor and implement the entire clearing-house operation; this would have tremendous value for WADA as well as the company. This meant that WADA would not have to give up on some of the Strategic Plan elements that had already been identified because WADA had incurred new obligations with respect to the Code. That was just an example. He should have thought that this was kind of a "no-brainer". The principal point was that the funds would be incremental and project-related, and would not diminish the obligations of the stakeholders to contribute to the base budget and operations.

MR HOWMAN asked whether the group could be set up, including himself, the Chairman, and any other members that might be considered appropriate.

THE CHAIRMAN was of the school of thought that said that a committee of one got things done. He agreed that he and Mr Howman would form the committee, with the power to add members.

#### DECISIONS

1. Sponsorship proposal to approve pursuit of private funding opportunities with appropriate partners approved.
2. Messrs Howman and Pound to form committee, with the power to add members.

### **7. Strategic / Operational Plan**

MR WADE noted that the main purpose of his report was to update the members on the status of the Strategic Plan. He summarised his report (Annex ), referring briefly to the discussion paper (Attachment 1) (Annex ). Attachment 3 (Annex ) referred to the Annual Operational Plan; Attachment 4 (Annex ) referred to the guidelines for priority programme activities, and the need to further categorise these to help identify priorities more clearly; and Attachment 5 (Annex ) dealt with the Action Plan.

There would be a meeting of the group by teleconference within the next couple of weeks to look at the material. One of the key priorities of that discussion would be to confirm and put in place the annual planning process so that the staff would have in place specific annual plans against the core activities identified. Things were beginning to take shape. The Strategic Planning and Evaluation group would oversee and give recommendations to the WADA Management Team, which was, of course, accountable to the Executive Committee. He had given a quick overview of the agenda item; and would be pleased to respond to any questions.

DR SCHAMASCH asked which procedure had been used to organise the prioritisation of the 13 points of the Strategic Plan. Would the stakeholders be asked to draw up their own priority lists?

MR WADE replied that the simple response was that the idea was to further identify activities of high priority. The degree to which WADA could implement activities within that were, of course, affected by the degree to which the funds would come in, other core activities identified in the Strategic Plan and general activities. The Strategic Planning and Evaluation Committee would be making recommendations to the Executive

Committee based on the Strategic Plan, the priorities that it had identified, and the recommendations that were made around the table.

THE CHAIRMAN thought that the question had concerned the order of the points 1 to 13. How had it been decided that number 3 was more important than number 12.

MR WADE pointed out that all 13 points were high priority; there was no particular order.

#### DECISION

Strategic / Operational Plan report approved.

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

#### **8.1 Code Implementation Plan**

THE CHAIRMAN noted that WADA had a lot of work on its plate as a result of the very successful World Conference on Doping in Sport in Copenhagen. WADA had been delighted with the enormous amount of cooperation and assistance provided by its Danish friends, and the enthusiastic participation of all of the stakeholders in arriving at what had really been a remarkable outcome in a remarkably short period of time. What WADA had done, however, with the great success, was to build even greater expectations.

MR ANDERSEN said that, with regard to the anti-doping activities, the real work had just begun, to make WADA do what the Code demanded. He referred to the Plan, Attachment 1 (Annex ). The Management Team had identified certain issues directly related to the articles of the Code, as well as programme activities and responsibilities within the Management Team. It had tried to estimate costs, including timing and performance benchmarks and liability issues in the same plan. The challenge was to do what the plans and the Code asked of the stakeholders. Some of the work had already begun, such as producing model rules for IFs; two standards would hopefully be adopted at that meeting by the Executive Committee, and the two remaining standards would be finalised at the September meeting. There were issues related to costs, and of course there was the clearing-house, which was a clear provision in the Code that had to be done, but that would be discussed later on. He would not go through the plan itself, but was open to any questions that the members might have.

THE CHAIRMAN thanked Mr Andersen.

#### DECISION

Code Implementation Plan report approved.

#### **8.2 Model Rules for IFs**

MR HOWMAN said that this was the first model of best practice that had been put together. Models were being put together to provide stakeholders with non-mandatory alternatives. Some of the IF stakeholders might choose to adopt the model itself, whilst some would adopt it with modifications. Other IFs might use it to make one or two amendments to their regulations. The document was not intended as a mandatory document for all IFs. Mr Young had been contacted to prepare the document itself. His draft had been discussed with several IFs and then presented at the Sport Accord meeting in Madrid in May. It had been posted on the WADA website prior to that, with invitations to those involved, notably the IFs, to make comments and suggestions. These comments had been incorporated into a revised draft, which had been commented on again, and had resulted in the document that the members had before them. This could be updated at any time, and did not require adoption or acceptance by the Executive Committee; rather, it was there for information. Therefore, the document was there by way of information, but it was a model that WADA would recommend.

THE CHAIRMAN asked whether Mr Howman was asking the Executive Committee to endorse the Model Rules for IFs.

MR HOWMAN replied that the document had been tabled so that WADA would then be able to go forth with the recommendation that these were the models of best practice for the IFs.

MR DEVILLERS asked whether this included IFs with professional branches.

MR HOWMAN confirmed that the document did include all IFs.

MR LARFAOUI thought that the models were for information, as some IFs already had their own rules. Had he understood correctly that the model did not need to be approved by the Executive Committee?

MR HOWMAN replied that Mr Larfaoui was correct. This document was for those IFs seeking guidance and help from WADA.

THE CHAIRMAN noted that it was a useful document in this respect.

DR SCHAMASCH requested a minor semantic modification to Article 5.1, with the addition of an "or", to reinforce WADA's wish to have only one body testing at one time.

THE CHAIRMAN said that all sorts of agencies had an interest in, and/or a right to test athletes. Nobody wanted five or six different testing agencies coming to test an athlete at the same time, but one could not exclude the right of an agency, under appropriate rules, to test an athlete.

MR HOWMAN pointed out that, if the word "or" was included in the places suggested by Dr Schamasch, an IF might need to choose which testing authority to use for all of its out-of-competition testing, and that was not the intention. The intention was to provide the authority to test to all those bodies, which was under the Code, and then it was the programme that was put into place in conjunction with the clearing-house and WADA. It was a general clause.

DR SCHAMASCH replied that this depended on how one read it. In any case, he would like to prevent different bodies testing the same athlete at the same time.

MR DIELEN noted that this point was covered in Article 5.4.

THE CHAIRMAN said that it was important to understand that no agency or organisation with jurisdiction was prevented by this article from testing within its sphere of competence. Did the Executive Committee wish to endorse the document as a current standard that could be applied by the IFs?

#### DECISION

Model Rules for IFs endorsed as a non-mandatory current standard that can be applied by IFs.

#### – **8.3 IADA / WADA**

MR WADE noted that the focus in this partnership was to help build capacity throughout the world, so that people, regions and organisations could comply with the Code at the very basic level. The International Standard for Doping Control (Annex ) was the tool that had been drawn upon to build approaches and programmes to help do that; in fact, the International Testing Standard had been drawn from that International Standard for Doping Control.

With regard to the IADA / WADA meeting, the outcome had been an agreement to focus on a few key areas. With respect to the International Testing Standard, IADA had agreed to work with WADA as an expert group to be the caretaker of that standard, as well as to explore ways in which that standard might become an ISO standard.

In terms of certification guidelines, some guidance would be given to those countries that had the ISDC certification in place and those countries that were also close to doing that.

It was also important to develop model rules for NADOs and agencies to comply with the Code. IADA would also help in developing models of best practice and, finally, would provide expert advice and service to WADA in going out to the regions (regional symposia, etc.) to build capacity in the world to comply with the minimum standards of the Code. It had been a good meeting, although some conditions were still being negotiated and, obviously, the impact of the budget might affect the timing.

The Code Implementation Support Services (Annex ) document was intended to shape thinking in terms of how WADA was going to go about doing this. It provided a good starting point to think about how to go about getting fairly difficult tasks done. The first page of the document clearly stated that the approach would flow principally from the WADA / IADA partnership, but was also very much limited to the extent that there were funds available to do it.

It was necessary to be realistic, and to have the right partners. In conclusion, a game plan was in place, and he thought that WADA was heading in the right direction.

MR REEDIE pointed out that the work and cooperation needed were clear, but before such work was undertaken, he would need to know how much all of it would cost. This needed to be budgeted properly, and it would be necessary to work out how WADA would deliver what it wanted to deliver and, above all, at less cost to WADA.

THE CHAIRMAN informed the Executive Committee, by way of a report, that one of the areas being talked about in terms of application of the Code was to make sure that the IOC adopted the necessary rules to ensure that the Code would be applicable and implemented by the time of the Olympic Games in 2004. Dr Schamasch should be aware of this.

MR WADE said that the funds in the budget were those that flowed from the IADA / WADA partnership, and this was identified in the Code Implementation Plan.

THE CHAIRMAN said that budgets were budgets, and cash was cash, and the two might not be the same.

#### DECISION

IADA / WADA report approved.

### **9. ADAMS (Anti-Doping Administration and Management System)**

THE CHAIRMAN noted that this was a very important item on the agenda.

THE DIRECTOR GENERAL said that the clearing-house had been discussed that day, and at the previous meeting. There were many financial reasons why WADA should not do it, but also many reasons to see that WADA could not afford not to do it. The implementation of the Code needed to be handled technologically. This had also been heard from the start of the operation, particularly from the IFs. Testing needed to be coordinated and conducted in a much better manner than at the moment, and a little bit of money and a great deal of labour had been spent to further develop the concepts that Mr Hoistad would be discussing. He thanked the IOC IT Department for being such a good partner in developing the system. WADA had continually used independent reviewers to check that it was on the right path. To conclude, US\$ 11.6 million over five years was a lot of money, and this would certainly have implications on the other activities that WADA planned to do. On the other hand implementation of the Code required modern technology.

MR HOISTAD referred to the report and the attachments in the members' files (Annex ), as well as the PowerPoint presentation that he had prepared.



DR BARTHWELL asked whether, in the development of the plan, consideration had been given to use by under-developed or developing countries. In countries where the capability to access a highly technical system might or might not exist, was there an anticipation that support would be given for having the system there? Would non-dues paying nations be provided with this system, or would they be phased in? Did the term "core users" have something to do with who was on-line initially? Was WADA anticipating that the countries that could use ADAMS would already have their own systems, or did software have to be given to them?

DR STRETTON said that he had gone back to the discussion of the issue at the meeting on 24 November, and the papers said that *WADA was confident that it would be possible to develop a system that would fulfil WADA's needs within the available IT budget for 2003, that is, an amount of around US\$ 1 million a year, however acknowledging that this would have long-term consequences for WADA, and therefore WADA management feels the necessity to seek an opinion from an independent expert regarding the technical liabilities and the related costs of the proposals, to which everybody had agreed.* That independent consultant was the Steve Gribble-type report that was in the members' papers. When he had read that, two things had jumped out at him. The terms of reference for Mr Gribble had no mention of the relative costs of the different options in there, despite the fact that that was what had been proposed. Secondly, Paragraph 7 of the report said that *the terms of reference imply an exclusive choice between either NAIS or Eugene. Neither system alone represents an ideal foundation for WADA's information needs, in fact, the two systems have little, if any, common functionality while each responds to distinct key WADA needs. The terms of reference excluded the possibility of retaining both systems to satisfy the spectrum of WADA's needs.* Why did the terms of reference exclude the comparison of costs? Why did the terms of reference seem to exclude something that WADA's consultant had been waving a flag about?

There was a lack of certainty surrounding the estimated costs. As he had mentioned, the 24 November papers had mentioned US\$ 970,000 a year for the four-year period; US\$ 11.6 million over five years had been mentioned by Mr Hoistad. The CGI report said that WADA had suggested that the project should cost around US\$ 10 million, and that the US\$ 10 million budget was low. There was a great deal of uncertainty within the papers as to the exact cost. He was worried that this might be another case of a large IT project, with clear potential for cost blow-out, and high risks. Where did WADA want to go in terms of the earlier statement that the Chairman had made, that, without funds, activities could not be carried on? An answer to these basic questions was necessary. He would like to see a really detailed business case that looked at the risk analysis. All risk analyses needed to have financial implications.

MR REEDIE noted that one of the major users or suppliers of information would be the IFs. How many would either want to sign up to the system, or contribute to it, or say that they were unable to do so and provide information on a piece of paper?

MR HOISTAD responded to the first question. In under-developed countries, the system was not entirely based on electronic input directly from the athletes. Most IFs and NOCs had internet access in order to provide information. On a technology level, there were no high requirements and no software needed to be installed, etc. The only thing necessary was connection to the internet. There were also ways for manual input into the systems. Discussions were being held with all those who had systems as to how to connect those systems together. Those that did not have systems needed a web browser to be able to utilise it.

With regard to the comments about Mr Gribble's report, the technical requirements had not been available initially, as it had been necessary to know the platform upon which the functionality would be developed, and then the price. The technical integration of both would ideally solve many of the problems, but this was not technically possible.

DR STRETTON pointed out that Mr Gribble had not said that this was not technically possible. He did not understand how Mr Hoistad could say that the platform had to come before the costs. Surely the choice of platform had to depend in part on the relative costs of the two options? He just did not understand the logic.

MR HOISTAD explained that there were two associated costs, one for the licensing of the platform, and one for adopting the platform to WADA's needs. It had first been necessary to sit down and have a thorough analysis of the platform with which WADA would be working.

DR STRETTON said that this was not very convincing.

MR HOISTAD said that the CGI's comment on the costs being low was due to their assumption of the provision of the global help desk. In terms of risk and contingency plans, these had been addressed and incorporated in the budget. Risk and contingency planning related to items such as security, earthquakes, etc., had been requested in the CGI report, but the risk concerning the application development and costs related to what WADA was trying to do had been included as recommended.

In response to Mr Reddie's comment, extensive meetings had been held with several IFs and NADOs in order to identify their needs, and several were waiting to see what WADA would do before acting.

THE CHAIRMAN asked if anybody wished to comment.

DR SCHAMASCH thanked Mr Hoistad for his responses, but the IOC thought that, given the timelines and the amount being asked for, WADA appeared to be being forced to deliver a product that was version 1.0. He recalled that the Code had been delivered on version 3.0, with numerous versions in between. There seemed to be a small inconsistency between deadlines. He was well aware that the project was essential but, given the financial commitment required and the short timeframe to put into practice a project that had not been finalised, the IOC thought that the CGI's conclusion should be reviewed and the project postponed to be developed with an increased timeframe.

MR LARFAOUI asked whether the IFs had been met individually or as a group. Which IFs had been contacted?

MR HOISTAD replied that the IFs concerned, the IAAF, FINA, FIS, FIFA, IIHF, and IHF, had been met on an individual basis.

THE CHAIRMAN said that one of the directions from the working group had been not to reinvent the wheel, and to look at existing applications. The security issues were very important, given the sensitive data being dealt with. These general orders given had led to the identification of the two possible systems. He thought that budgeting for IT involved a certain amount of guesswork; one had to cross one's fingers and hold one's nose, which was why he suspected that the consultant was not in a position to say how much it would cost and in which direction it should go. Nevertheless, WADA needed to do something to nudge things along, so that it knew where it was going and would be as close as possible to being ready to go when the Code came online. There would be adherence to the Code as of 1 January 2004. It was therefore necessary to move in some way, and a recommendation from the Director General and the WADA administration as to where to go (as soon as the money was together) was required. He thought that that was why WADA had the management and expertise: to help the members to make a decision.

DR STRETTON stressed the need to ask the right questions in order to get the right answers, which he did not think that WADA had done.

MR DEVILLERS agreed. An unfamiliar language was being spoken, and it was necessary to know the right questions to ask.

DR STRETTON said that, when he had read the Gribble report, he had not known how to interpret the paragraph referred to previously, other than to say that the right question had not been asked.

THE CHAIRMAN asked what the question was that needed to be answered.

DR STRETTON replied that he had been expecting that Mr Gribble would look at the NAIS and Eugene and the technical feasibility of getting either of those systems to do what WADA required, with some assessment of the feasibility and costs. He did not accept that WADA would choose which was technically the best, irrespective of the costs. In his mind, he did not see how the Executive Committee could agree on a system when it did not know what else could have been bought. When reading the report, it implied that Eugene and NAIS were totally complementary. He did not understand why WADA had not asked if it made sense to do both, given their complementarities, irrespective of the terms of reference.

MR HOISTAD replied that the actual ability to take the two and make one was not a technical option; it was part of a discussion that had been held. It also came back to the issue of source code rights. It was necessary to make a choice between one or the other. One gave an evaluation of providing the basic functionality, and the other gave part of what was needed so that WADA could build on that.

THE CHAIRMAN asked whether any of the cost issues had been dealt with.

MR HOISTAD replied that the issue had been not knowing how much time it would take to do one or another. Nothing had been negotiated as such.

THE CHAIRMAN asked how Mr Hoistad would go about getting answers to those questions made by the members so that the Executive Committee would be able to make a decision based on the technical factors, the cost and the time involved.

MR HOWMAN asked whether there was a way forward to accommodate the concerns expressed and allow WADA to proceed further down the track. More information was needed, and the costing should be looked at. US\$ 100,000 had been set aside for use; this had come from a legal settlement with Norwegian television, which he thought everybody would recall. Perhaps WADA could be authorised to proceed down the track of contracting to contract (start negotiations) and come back to the Executive Committee with the results of the negotiations, and engage Mr Gribble or the CGI again to answer questions, in order to provide more information without losing time.

MR REEDIE said that, reading the report, he got the impression that the basic thinking had been to see how much the system could be made to do. Simplistically, if this was a basic database, was there no alternative? Could a clean database not be taken? The Code said that WADA would act as a clearing-house to hold test results: was it possible to find a database to do that simple exercise relatively easily, which might then be convertible later on? He did not know whether the answer was yes or no; it was probably no.

THE CHAIRMAN replied that the difficulty was that probably nobody represented an organisation that had not been burned with IT. WADA's aim had been not to reinvent the wheel. There had to be a lot of databases out there, and some applications that could be added on at a cost. Perhaps Mr Howman was right, and more questions should be asked.

DR BARTHWELL said that no decision had been made as to what would be greatly diminished in terms of projects as a result of lack of funds, and WADA could not continue endorsing all of the projects that it wanted to do without giving some guidance as to what WADA could or should not do. At some point, it would be necessary to make some difficult decisions, and no time had been spent doing this. Nobody had any clear ideas as to the things that had to be done first.

THE CHAIRMAN told Dr Barthwell that she was right. This was a new obligation; it, too, was core to what WADA wanted to do, and it was one that, if WADA could get its internal finances sorted out and could go to the private sector and obtain a proposal from

a company that could provide what WADA was looking for, might render the work done moot. It was necessary to find the technical requirements, as well as have some idea of what else was needed.

DR SCHAMASCH thought that Mr Howman's solution was one of the best solutions. The programme as it had been described in the plan would be in place in August, although if the programme were in place, it would not be operational. Therefore, if WADA had a programme in place but not operational, what difference would it make to postpone the programme in order to answer the questions that had been raised? More time was needed to look at the other alternatives. The IOC had had bad experiences when it had been pushed to adopt a programme under pressure, therefore he requested more time to think about alternative solutions that would not jeopardise the other core projects.

THE CHAIRMAN thought that, as the two possibilities had been looked at, the one that had appealed the most had been the one with the best platform.

MR REEDIE asked whether there was no alternative. Was there not an existing database that could be adopted more cheaply?

MR HOISTAD pointed out that, prior to the November Executive Committee meeting, the options (among others, Oracle) had been explored, and the cost had been significantly higher than the costs currently being proposed. It had not been possible to identify any alternatives other than the two presented in the documents.

DR STRETTON referred to the comment made by Mr Howman. WADA could continue to get more information on the actual costs, and at the same time develop an alternative so that WADA could be certain of what it could deliver and at what costs. He presumed that, in September, a discussion on relative priorities would be necessary. And then, if WADA had gone with the right one, it would not have lost too much time but, if not, a fair bit of money would have been saved.

THE CHAIRMAN said that the Executive Committee would not decide on one or other of the options that day, so the members had the luxury of some finite amount of time to try and be better informed. Should the Executive Committee authorise Mr Howman to pursue the issue? WADA did have some funds available from the voluntary payment by TV2 in Norway. Then the Executive Committee could come back in September, or before, to make a decision.

He did not think that the world would end if WADA were not ready to go 100% on 1 January 2004. It would be better to be late and right than ready with a system that did not work.

DR BARTHWELL asked whether this agreement would be based on all of the previous contingencies: that the reserve fund be attended to; that there be no new research; and that a corporate programme be launched in the meantime.

THE CHAIRMAN said that it would be even better if WADA could get a company to take the project on board. It would take a month or so to get something ready to take to "market". He could think of half a dozen companies that might very well be interested.

So, were the members content with that as the focus of activities over the next few months? He thanked those responsible for their work on the matter.

#### DECISION

Mr Howman to pursue issue of obtaining further information prior to the Executive Committee taking a decision re ADAMS..

## 10. Standards and Harmonisation

### 10.1 International Standard for Testing

MR ANDERSEN said that the International Standard for Testing dealt with the collection of doping tests. It had been presented as version 2.0 at the World Conference on Doping in Sport in Copenhagen from 3-5 March. Comments had been received from stakeholders, mainly from the IFs and NADOs. One substantial change had been made since the World Conference on Doping in Sport, which included the amendment regarding the education of doping control officers. The quality of doping control officers was important in order to carry out the process correctly. There were also two proposed changes, one of which related to language, proposing that the English version prevail. The other proposed deletion of a sentence in Article 7.4.6, which stated that an investigation of a possible failure to comply would be instigated if the athlete did not sign the form. This was not needed, legally, as the athletes were entitled, and obliged, to sign the forms.

The Executive Committee members were therefore asked to approve the two changes and adopt the document.

THE CHAIRMAN asked if everybody was content with the standard and with the two proposed changes.

#### DECISIONS

1. Two proposed changes approved.
2. International Standard for Testing approved.

### 10.2 Out-of-Competition Testing

MR KOEHLER gave a brief overview of 2002, referring the members to the report in the files (Annex ). There had been one update regarding the adverse findings. This concerned the UCI case (NESP) that had been taken to the CAS, and the sanction for the Italian cyclist had been increased from six months to one year.

With regard to the IF agreements status, the International Shooting Sports Federation had signed and, as of Thursday, so had the IAAF. The unsigned agreements remained with the International Volleyball Federation (there had been limited communication due to a lack of response to WADA) and FIFA (no conclusions had been found to the issues). Four recognised federations had signed, and these were Karate, Korfball, Lifesaving and Wushu.

The summer and recognised IF contracts would bring WADA right through to 2005, and the winter agreements would not need to be renegotiated until the end of 2006.

At the meeting in Madrid, WADA had met with 45 IFs to discuss the Code and the Out-of-Competition Testing Programme. The general outcome was that the IFs were very supportive of the Out-of-Competition Testing Programme, and looked forward to WADA taking the programme in-house in 2004. The IFs had also expressed the need for assistance with whereabouts information. They had supported the database, and there had also been several requests for in-competition testing by WADA.

There had been an agreement between WADA and the IOC to take a common approach up until the start of the Olympic Games to have a task force in place to jointly identify high-risk periods for the use of banned substances and methods; to jointly work together on a pre-Games testing plan; to work with the IFs, NADOs and NOCs to gain as much information as possible; and to share testing information and coordinate more effectively. WADA and the IOC had agreed to coordinate testing from 29 July until the end of the Olympic Games, therefore the meeting had had positive results.

DR SCHAMASCH thanked Messrs Koehler and Andersen, as well as the rest of the team. The IOC was implementing a cooperation programme with WADA, and he thought

that it would be possible to arrive at the Olympic Games with a programme that would enable an efficient out-of-competition testing approach.

He informed the Executive Committee that the Swiss Supreme Court had rejected the appeal by the two Russian skiers.

THE CHAIRMAN asked whether 29 July was the day that the Olympic Village opened.

DR SCHAMASCH replied that the IOC was still discussing when exactly the collaboration would start. It would begin on 21 July or 29 July. This issue would be solved very quickly.

MR DEVILLERS said that FIFA had no testing agreement, yet it was represented on a committee. Was that something that WADA would normally do?

THE CHAIRMAN replied that he did not know that WADA had a policy related to signing testing agreements with WADA. FIFA had agreed to apply the Code, which meant that it had to have an out-of-competition testing programme, but this was not done by WADA. FIFA had doping control officers in many countries, and could assist WADA outside of the football realm. One of the ways in which they would be able to blow their own horn was to say that WADA was using their doping control officers for that purpose. The reason that WADA wanted FIFA was because football was such an important sport.

He thanked Mr Koehler for the report.

#### DECISION

Out-of-Competition Testing report approved.

### **10.3 In-Competition Testing**

MR KOEHLER said that the purpose of the discussion paper that the members had in front of them (Annex ) was to discuss the pros and cons of taking on in-competition testing for IFs. A number of IFs had approached WADA for assistance in coordinating and providing some independence for the sample collection process.

If WADA were to take this on it would not need additional staff; it would take an approach that would be on a trial basis, so he proposed that a paper be presented for acceptance at the next Executive Committee meeting to inform the IFs that WADA did have the capacity to do in-competition testing and to commence the testing with the IFs in 2004. After one year of 2004 review, WADA would provide a report on what the work had meant to the organisation financially, what it had meant through the public's, and the athletes', perception, and to consider whether WADA should continue with such an approach. He opened the floor for discussion.

THE CHAIRMAN asked whether anybody had any comments on doing a contract for services.

MR REEDIE thought that WADA should take into account the fact that there were commercial companies out there providing these services. The implications of a decision would need to be studied.

MR DEVILLERS noted that this went back to the discussion that morning regarding the role of WADA, its independence, etc. The issue needed to be looked at seriously. He shared Mr Reddie's concern.

THE CHAIRMAN thought that he needed to add that, if in-competition testing were carried out, WADA could not act as an independent observer. WADA's entire responsibility was for results management and follow-up, and its role in respect to the result of a test that it had performed would have to be considered. Careful canvassing of all of the collateral issues was important before a decision was taken, and consideration should be given to whether the testing should be done for profit or solely on a cost recovery basis.

DR BARTHWELL wanted to make sure that WADA would discuss this issue in September. Her leaning would be for the Executive Committee to decide between being service-orientated and being an independent observer. What type of organisation was WADA? It did begin to complicate things in unnecessary ways if WADA was trying to service the servicers and then also do the service.

THE CHAIRMAN did not think that this was a slam-dunk by any means. The matter needed to be ventilated, and the Executive Committee had to be sure that it was central to the mission of the organisation.

DR SCHAMASCH noted that the issue raised by Mr Reddie was very important, especially for Europe, and certain groups that used public funds would be competing with private organisations, and he doubted that such activities would be allowed to take place.

THE CHAIRMAN said that there would be no in-competition testing for anybody under any circumstance until WADA came back and decided in September.

MR KOEHLER said that the issue had been brought up to gain the expertise and comments in order to decide whether or not the issue should be brought to the Executive Committee in September.

THE CHAIRMAN thought that the issue should be brought one way or another, but the Executive Committee should decide whether or not to perform in-competition testing.

#### DECISION

Issue of in-competition testing by WADA to be discussed at the meeting in September.

### **11. Science**

#### **11.1 Prohibited List Update**

MR WADE wanted to update the members on the list process and approach, and seek their decision on the nature and scope of the consultation process that would be undertaken very shortly with respect to the list. There was a lot of material that he wanted to check the members had in their files, including the information update itself (Annex ); the timelines (Annex ); a summary of additional attachments, one of which was the actual standard (Annex ), which had been made available and tabled in Copenhagen. Section 3 to the standard was the actual list that had been missing in the package the previous night, and it slipped in right before the monitoring programme document (Annex ). This was followed by the summary of modifications to the list (Annex ), and then there was a draft letter (Annex ) that would be sent out shortly, as well as a proposed questionnaire (Annex ) to send out to the signatories and governments in order to obtain accurate information on the final recommendations that would be made in September to the Executive Committee.

This was a level 2 mandatory standard; to avoid confusion with the current 2000 list out there, he had felt it important not to have the complete standard tabled in Copenhagen. There had been a lot of work over the past ten weeks on the list. The timelines were such that there would be an extensive consultation period. Something would be put out on 16 June at the latest, and there would be a teleconference with the List Committee following the meeting just to pull together the full package for the consultation. The consultation process would happen; the feedback would be reviewed, and the Executive Committee would be asked to approve the standard for the September meeting.

A very cautious approach had been taken with regard to the list itself.

DR RABIN clarified that the experts were from the drug agencies (government) rather than the pharmaceutical industry (private sector).

MR RIISKJAER said that the Danish and French ministers had been communicating, and he had been asked to make sure that stimulants, narcotics, beta 2 blockers and cannabinoids were included on the list but, if he had read the list correctly, they had been included.

THE CHAIRMAN replied that that was his understanding.

DR SCHAMASCH highlighted the need to make sure that the questions in the questionnaire would be totally neutral. He also wondered whether the draft could be as confidential as possible, because there might be some potential problems with IFs, the NADOs and the CAS if it was known that a substance was going to come off the list on 1 January 2004. He knew that the list would not be confidential, but asked that it be kept as confidential as possible.

MR LARFAOUI referred to the questionnaire. At the meeting in Madrid, the position regarding glucocorticosteroids, etc. had been quite clearly stated.

DR RABIN underlined the need to understand the process with regard to the work carried out by the List Committee. The work was in progress, especially with regard to glucocorticosteroids, as there were different points of view between the committee members. Therefore, on 16 June, questions would be asked to bring all of the information together and then take the proper scientific and medical decision in order to submit it to the Executive Committee in September.

MR LARFAOUI asked in which direction the consultation would head.

DR RABIN replied that the quality of the responses would depend on the quality of the questions asked, which should be as neutral as possible.

All scientific references should be available in order to justify the position.

MR LARFAOUI asked who would be consulted.

MR WADE replied that the consultation process was dealt with in the next agenda item.

THE CHAIRMAN suggested finishing the first item before moving on.

MR WADE noted that Attachment 11.1 b (Annex ) sought a decision regarding the consultation process. Hopefully this would respond to Mr Larfaoui's question. There were two schools of thought, and he would start with the second option. The first option was to have a very broad consultation process. Moving on to option two, he wanted to explain why he wanted to consider the first option, which would respond to the concerns of going with the more open approach.

The first option was to send it out to a large group of consultants, essentially those stakeholders and partners who had attended the World Conference on Doping in Sport, and perhaps others. The aim was to take an approach which was sensitive to the confidentiality nature of what was being done. A letter would be sent out to these stakeholders with a secure identification number, enabling access to the website to get the document. There would also be an opportunity for those individuals who had not received a copy of the letter to go into the website and answer one or two questions. The flip side, when going to the broad-based approach of sending things out, was that this benefit would be lost. Either of the two options could be chosen.

THE CHAIRMAN asked whether Mr Wade's recommendation was the expanded but restricted list of experts. This was meant to have an element of science, so he favoured the idea of a scientific consultation.

MR DEVILLERS asked how broad the restricted consultation would be.

MR WADE replied that this would include the Olympic family, key governments (the group of governments that had been within the IICGADS family), 400 to 500 stakeholders, the laboratories and the athlete groups; in other words, the people who had been in Copenhagen plus a handful of others.



MR DEVILLERS noted that the term “key governments” was very contentious from a government point of view.

THE CHAIRMAN said that 80% of the governments would probably not respond anyway if it were sent to all governments. He did not want a lobby group in some country or some sport, trying to turn this into a popularity contest.

MR REEDIE assumed that the NOCs were involved.

#### DECISION

*Option A, to adopt a select and limited consultative approach to the Prohibited List of Methods and Substances that target stakeholders and drug agency experts with concrete knowledge and / or a direct vested interest in the subject approved.*

### **11.2 Therapeutic Use Exemptions Update**

MR WADE noted that there had been good feedback on the standard itself. There were two aspects that would probably necessitate some change, one of which was the degree to which there were changes on the list. There were also some legal aspects that did not change the nature and scope and benefit of the standard. The standard had not changed from the time of the Copenhagen World Conference on Doping in Sport, and there had been nothing but good feedback on this particular standard.

THE CHAIRMAN noted the need to build a communications strategy around this element so that people what understand what it meant. Could Mr Wade make sure that this was addressed?

#### DECISION

Therapeutic Use Exemptions report approved.  
Mr Wade to address the related communication issue.

### **11.3 International Standard for Laboratories**

DR RABIN referred to the Attachment which concerned the minor modifications (Annex ) made to the International Standard for Laboratories. The process up to version 3.0 had been a very large and inclusive one. He thanked all of the experts who had contributed to this standard, in particular Dr Larry Bowers, from USADA, who was also the Chairman of the WADA Laboratory Committee.

Did anybody have any questions?

DR SCHAMASCH said that, in the attachment, he totally agreed with the first modification, with the exception of the last sentence, which he wished to clarify. According to the International Standard for Testing, the chain of custody began with the notification of the athlete.

DR RABIN thanked Dr Schamasch for his clarification.

MR HOWMAN noted that the Testing Standard included a chain of custody definition and, under the Laboratory Standard, there was a laboratory internal chain of custody definition.

DR SCHAMASCH said that the definition of the external chain of custody should begin with the notification of the athletes.

DR STRETTON said that a point had been made to him: was the standard too detailed, and had it been shown to a few key lawyers to see whether they thought that the level of detail might actually raise more problems than necessary?

DR RABIN replied that, during the writing process, there had been an extended review of version 2.0 by lawyers, and of version 3.0 by WADA's internal lawyers.

THE CHAIRMAN asked whether the Executive Committee members agreed with the laboratory accreditation standard.

#### DECISION

International Standard for Laboratories approved.

### **11.4 Proficiency Testing**

DR RABIN informed the members that a decision was requested (Annex ) under this item. WADA had opened a tender in February 2003, with the aim of selecting a provider of samples for the WADA Proficiency Testing Programme, which was currently in implementation phase, but would be fully operational as of 1 January 2004 for the accreditation and re-accreditation of laboratories when WADA became responsible for this activity under the Code. Three applications had been received, and two organisations had been selected for site visits. Based on the site visits and the documentation received from the two organisations, it was clear that IMIM, the organisation in Barcelona, offered the best technical service with the best cost-service ratio. However, there had been some concern regarding confidentiality issues, because this organisation was located on the same site as an accredited laboratory. The confidentiality issue had been addressed during the site visit, and he believed that sufficient guarantees had been received to ensure a safe level of confidentiality, and that this key element would be respected. He recommended that IMIM in Barcelona be approved as the future PT sample provider for WADA.

#### DECISION

IMIM in Barcelona approved as future PT sample provider for WADA.

### **11.5 WADA Accreditation of Ankara Laboratory**

DR RABIN recommended that the Ankara laboratory in Turkey be given full accreditation. The relative information had been presented in the document that the members had in their files (Annex ). Based on the information received from the IOC and the laboratory itself, he recommended that the Ankara laboratory be given full accreditation status.

#### DECISION

Proposal to give Ankara laboratory in Turkey full WADA accreditation approved.

### **11.6 2003 Research Themes**

DR RABIN referred to the document in the members' files (Annex ), which presented the current status of the research programme. Five research themes had been selected for 2003, out of the 33 research projects received. There was increased interest in such projects among the scientific community, which was a good sign. All of the projects would be submitted to an independent scientific review before being presented to the Health, Medical and Research Committee in September, and the best projects would be selected and would undergo an ethical review before presentation to the Executive Committee in September for approval. With regard to the financial situation of the research programme, there had been a substantial decrease in the money actually committed to the research. The current situation was that, in 2003, WADA had no money to spend on research projects. This was a critical issue, because WADA was perceived as the main coordinator of such research in the world. Five articles in the press had recorded WADA's efforts to fund new projects in anti-doping areas. If there

could be a little more money available for research, he would recommended focusing on blood and gene doping.

He reiterated that it was very important to realise that WADA reacted only to projects that it received, but he believed that it should have part of its budget set aside for targeting and contacting research teams.

DR SCHAMASCH asked about the status of the 2002 research payments.

DR RABIN replied that most of the payments had been made, whilst the remainder were still under contractual discussion. This was a matter of legal issues, which needed to be solved before the release of funds for 2002.

THE CHAIRMAN noted that research was a key element in the fight against doping in sport. Nobody else was doing specific research in this area, and it would be a shame not to keep it up. WADA had an excellent person in Dr Rabin, who understood from experience how to leverage funds in order to get the most benefit and the most collateral funding from other sources in the areas that WADA was funding.

## DECISION

2003 Research Themes report approved.

### **11.7 EPO Report**

DR GARNIER informed the members that a decision was required from the Executive Committee (Annex ). The Foundation Board had decided to seek independent expertise regarding the existing EPO testing procedures, and a report on the matter had been compiled. The experts had concluded that the urine method was the only acceptable and scientifically validated method currently available for the direct detection of EPO. With regard to the blood method, experts felt that it was based on statistical probability and could not provide proof of EPO use. The conclusions and recommendations of the report had resulted in the recommendation that was before the members. Professor Ljungqvist had approved the proposal, which was tied to the experts' findings and recommendations.

MR LARFAOUI asked whether the research identified risks.

Also, blood tests were usually performed prior to the urine tests, which did not seem to be the case here. He did not understand.

MR RIISKJAER said that he had consulted some experts, who had agreed as to the urine approach conclusions, but had slightly disagreed with regard to the blood approach conclusions. These experts urged WADA to be further actively involved in the issues regarding blood samples, in particular where Dynepo was concerned.

DR STRETTON said that his experts had said the same thing. The general feeling was that more work on the blood side was required.

THE CHAIRMAN asked whether there was any intention to publish the report, other than on the WADA website. It would be interesting to see what scientific dust could be raised.

He agreed that there was a need for more blood research to be carried out, but this meant that what WADA was doing was research and, in order to use these samples for research, an informed consent from the athlete or the person providing the sample was required. This was an ethical, scientific and health, medical and research issue, and WADA needed to figure out how best to do this. It might not be possible to get blood samples if people said that they were not prepared to provide a blood sample for research purposes. WADA might want to push this back on to the IFs to say that they probably did not want one of their athletes to drop dead of a stroke because his or her blood was too thick, and that the testing should be made a competition rule.

MS ELWANI asked whether, if there was a method of detecting EPO in the system, the athlete would receive the same punishment for other substances found.

THE CHAIRMAN responded that this would involve a two-year sanction.

MS ELWANI noted that some athletes might not wish to give blood samples during competitions, therefore this would constitute a refusal, which could be punished, but some athletes might not want to use invasive methods prior to competition. Perhaps this could be done after an event, as some athletes were concerned about such a method affecting their performance. Therefore, this was another issue of consent.

MR KASPER noted that, that winter, out of 70 countries, only one country had said no to providing additional samples for research purposes.

MS ELWANI said that she was talking about individual athlete rights, not countries.

THE CHAIRMAN said that, if it was a competition rule, athletes would not be able to start if they did not comply. The FIS had been very sophisticated in its method of testing, claiming concern for the athletes' health.

DR GARNIER responded to Mr Larfaoui's question. The new element was that the two approaches were still usable, but were not necessarily linked to each other, therefore the recommendation was to drop the blood testing as a requirement for EPO, disconnecting the two tests.

With regard to the general problem, this was a question to which a clear response was never given. In terms of medical ethics, it was very difficult to have recourse to an invasive method, which was what blood sampling was considered to be, to the detriment of the individual without consent. Alternatively, blood testing should be included in the competition rules.

DR RABIN noted the need to realise that WADA was in a transitional phase with regard to blood testing. It was absolutely clear that blood testing would be necessary in the future in order to detect substances. Certain methods were currently in the validation phase, and would come some time between September and December.

With regard to the comment made by Mr Riiskjaer, members should realise that there was a lot of blood research going on at the moment, including work on the haematological passport. With regard to Dynepo, over the past six months he had been in touch with the two companies in charge of the development of Dynepo, but they were currently involved in a legal matter and, under FDA and European regulations, they could not provide the substance to WADA until the litigation was over. The companies had promised that they would provide WADA with access to the substance once the problem had been resolved. He was also trying to obtain access to the substance before the litigation was over.

Where the publication of the report was concerned, it was true that the blood part was not as thorough as he would have liked. He had put a lot of pressure on the experts to release the report as soon as possible, and they had been waiting for some last-minute information which, as soon as it had been received, had been released in the report. He thought that it was necessary to look at the global picture: the report might not be fully satisfactory, but the conclusions were absolutely solid. The blood method did not enable physical detection of recombinant EPO; it was a very good indicator based on the probability approach, but it would never give absolute proof of EPO use; only urine could do that. Nevertheless, this did not prevent any improvement on both methods.

DR STRETTON asked what would happen if the report was published and a number of people said that the results were not up to the expected standard.

THE CHAIRMAN said that the conclusion was solid: both tests were not needed to detect EPO. He did not think that WADA would get into trouble by saying that it accepted the urine analysis as the definitive test for recombinant EPO.

DR STRETTON asked, in terms of the economics of all of this, given the high cost of the urine test, how the blood was used to best guide, or target, those urine tests. The report did not explore that aspect as well as it could be explored. His experts were saying that more could be done in terms of targeting.

DR SCHAMASCH wished to be corrected if he was wrong, but thought that, on 8 February 2002, the clear mandate given to the scientists had concerned the urine test and not the blood test.

THE CHAIRMAN pointed out that the real issue had been whether urine analysis alone was valid or not.

DR SCHAMASCH asked why the passport was restricted to being *haematological* and not *biological*.

MR LARFAOUI noted that, in the framework of tests for EPO, taking into account the cost of the urine examination, the blood test gave an indication to perform urine analysis, but only the urine test provided proof. To avoid excess spending, he suggested performing the blood test and only proceeding to the urine test if the blood test results indicated the presence of the substance in question.

DR GARNIER referred Dr Schamasch to the original mandate. The experts had submitted two different reports.

DR RABIN thought that it was obvious that there was more to be done in other areas, and the passport would certainly include other factors.

The report had been withheld whilst awaiting the most recent information on the blood approach, most of which had come from Australia. The latest information on the blood approach for EPO had been taken into account.

THE CHAIRMAN wondered if it would be published in a medical journal.

DR RABIN replied that this was possible. The authors would have to be asked to prepare a review article to be published in a journal.

MR REEDIE said that he would support that, as it would reflect credit on those who had made the report and, if it were published, then fine, WADA should get it out there.

THE CHAIRMAN asked whether the members of the Executive Committee accepted the conclusions of the study commissioned, that, for recombinant EPO, the urine analysis of and by itself was an acceptable test.

#### DECISION

Proposal to approve WADA recommendation  
for the detection of rhEPO accepted.

### **12. Corporate Planning and Projects**

#### **12.1 Independent Observer Programme**

MR WADE noted that the paper in the members' files (Annex ) talked about the Independent Observer Programme. One of the things that had been done was to revise the Independent Observer pool to ensure a rotational system, continuity and ongoing inclusion of experts. This was described in Attachment 1 (Annex ). Attachment 2 (Annex ) concerned the Guidelines for the Selection of Sport events, to allow WADA to identify events in any particular year to be considered for observing. Attachment 3 (Annex ) described some planned events for 2003. Attendance as Independent Observers at the Pan American Games was something that needed to be considered, in the light of the discussions on finance. The additional events were a fee-for-service event in Australia in which WADA had been requested to participate, as well as the IAAF World Championships.

A team leaders' meeting was being planned to take place in a couple of weeks, to look into equipping individuals with the resources to go out and train teams at specific sites, and also to engage in a one-and-a-half day workshop.

THE CHAIRMAN asked whether the guidelines were there for information only.

MR WADE confirmed that the guidelines were for information only.

THE CHAIRMAN asked whether WADA could afford to hold the workshop. This was a matter that would be decided internally; he did not wish to let it go by in the meeting.

MR DEVILLERS referred to the issue of the Pan American Games and the possibility of having Independent Observers.

MR WADE replied that the Director of Communications would discuss this matter.

THE CHAIRMAN said that WADA had not been asked to provide Independent Observers at the Pan American Games, but had been asked to send an Outreach team, which would cost something in the range of US\$ 50,000, some of which had probably already been spent on advance missions. Latin America had never offered to pay a single penny to WADA. WADA had carried out a number of successful missions there but, as far as generating enthusiasm to pay any contribution to WADA, this had produced no effective response.

MR DEVILLERS highlighted the need to show a WADA presence to try and involve such countries.

#### DECISION

Independent Observer Programme report approved.

### **12.2 Major Event Planning, Participation and Coordination**

MR WADE informed the members that there was a system in place and a team identified to manage major events, in particular the Olympic Games.

He was providing updates in terms of what was planned, whilst recognising that the finances might have an impact on the final degree to which WADA participated in any particular event.

#### DECISION

Report on major event planning, participation and coordination approved.

## **13. Communications Report**

### **13.1 Annual Report**

THE CHAIRMAN said that the Annual Report was an absolutely splendid document, in terms of both content and presentation.

MS KHADEM referred to the first WADA Annual Report (Annex ). She hoped to hear comments or suggestions on the document from the members.

The new website seemed to be a great success. For the first time, it had been possible to monitor numbers, and there had been a steady increase in return visitors to the site in particular, from 2,000 visitors on the last day of the World Conference on Doping in Sport in Copenhagen to more than 4,000 the previous week. Two thirds of the visitors came from Europe and North America, whilst one third came from Asia, Oceania and South America. A number of documents had been downloaded by site visitors.

In terms of publications, the new *Play True* magazine had been mailed out. *Athlete's passport* was the newsletter that went out every other month to athletes who had signed up to the Passport Programme.

### **13.2 Athlete Outreach Programme**

MS KHADEM said that Outreach was one of the most successful programmes that WADA had, and the staff were very proud of it. She referred to the document in the members' files (Annex ).

She would very much like the Executive Committee to discuss what would happen with regard to WADA participation at the Pan American Games. The overall cost would be approximately US\$ 50,000, and some money had already been invested in an advance trip to the location. Would it be possible to make a decision as to whether Outreach should proceed in attending the Pan American Games or not?

MR DEVILLERS thought, with regard to the Pan American Games, that Outreach would be justified, as the games were taking place in an area that WADA was trying to reach, in terms of trying to secure the payment of dues. He highly recommended making the investment to see the return in an increase in fees. There would be a meeting of ministers on 29 July, two days prior to the opening ceremony.

THE CHAIRMAN noted that, if WADA were to go ahead, it should probably have some presence at the meeting so that the ministers would get some sense of what was out there.

MR DEVILLERS replied that this would be vigorously requested.

DR SCHAMASCH asked what the direct impact in terms of approaching athletes at big competitions was. Would it not be better to contact the athletes directly, at a time when they would be more accessible, rather than at a major event when they were concentrating on the competition? Had studies been carried out in order to assess the interest of an athlete in being approached at a competition?

THE CHAIRMAN noted that, in Salt Lake City, the WADA stand had received hundreds of visits, notwithstanding the refusal of the IOC and the organising committee to provide WADA with much cooperation. The same success had been noted in Manchester at the Commonwealth Games. Many athletes finished their competition 13 seconds after starting it, and had a lot of time on their hands.

MS KHADEM pointed out that there had been an absolutely overwhelming athlete response. WADA offered a doping quiz at the Outreach stand, and athletes came back again and again to try and get the questions all right. There was material available if anybody wished to consult it to see exactly what the programme did.

MS SPLETZER said that Outreach was a really great programme; it was positive, proactive, and she thought that having the opportunity to interact directly with the athletes constituted the best job ever.

MR REEDIE said that, when people looked at the financial implications, it might be possible to recruit local volunteers rather than sending a whole team from WADA to do it.

DR BARTHWELL referred to WADA's core mission; she favoured this proposal as it involved a small amount of money, given the amount of return that it would probably be possible to secure. The lack of WADA presence was a major complaint from this part of the world.

MS KHADEM said that she had been remiss in not stating something that Ms Spletzer had said to her earlier. WADA put a great deal of emphasis on using local volunteers.

THE CHAIRMAN congratulated Ms Khadem on her super work.

## DECISION

Outreach programme to attend the Pan American Games in July 2003.

### **14. Ethics and Education Report**

#### **14.1 Update**

DR BARTHWELL said that the committee intended to communicate by way of conference calls and video-conferencing. The work of the previous committees had been reviewed, and the committee wanted to spend some time putting together an agenda that built on the work of the previous committees. There was not a great deal to report on what had been done, but she hoped that there would be more to report in September.

THE DIRECTOR GENERAL informed the Executive Committee that there had been 32 applications for the post of Director of Education.

DR BARTHWELL said that these applications had been narrowed down to two or three applicants. It would be foolish for her to say that she wanted very much to fill this position, given the fact that spending had been discussed throughout the day. There would probably be a lot of impact at not too much cost, and she would hope that it would be possible to move forward with that as soon as possible.

THE CHAIRMAN noted that the Director of Education would need to be someone who actually worked at developing the programs.

## DECISION

Ethics and Education Committee update approved.

#### **14.2 Ethical Review Update**

DR BARTHWELL said that the plan was to look at the ethical review of scientific projects the following day. Also on the agenda were the issues of E-Learning, Awareness, the Athletes' Passport, and looking at the applications for the position of Director of Education. Ms Schneider would be submitting some documents at some point, and would be making a report on the Education Symposium in Greece.

## DECISION

Ethical review update approved.

### **15. Other**

MR DEVILLERS informed the members that the Canadian Football League board of directors had agreed to adopt an anti-doping policy and was working with CCES to provide for testing to start the following season. Apparently, the players' association was on side, and good progress seemed to be being made in terms of getting Code compliance.

THE CHAIRMAN said that he had written to the NBA, the NHL, the NFL, Major League Baseball and PGA Tour. He had received responses from all except the NHL, which had not answered either of the two letters sent. The responses received had been that each of these organisations had a perfectly good anti-doping policy and were absolutely opposed to the use of drugs in their sport, but that it was a labour management issue. Generally, they were willing to meet. The PGA said that golf had no doping problems. He thought that, at some point or another, they should go and meet these organisations. It would also be helpful if all of the stakeholders could do a survey of the professional leagues in their own areas of the world. There were more than 100 leagues worldwide at a rough estimate. WADA should try to take a common approach to doping.



MR DEVILLERS said that there were also talks going on with Major Junior Hockey.

MR REEDIE noted that one of the attendees at the Copenhagen World Conference on Doping in Sport had been from a golf organisation in St Andrews, which was aware that a problem existed. He waited with some interest to see what one part of the world's authorities on golf would produce.

#### DECISION

Executive Committee members to survey professional leagues in their respective areas of the world.

### **16. Next Meetings**

THE CHAIRMAN thanked everybody for coming to Montreal for a very productive meeting. WADA was moving forward despite its relatively impecunious state.

The next meetings of the Executive Committee would be on 22-23 September and 20 November in Montreal. The next Foundation Board meeting would be on 21 November in Montreal. He asked those attending on behalf of their ministers to tell their ministers that WADA would be delighted to see them at the meetings.

#### DECISION

Executive Committee meetings to be held on 22-23 September and 20 November, 2003 in Montreal. Foundation Board meeting to be held on 21 November, 2003 in Montreal.

The meeting adjourned at 4.45 p.m.

### **FOR APPROVAL**

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