

## **Minutes of the WADA Executive Committee Meeting 16 September 2015, Copenhagen, Denmark**

The meeting began at 9.00 a.m.

THE CHAIRMAN presided over a short in camera session prior to the commencement of the formal agenda.

### **1. Welcome, roll call and observers**

THE CHAIRMAN formally welcomed the members to the meeting of the Executive Committee of WADA. He noted the absence of the colleague from Côte d'Ivoire; everybody else was present.

The following members attended the meeting: Sir Craig Reedie, President and Chairman of WADA; Rev. Dr Makhenkesi Stofile, WADA Vice-Chairman, South African Ambassador to Germany; Ms Beckie Scott, Athlete Committee Chairperson; Mr Gian Franco Kasper, IOC Member and President of the FIS; Mr Francesco Ricci Bitti, President of the International Tennis Federation; Professor Ugur Erdener, IOC Member, President of World Archery; Professor Eduardo Henrique de Rose, President, PASO, ANOC Representative; Mr Tony Estanguet, IOC Member and Member of the IOC Athletes' Commission; Ms Thorhild Widvey, Minister of Culture, Norway; Mr Michael Gottlieb, Assistant Deputy Director and National HIDTA Director, Office of State, Local and Tribal Affairs, White House Office of National Drug Control Policy, Executive Office of the President, USA; Mr Hideki Niwa, State Minister of Education, Culture, Sports, Science and Technology, Japan; Justice Gendall, representing Mr Jonathan Coleman, Minister of Sport and Recreation, New Zealand; Ms Valérie Fourneyron, Health, Medical and Research Committee Chairperson, Member of Parliament, National Assembly, France; Mr Edwin Moses, Education Committee Chairman, Board of Directors, USADA, USA; Mr David Howman, WADA Director General; Mr Olivier Niggli, Chief Operating Officer and General Counsel, WADA; Dr Olivier Rabin, Senior Science Director, WADA; and Mr Frédéric Donzé, Director of the European Regional Office and IF Relations, WADA.

The following observers signed the roll call: Joe Van Ryn; Doug MacQuarrie; Michael Ask; Valérie Amant; Ayako Ito; Shin Asakawa; Marit Wiig; Eva Bruusgaard; Rune Andersen; Andrew Ryan; Christian Thill; Anders Solheim; Sergey Khrychikov; Rafal Piechota; Hubert Dziudzik; Joseph de Pencier; Matteo Vallini; and Tatsuya Sugai.

#### **– 1.1 Disclosures of conflicts of interest**

THE CHAIRMAN asked the members if they had a conflict of interest on any item to be discussed on the agenda. If there were no declarations of conflicts of interest, the members could proceed with the meeting.

### **2. Minutes of the previous meeting on 12 May 2015 in Montreal**

THE CHAIRMAN drew the members' attention to the minutes of the previous Executive Committee meeting, held in Montreal on 12 May 2015. The minutes had been circulated, and he was not aware of any written observations that had been brought to the attention of the WADA management. If nobody had comments on them, he assumed that they could be approved.

## DECISION

Minutes of the meeting of the Executive Committee on 12 May 2015 approved and duly signed.

### **3. Director General's report**

THE DIRECTOR GENERAL informed the members that his report included a number of reports from his departmental directors. If there were questions in relation to some of those issues, he would try to answer them, but three of the directors were present and would answer questions separately.

UNESCO was important because the conference of parties would be taking place on 29 and 30 October. There were 182 ratifications of the convention; only 13 countries remained to have a full amount of ratifications, which would make it one of the very few conventions that had had such number of ratifications. There had been recent ratifications from Kiribati, Honduras, Palestine, the Solomon Islands and Djibouti. WADA knew that Timor-Leste and Sierra Leone were in the pipeline, so there should be two more in the coming weeks.

For the conference of parties, it was important for the members to see the draft agenda, attached to his report. The approach for compliance from UNESCO had been to circulate a questionnaire called AD Logic. By mid-August, 133 countries out of the 177 eligible countries had completed that, and he expected that there would be more by the time WADA got to Paris. WADA was asking for a report on compliance, as the members would expect. He hoped that that would be tabled at the meeting, but there was no convention right of report, in that there was nothing in the treaty itself that demanded that such a report be tabled at the meeting, and he thought that WADA needed support from the Executive Committee in that respect. WADA had worked extremely hard with the secretariat at UNESCO to ensure that the conference would be a good one. He had to say that WADA did not yet have the papers and he was not sure that the papers had been fully prepared. It was the tenth anniversary of the convention, and that was of some significance. There would be a press conference, and he would attend along with Ms Beckie Scott, the athlete invited to address the media prior to the start of the conference. The Vice-President had been invited to deliver a keynote speech and WADA was looking forward to working with him in that respect.

His report in relation to Interpol and the World Customs Organisation was almost the same as the previous time. WADA was working well with Interpol, but still needed a secondee to work with it at the WCO. Again, he sent out a plea to governments to see whether there was somebody within their customs department who might be seconded to Brussels to partake in that activity. It was very significant for WADA and it would allow WADA to close a gap that currently existed in that relationship.

The WADA management team was nearly complete. Most of the members would remember that, when WADA had introduced the revised Code, he had said that more people would be needed. That had been approved by the Executive Committee the previous year. WADA still needed a communications coordinator and an additional scientist, and both were expected either by the end of that year or the beginning of the following year.

Regarding the legal report, he wanted to mention the Independent Commission, and the members would see a brief summary in his report. The mandate for that commission had been extended as a result of further allegations on German television and in the media in the UK, and a copy of the terms of reference for that extension was also attached to his report.

Turning to the report on NADOs, Mr Koehler had that responsibility internally; he had undertaken a significant amount of work over recent months, including visiting key NADOs in Europe over the summer. His report included a very long list of NADOs that

were currently being assisted. The members would see a list of 12 countries. He did not intend to go through those one by one, but the members would see very significant sporting countries that did need help and were in a situation whereby an effective operating NADO was necessary. He had to express his gratitude to other NADOs around the world that were helping WADA with the project: Australia, Canada, the UK and Norway were all helping to assist the development of anti-doping work in those countries.

There was a policy issue that came from some of the work that was being done at national level, and the members would see in Mr Koehler's brief report that many NADOs were being told by the NFs in their country who to test. That removed any independence that the NADOs might have. He had raised the issue of NFs in his report in May, not on that topic; but, leading from his May report, in which he had expressed concern about NF tribunals, that was another component that really needed some rectification. He would work with the IFs in that respect before the meeting in November to see if he could come up with some form of policy that the members might consider. The area in relation to tribunals was one that had been raised initially because, from a position of right of appeal, WADA had been finding too many decisions made at NF level that were not compliant and had had to appeal them. He had been at a very successful symposium in Oslo two weeks previously, at which such issues had been discussed, and he was happy to say that the Council of Europe was picking up on the issue to see whether something could be done in Europe to look at more national sport tribunals. Rather than having 50 or 60 NF tribunals to deal with anti-doping in one country, the aim would be to try to centralise matters with a small CAS on a national basis.

Moving on to the IOC-WADA Rio task force, the members would see that there were a number of issues requiring resolutions. The key for WADA was that the rules that the NADO known as ABCD in Brazil was operating under were not compliant. In fact, there were no rules, and the organisation did not even have rules compliant with the 2009 Code. It was a big issue for WADA. WADA would send its A-team to Brazil the following month to meet with the Casa Civil, the parliamentary legal drafting team, to ensure that the necessary changes that had to be made were made as soon as possible, and he hoped that, by the time the members met again in November, he would be able to report positively in that regard.

There was a very important education conference coming up in Ottawa on 2 and 3 October. WADA would be partnering with the Canadian Centre for Ethics in Sport, and had received more than the expected number of registrations, over 160 at that point. Again, WADA had asked Ms Beckie Scott to be the keynote speaker, and he thanked her for all the time she was giving to anti-doping work. It was very important to have Ms Scott engaged, and he knew that she had to give up a lot of time for that. The conference would be a very good way of enhancing education initiatives globally and he hoped it would be a success.

The members would see the communications report before them. The one issue on which he wished to elaborate was the strategic planning exercise that Ms MacLean had undertaken over the past few months. She would present that at the November meeting. The members would also see how WADA was doing with the media, with social media, and with a new initiative that had been introduced called WADA Talks. The members would have seen the interview with the President and several others, including the Finance and Administration Committee Chairman. It was an organised communication strategy that had been very successful.

The annual report had been issued electronically. There was a hard copy if anybody wished to review it or look at it. It had been decided that the annual report should not be printed in the normal fashion, and WADA had saved quite a lot of money by not printing it, but was also following current trends of reporting through electronic means.

In relation to the medical report, there was a very important Athlete Biological Passport meeting convened in Doha towards the end of October and the beginning of

November. There were numerous issues in relation to the Athlete Biological Passport that had been queried in the media, sometimes wrongly, but WADA knew that a full communications strategy was needed, along with enhancement of the experts looking at the Athlete Biological Passport programme, and the meeting in Doha would allow WADA to address those issues and reach outcomes that he hoped would enhance the Athlete Biological Passport itself. In that regard, and being in Copenhagen, he also mentioned a meeting that had been held there in relation to the passport two weeks previously which had been very successful and would lead in to the matters discussed in Doha.

ADAMS was one of the key projects. WADA continued to enhance the present ADAMS model, but would stop that later that year so that the six- or seven-month lead-in to the Rio Olympic Games meant that the ADAMS in place for the Olympic Games in Rio would be stable and unchanged. The new ADAMS was on track to be introduced towards the end of 2016.

Briefly, in relation to the Technical Document on Sport-Specific Analysis, there had been a meeting of the group in Montreal two weeks previously. The group felt that there was progress being made, and there were indications that the form of analysis had led to more intelligent testing, and that had led to more positive results relating to a number of the substances specifically put on that list. WADA would possibly need enhancements made to the technical document itself and, if that were the case, they would be discussed at the meeting in November.

WADA had conducted several Independent Observer programmes, one in Baku at the European Games and one in Toronto for the Pan American Games, and one was in progress for the All-Africa Games in Brazzaville. Truncated reports would be published. WADA had found that the enhanced way of running the programmes had been of benefit to the organisers. The team went in early and looked at the test distribution plan with the organising committee, and worked with it during the event to ensure that, if there were any omissions or shortcomings, they would be remedied during the event. He thought that they had worked very well. The reason for publication was that WADA had trialled that in Glasgow in 2014 for the Commonwealth Games and had not published a report. WADA had been asked for its reasons for that, and had responded that it was simply a contractual issue. WADA had reviewed that contractual issue and said that, for subsequent games, it would like to have a brief report, several pages long, and that was the current situation. WADA expected that each of the three games he had mentioned would agree to that and that a report would be published.

Turning to the regional offices, it had probably been the busiest period that each of the regional offices had had. There had been a number of continental games, many governmental meetings, a lot of preparation for UNESCO, and the regional directors would be having their annual meeting at the end of September to look at common issues and ways in which they could improve the regional office programmes.

A significant intergovernmental meeting had taken place for the Asia-Oceania region in Almaty, Kazakhstan in June. The report noted a couple of important decisions taken at that meeting. There had been 21 ministers or vice-ministers present, and they had agreed that there should be support for an increase in WADA's budget of 3%, and they had developed what they described as an Asian fund, from which money would be paid to WADA for the least-developed countries' dues to WADA. Looking at the contributions made to WADA by individual countries, there were several within the Asian region whose contributions were around 5,000 dollars each. They had been unable to pay that sum. The fund would contribute those 5,000 dollars to ensure payment for all the Asian countries. He thought that that was a very responsible attitude for the region to have adopted.

The IF-NADO group that had met earlier that year would meet again in October. WADA had tried to ensure that the relationships between NADOs and IFs continued in a direction whereby they were working together. The initiative had been successful the first time the meeting had been held, and he hoped that there would be more success on 13

October when the next meeting took place, and obviously Mr Donzé would report in November.

A number of IFs would benefit from assistance through the WADA Standards and Harmonisation team to ensure good anti-doping programmes, and the members would see in the report the IFs that would be visited over the coming weeks to ensure cooperation as well as quality anti-doping practice.

The final thing in relation to IFs was that WADA was part of a pre-Rio meeting to be held in Lausanne with the IOC, IFs and ASOIF.

The significant WADA ADO symposium in March was well down the planning track. The agenda had been discussed internally and would be published in November. WADA had sent out a save-the-date message and would make sure that everybody knew. That year, there had been 450 registrations. He expected more the following year. It was a significant event for WADA and one into which it was putting a lot of effort to ensure success.

Moving to other issues, the members would see the plea regarding the standing committees. There were a number of vacancies in the standing committees (the Finance and Administration Committee, the Health, Medical and Research Committee and the Athlete Committee) and each of those committees was formed pursuant to the WADA constitution. There had to be a gender balance, a balance between sport and governments, and an attempt to ensure that no country had too many representatives and so on. WADA did that across the committees, and the process was for the chair of each committee to work with the President and himself to ensure that the composition met the constitutional requirements. The nominations would close on 9 October. WADA needed more nominations. He reminded the members. The members had received a reminder the previous week, but the Executive Committee meeting gave him an opportunity to repeat that.

He would briefly raise the issue of food contamination, but Dr Rabin could elaborate when he presented his report. WADA had for some time had a research programme ongoing with Mexico. The contamination of meat in Mexico was much worse than WADA had first understood. Clenbuterol was a problem; WADA understood that it had expanded not just in Mexico but also across borders (Guatemala was another country in which there were some difficulties). Dr Rabin and other members of the management team had gone to Mexico the previous week and had had high-level meetings, and Dr Rabin would report on those later.

The special research fund totalled 11,106,000 dollars. There were some contributions still to come. The cut-off date for those contributions was 16 March the following year. WADA had reminded those with outstanding contributions that they needed to make them by that date so that they would be matched by the IOC. The members would hear later about the research projects suggested for approval under that special fund.

WADA had organised meetings with the major leagues in New York on 5 and 6 November and he would report further on them at the November meetings.

He had raised the issue of NFs and would not repeat that. With regard to the Independent Observer teams for Rio, the invitations had gone out and been accepted. Teams were ready to be announced once WADA's internal membership of the two teams had been organised, but he could state that WADA had asked Mr Travis Tygart from USADA to lead the Olympic Independent Observer team and Ms Marlene Klein from the German NADO to lead the Paralympic team, and both had accepted.

The members would see the note in his report about a world day. He was not making any recommendations, but drew to the members' attention the fact that there had been an official day in Portugal for the recognition of the fight against doping in sport; there was a Play True day in Latin America on 10 April; and the Caribbean region was looking having its own Play True day in the region. He raised the matter for the members'

attention in case anybody wished to comment on it or suggest steps in other parts of the world.

He had mentioned the think-tank that had been successfully held in Oslo in 2009, and he thought that it was worth raising again, as there were issues in anti-doping that would benefit from another think-tank. The Athlete Biological Passport would be one of the topics he suggested might be discussed. There were many others. If there were approval at that level, the management would look at trying to run one the following year. A host and an MC would be required, and WADA would look at the topics to suggest the way in which it could be developed, but only if the Executive Committee approved.

Finally, the Korean Government had made an extra contribution of 200,000 US dollars for the development of ADAMS. He had held meetings with the vice-minister when they had been in Almaty for the intergovernmental meeting, and the Koreans had asked how they could do something to show that they were serious about their part in the fight against doping in sport, and he had suggested that ADAMS would be a good idea. He had spoken to the President, who had said that he should make sure it was a good idea that came with a few dollars. WADA had convinced Korea to pay an additional 200,000 US dollars. It had been received, and WADA was very grateful to Korea for that initiative.

The previous day, WADA had published a list of individuals who were on the so-called Prohibited Association List. It was not an official WADA list; it was a list made up by WADA following input from all of the ADOs. It was the responsibility of each ADO to notify the athletes under their jurisdiction of the list, to make sure that the athletes were aware. It was not a WADA responsibility. WADA had not received as many as he had thought it would. He asked the members to inform WADA if there were people under their jurisdiction who should be on the list, and the members should make sure that they informed their athletes in writing at ADO level. It was an issue that would gain momentum; there would be a lot of publicity about it. More than 50% on the list came from Italy, the reason being that Italy had very effective national laws that dealt with the entourage. The members could see that the effects of national legislation could be very good for clean athletes.

That ended his report. He would be happy to receive questions and comments.

THE CHAIRMAN referred to communication. Not being an expert in social media, he supposed that WADA should be grateful for the 13,282 people in the world who liked it, and he supposed that an increase of 8% over six months was something for which WADA should be grateful, but clearly that was work in progress.

There had been a very comprehensive report and he was sure that there were a number of issues.

MS WIDVEY referred to NADO activities. Europe strongly supported the view that NADOs should be the single organisation in the country that directed testing and managed doping control results. She underlined that Europe supported that very much.

Europe firmly supported the work of the Independent Commission; however, her request at the previous Executive Committee meeting in May for WADA to establish criteria and procedures for such ad hoc investigations had not been followed up. She thought that WADA needed criteria and procedures in place in order to present a transparent and consistent mechanism for similar investigations in the future. Europe was also concerned about the magnitude of the funds set aside to finance the Independent Commission, and noted that some of the money had been taken from the litigation fund. It seemed that funds in the Code compliance area had also been reduced. That was of considerable concern, as Code compliance would be a cornerstone of the work in 2016 and years to come. As far as she was concerned, the Executive Committee had not been consulted, and Europe was worried about that, as it would not appear to be in line with good financial practice. Such situations should be avoided in the future.

MR RICCI BITTI reiterated that he hoped that the UNESCO convention would be practical and not only political or idealistic. All of the countries had signed the

convention, but many countries had no NADO, no legislation in place and no effective activity regarding national agencies. He was a member of the Rio Olympic Games coordination commission, and the UNESCO convention could help the commission to convince people to become compliant, as there was less than one year to go before the Olympic Games, the national agency in Brazil was not compliant and, every time the task force went there, much was said about confidence in the future but nothing ever happened. That meant additional costs, as somebody had to do the job, and the sport side was not happy at all about that. The UNESCO convention should become a practical platform and not only a platform for discussion, as had been the case to date. He was sorry to be so tough, but he believed that there were cases that required attention.

The second point he wished to make was about the communications strategy, and he wanted to echo what Ms Fourneyron had said. It was very difficult to explain what WADA was and, as soon as there was a crisis, everybody had a different opinion as to what WADA was. Based on his experience, WADA had to develop a very simple message to make people understand. He fully agreed with what Ms Fourneyron had said earlier.

Last but not least, he mentioned the point on NADO activities. Regarding the National Federations, according to the Director General's report, they were interfering, and he believed that when that happened it was because of a lack of activity on the other side. He wished to defend the NFs. The activity of the NFs depended to a large extent on the procedure that the IFs used. There were centralised control systems, such as in tennis, and there were totally decentralised control systems, such as in football, and that made the situation very difficult. He thought that it was a matter of time, and he was very confident about that.

The other comment, which was much more serious, had to do with the use of non-accredited laboratories; that should not be allowed, as it went against the athletes. WADA had to protect the athletes. A sanction based on a finding by a non-accredited laboratory would be a legal disaster for WADA and the athlete involved. That was a point to be dealt with and people, NADOs or NFs, should not be allowed to go to non-accredited laboratories to save money. That should be a key point for the future. If such a case went to the CAS, there would be no chance of winning.

It was an issue for WADA to become more efficient and the relationship and complementarity between the ITF and the NADOs was vital. He hoped that more NADOs would be efficient, but complementarity was necessary, information had to be exchanged and it was necessary to work together. WADA was not yet as efficient as it should be.

He appreciated the Norwegian minister's concern, but the Finance and Administration Committee followed its procedures. The Finance and Administration Committee was in charge of making proposals. He understood the minister's concern, but there was no money and, when there was no money, one had to decide what to do and decide on priorities, and that was the job of the Finance and Administration Committee.

PROFESSOR ERDENER thanked Mr Howman for his very comprehensive report. He referred to the UNESCO convention. Mr Ricci Bitti had also mentioned that point (as he did at every meeting): there were high expectations on the part of the Olympic Movement from the conference, to be held in Paris in October. He hoped for positive and tangible results from the convention and that the public authorities would contribute efficiently.

The second point had to do with the activities of the Independent Commission. As the Olympic Movement representative, he would appreciate that the appointment of an Independent Commission and its terms of reference should be brought to the attention of the Executive Committee members for their information, especially before publicly releasing results, as also mentioned earlier.

There was another point of information: given that there were many different independent commissions in some IFs, was there a sole authority? There had been some comments, especially from some scientific stakeholders and, as the members might be

aware, there would be an Olympic summit in Lausanne in October with the participation of the main Olympic Movement stakeholders, and one of the main topics was protecting clean athletes and some anti-doping activities. There would be a discussion about the subject. In the future, he thought that a sole authority would be required for such activities.

MR GOTTLIEB thanked the Director General and his team for the report, which represented an impressive array of activities. It was comprehensive and was appreciated, and he thought that everybody on the Executive Committee should be grateful for the work of the Director General and his staff; it was extraordinary.

Regarding UNESCO and the number of ratifications, that was very good news. He thought that the Director General was accurate in pointing out that the number of states parties to the convention was unprecedented. In terms of the number of countries that had responded to the compliance questionnaire, he thought that WADA was moving in the right direction. There had been a discussion that morning among the public authority representatives on the Executive Committee about the need to go back to the nations in their respective regions and really make a final push to increase that number to 100%. It was inexcusable for a state party not to fulfil its obligations. To that extent, the USA could be helpful. He fully supported the statement about tabling a report on compliance. It was his understanding that, although that might not be a technical requirement of the convention, it was critical, and he thought that compliance was a core part of what should be happening at the UNESCO conference.

Some 12 or 13 NADOs were listed by country and he would be remiss if he did not go on record to express his concern and growing frustration at the list. He had looked back over several years and, unfortunately, it was the same countries year after year, and he certainly appreciated the visits and the work done by the WADA staff in terms of travelling, but he thought that, at that stage and in 2015, they were major sporting countries hosting major sporting events. He did not have all the answers in terms of what the next steps were, but his statements reflected the view of the Americas and the view of a lot of athletes around the world that the situation needed to be fully confronted at some point in time.

The Independent Commission was being handled entirely appropriately and the President's guidance to the commission in allowing it the discretion to really operate independently was critical, and he urged that that continue to be the case as the report reached its final stages. The level of interest in his country and his region was unprecedented. It was a critical moment for the clean sport movement and WADA and people were waiting to see what the response was going to be and how WADA would react as an agency. A big day of reckoning would be coming soon.

In terms of reactions to the world day for the fight against doping in sport, he thought it was a splendid idea. He knew it was happening in Latin America, and the Caribbean was working in that direction. Raising awareness was certainly never a bad thing.

With regard to communications, he agreed with Ms Fournayron and Mr Ricci Bitti about crafting a message to enable the world to understand what the roles and responsibilities of the agency were. He had also been thoroughly impressed with Ms MacLean and her team; they had been extremely impressive in terms of communication.

MR ESTANGUET started with some general comments that he wished to share with the colleagues after the summer season, during which there had been a number of sporting events and a number of athletes had been met, noting the fact that indeed there was some concern among the athletes about anti-doping. It was felt that the athletes had more and more questions, concerns and problems with trust in the system. They appeared to be disillusioned from time to time, and it was dangerous to reach that point. He echoed what his colleague had just said on communication. It was necessary to have an aggressive or at least strong communication strategy to change that perception. Among the athletes, there was a problem of perception. The athletes did not really



understand the anti-doping system and what was in place, and it was up to WADA to remedy that. The public was starting to have doubts, as there were numerous articles in the media against the fight against doping in sport, and sometimes there was bad faith, along with strong attacks on the lack of effectiveness of the system. WADA had arguments in favour of the fact that the system was improving, and there were reasons to have confidence in the system. He did not think that WADA was strong enough in terms of communication.

On the Independent Commission, the athletes were eager to see what would happen, and impatiently awaited the results.

Regarding the laboratories, there was a real need for quality laboratories, and he thought that the credibility of the anti-doping system was dependent on the laboratories, which had to be beyond all criticism. He had talked to a number of members about certain laboratories that were at risk and had problems with testing, and noted that WADA fortunately was carrying out blind testing of the effectiveness of the laboratories, but more investment needed to be made so that the laboratories would be completely beyond criticism and would thus contribute to WADA's credibility.

Regarding the Olympic Games in Rio, he was also rather concerned about the situation. It had been discussed at previous meetings. The test event programme had already started. That meant that athletes had already started to prepare for the Rio Olympic Games, and there were a number of questions pending. He drew the members' attention to the fact that there could be no mistakes made. He knew that everybody shared the same objective, but he thought that a plan B had to be found and that WADA should ensure that, by November, everybody knew exactly how the testing would take place, even before the Olympic Games, as many athletes would be going to Rio to train that winter and the following spring.

On the new ADAMS, he drew the members' attention to the fact that he hoped that the new platform would be truly useful in terms of coordinating the different tests, with detailed analyses so that each of the testing stakeholders could really perform targeted testing. At the previous edition of the Olympic Games, there had been problems with athletes tested at very close intervals by different stakeholders, and it was necessary to optimise the system through ADAMS so that tests were carried out in light of the previous results, and so that information could be shared. He knew that, with the new ADAMS, there was a focus on educating the athletes, but he thought that it was also necessary to educate the entourage, to make sure that IFs and NOCs were informed about the operation of the new platform, so that the athletes could be assisted in the best possible manner when using the new ADAMS. He appreciated the fact that athletes had been given an opportunity the previous year to provide their opinion as to what the new ADAMS should include, and he looked forward to the response to the questionnaire.

An international athlete forum would be held in Lausanne, Switzerland, in early October, and it could represent an opportunity to disseminate information among the IFs and IF athlete commissions. WADA had produced an athlete guide, which was very effective, and it could be distributed among the athletes on each IF athlete commission and each NOC. He would really like to see the athlete guide handed out and an education programme implemented.

As to the target groups, it was necessary to work out how the athletes would be selected for the different target groups before the Rio Olympic Games. Some athletes found out that they would be attending the Olympic Games only some weeks before the start. When they were immediately selected for a target group, there were a lot of last-minute issues that needed to be dealt with, and he thought that it would be a good idea to have transparency and find out how the athletes would be selected for the different target groups.

As to the education programme, he saw that there was an athlete learning programme. The IOC also had an athlete learning gateway, and he believed that there were bridges to be built between the IOC and WADA in terms of education programmes.

MS SCOTT thanked the Director General for his report. She had a comment with regard to the call for an officer to be seconded to the WCO and she lent her support to the call on behalf of the athletes. The call had come out several meetings in a row, and she could not understate the importance of the role and the organisation in terms of protecting clean athletes in the fight against doping in sport. Everybody knew that the shift towards investigations and undercover operations was a crucial one in the fight against doping in sport and she said to everybody in the room and would repeat it again at the Foundation Board meeting in Colorado Springs: that should take place on behalf of the athletes.

To underscore that point, she had a question about some of the cases. She noticed that there were four cases in trafficking and administration. Were they related to athletes or support personnel? How had the information come about? Had it been through customs and border controls?

PROFESSOR HENRIQUE DE ROSE commented on Brazil. He was afraid that there was a very difficult political and economic situation in Brazil and, if WADA just focused its efforts on the government, perhaps it would not succeed. Anti-doping was not a major problem for the government. The president was facing impeachment and there was a very difficult situation there. He suggested calling to the meeting the organising committee for Rio 2016, as the committee had had no idea about the problem. If there were a problem with the NADO, that would reflect on the organisation of the games, so it would be an opportunity for WADA, as the organising committee would put pressure on the government to reach a solution about the problem of the ABCD.

THE CHAIRMAN asked if he could defer the Brazil discussion until Mr Bouchard's report on compliance. At the last presentation made by the Rio organising committee to the IOC executive board, he had raised that very issue with the organising committee, which had said something kindly about WADA wanting it to solve its problem. There was a whole range of issues that the Executive Committee should discuss and on which a policy should be decided because, over the coming six to eight weeks, WADA might be faced with some pretty serious decisions on compliance as far as Brazil was concerned, so he thought that the members should wait for the whole picture from Mr Bouchard.

Clearly, people read the Director General's report in detail and asked a whole range of highly intelligent questions, which he was sure that the Director General would answer.

THE DIRECTOR GENERAL replied to the Norwegian minister and thanked her for her reiteration of the need for NADO independence; it was an important matter on which WADA needed to reflect when dealing with other issues relating to the NADOs.

In relation to the Independent Commission, and that was a topic that several members had raised, if it was the wish of the Executive Committee for the management to prepare some form of criteria or protocols to use when making such decisions, it would do that. There was no question that the management could do it. Over the years, the management had had to make urgent decisions in relation to very important anti-doping issues, and had relied very much on the President to deliver those decisions, and he did not think that any of those had been questioned by the Executive Committee. For example, the management had had to take a decision to appeal the UCI case in relation to Floyd Landis. That had required WADA to use resources totalling 1.3 million dollars in running the case before the CAS. As a result of that urgent decision, with which nobody around the Executive Committee table had disagreed, the management had looked at creating an emergency fund for legal costs. That emergency fund already existed, as Mr Ricci Bitti had mentioned. WADA had had to dip into it for the Independent Commission, because under legal came the issue of investigations. That was where the authority within WADA lay. That was the reason for which those funds had been used, and Mr Ricci Bitti had explained that very well. Reflecting on the need for WADA to act urgently, on that occasion, the President had done so. He had informed every member of the Executive Committee of his decision and the way in which the matter was to proceed and, as he had said in his letter of 10 December to the members, he had kept the

members informed on the progress being made by that commission. If something further was required, and if the Executive Committee wanted the management to develop some protocols for consideration at the next meeting, the management would be directed accordingly.

He told Mr Ricci Bitti and Professor Erdener that he also hoped that the conference of parties in Paris would be practical and effective. It would be his fifth conference of parties, and he went with a level of optimism and returned with a level of frustration. That was why WADA had specifically sat down with the UNESCO secretariat that year and told it that it would help develop the conference. WADA had been partially successful. He certainly agreed that there should be some practicalities.

He would leave the issue relating to Brazil until later on.

The communication issue was one on which the management worked regularly. Ms MacLean had developed a strategy that he had informed the members about in his report. WADA would be holding a media symposium for North American journalists in early October. WADA had held an annual media symposium regularly in the UK or Lausanne, involving the President and himself, to try to give messages to the journalists. One could deliver the message, but it had to be received and passed on. Everybody knew that sometimes the messages were too good and would not be reported, and that the media were always looking for the bad side. WADA was developing a strategy in that respect and the members would hear more about it in November.

He heard loud and clear Mr Ricci Bitti's request for the relationship between NADOs and IFs to be improved, and WADA would do that.

Mr Bouchard would deal with the issue in relation to Mr Ricci Bitti's comment about the non-accredited laboratories.

He told Professor Erdener that he had already responded to the Independent Commission issue. The management would be happy to receive a request to undertake the process raised by the minister.

He thanked Mr Gottlieb for his support in relation to UNESCO. WADA knew that it needed assistance. He thought that it was a successful treaty but, as they said in English, the proof was in the pudding. WADA needed to see that the pudding tasted good.

He thought that other issues had been raised in relation to awareness and the Independent Commission, and he had already answered those.

He certainly understood all the concerns that Mr Estanguet had expressed from an athlete point of view. It came from a more general anti-doping community perspective. It was a concern that everybody shared. WADA needed to make sure that everybody understood what it did and why, as the two were linked, and then WADA needed to comment about how it could be more effective. There was no doubt about that.

The Athlete Committee would meet on 19 and 20 October. There would be subjects discussed there and reported back to the Executive Committee. He knew that there were other meetings of athletes that would be taking place, and into which WADA would have input. The World Olympians Association would be having a meeting in Moscow, also in October, and WADA would make sure that the members had the right information. WADA did rely very heavily on the trickle down. WADA could distribute so many things, but then relied on others to distribute them further. The athlete guide was a good example. WADA had made it available and needed others to distribute it further. WADA would work on that strategy and process in the coming weeks.

The idea about education and learning programmes was already one of WADA's initiatives. Mr Koehler had pulled together the IOC, UNESCO, the International Fair Play Committee and one or two other institutions, all of which were looking at educational projects, so that they all worked together and did not all produce information that would then be duplicated or triplicated. That was a project in place, but it needed more help. Anything that could be given from the IOC would be helpful to progress the other

partners. WADA and the IOC were working well together. The other partners were needed to join in. He would request the IOC's help in that regard.

In relation to ADAMS, there would be very strong education programmes for all those involved once the new ADAMS was in place. That would be after the Olympic Games in Rio. There would be time to address it in greater detail, so the management would do that towards the end of 2016.

The final matter raised by Mr Estanguet, on which he thought he could comment, was that the test events in Brazil were run by the IFs. The rules of the IFs prevailed, and the rules were in place, so WADA had no problem with athletes being tested under Code-compliant rules during the test events. The DCOs were well trained. It was just the NADO in Brazil that was the issue, and that was not really related to what was being done by Rio 2016. It was important to be aware of that distinction.

He was grateful to Ms Scott for her support regarding the WCO. WADA was desperate. WADA had had a nomination from the Swiss Government which had been rejected by the WCO because the person had wanted to work 50% of the time in Brussels and 50% of the time in Switzerland. WADA might need to go back to the WCO to ask it to do something that allowed it to start that initiative, and it would be good to have the support of the Executive Committee and the Athlete Committee when WADA went with that to the WCO.

He told Professor Henrique de Rose that the issue of Brazil would be discussed as part of the Code compliance report.

THE CHAIRMAN asked Mr Niggli to speak to Ms Scott about the issues she had raised.

### – **3.1 2013 Anti-doping rule violations**

THE DIRECTOR GENERAL informed the members that the reports were issued by the Standards and Harmonisation Department along with the Science Department and the Legal Department. For the first time, a report had been produced on anti-doping rule violations and it related to the positive cases reported in 2013 and the way in which they had been dealt with. That was one report. The members must remember that not all the positive cases in 2013 had been dealt with in 2013, so some were still pending or had been dealt with in 2014. There was no straight connection between the annual report on positive cases from the laboratories and the anti-doping rule violation sanction process.

### – **3.2 2014 Anti-doping testing figures**

THE DIRECTOR GENERAL observed that the report on 2014 figures was very comprehensive. The results had been broken down by sport and laboratory, and the management needed to analyse the statistics and come forward with some ideas as to what could be done with them and what they meant. That was a project for the following year. His team would be looking at those suggestions. The figures were there for the members' information.

MR GENDALL said that a disturbing statistic had emerged from some of the figures. New Zealand and Australia were concerned about anecdotal reports that Hgh was being used by a number of athletes, and obviously they strongly supported efforts to combat the use of the prohibited substance, but the current testing methods appeared to be ineffective in detecting Hgh. The data outlined in table 9 showed only one adverse analytical finding in 2014 for Hgh from a total of 5,718 blood samples. Drug Free Sport New Zealand was doing all that it could to meet the requirements of the Technical Document on Sport-Specific Analysis, notwithstanding the considerable logistical and resource challenges it posed. He asked that the results produced under the TDSSA scheme be closely monitored and its cost-effectiveness assessed and reported at later meetings because, if the hit rate did not improve considerably from the present rate of one in 5,700, which was 0.0001%, he would expect and like to see some reassessment of the way in which the resources were being applied. If there was only one out of 5,500,

either nobody was doping in that way (although anecdotal evidence suggested that they were), or they were doping yet it was not being picked up through the process.

THE DIRECTOR GENERAL replied that in 2014 the technical document had not been in place; it was currently in place, so there would be a comparison made, and the technical team was looking at those very issues to ensure that it was an effective and efficient way of testing.

Regarding the Hgh analysis process, he handed over to Dr Rabin to respond.

DR RABIN said that Hgh was not an easy substance to detect. Its half-time of residence in the body was only 20 minutes. He was very pleased to have an initial assay that could detect from 24-36 hours. That initial assay would be completed with the biomarker approach, which would extend the window of detection, and what WADA had to be aware of, and that was the nature of the issue that WADA was facing now that it could test for Hgh, was that a lot of the athletes had moved on to growth hormone-releasing factors, which were not growth hormone itself but the factors, peptides or synthetic compounds that created the release of growth hormone. WADA had known that that was the next issue it would face and had already anticipated it. That was why laboratories were testing for GHRP-2, GHRP-6 and many others and, as of March the following year, all the laboratories would have a mandatory list of the releasing factors for detection. Some could already do so and more would be able to in the future.

THE CHAIRMAN thanked Mr Gendall for the quality of the question and hoped that he was impressed with the quality of the responses.

He thanked the Director General. Clearly, as always after such meetings, there was work to be done as a result of comments, and the Executive Committee would deal with Brazil when Mr Bouchard was at the table.

## DECISION

Director General's report noted.

### **4. Finance**

#### **– 4.1 Finance and Administration Committee Chair report**

MR RICCI BITTI informed the members that a very fruitful meeting of the Finance and Administration Committee had taken place on 23 July in London, and many things had been dealt with. He would try to list what the Finance and Administration Committee had dealt with before coming back to each point for approval.

The first point was the acceptance of the internal control memorandum and, once again, the auditor had found no control deficiencies, so that was very positive.

The second point was the usual discussion on contributions received. He would come back to that in detail later on; anyhow, the contributions were more or less at the same level as in the past.

The six-month financial activities had been reviewed and discussed. The activities of WADA were seasonal but provided a good indication as to how things were going.

The special research fund had been discussed, as it would have an impact on the following year's budget. It would allow WADA to do what it wanted to do in terms of research, but obviously there were other problems because, in three years, when the research fund was used up, he did not know what would happen. It was on the table again. The minister was very concerned about it but he was even more concerned, as a solution would have to be found.

In relation to the contributions, WADA was missing 300,000 dollars but, if that sum were paid by the following March, the fund would amount to more than 11 million dollars. The Finance and Administration Committee considered that that would cover three years of activity. Then it would be necessary to work out what to do. The staff

recommendation, which had been accepted by the Finance and Administration Committee, had been to reinstate the reserve policy. There was currently a two-month reserve, and it did not seem to be enough, in particular in relation to special requests or cases. What was under scrutiny was obviously the Independent Commission, which was a huge cost. It was very important but, on the other hand, it cost a lot. The Finance and Administration Committee had accepted the proposal. The only comment had been that an operational reserve could be reinstated for six months, as that was a good way of doing business; on the other hand, the money was not there, so that would be done gradually when the money was available.

Then, the Finance and Administration Committee had reviewed the budget for 2015 in detail, and he would come back to that later, as well as the draft budget for 2016.

The Finance and Administration Committee proposal for the remuneration committee had been raised by him and accepted by the committee members. To improve things in terms of governance and deal with decisions that were very sensitive in terms of transparency, it was better to make a step up in terms of the governance system, and the remuneration committee proposal was just meeting that requirement, which was to deal with only three matters and to report to the Executive Committee and Foundation Board. The three matters were: general policy of staff salary reviews; the remuneration of the number one executives; and the indemnity policy for the President. That was a proposal, and he put it to the members. The terms of reference would be made available. He believed it was a step up in terms of governance for new organisations, especially sporting organisations. It was not yet popular, but he believed that it represented a good step forward for an international independent organisation.

#### DECISION

Finance and Administration Committee  
Chair report noted.

#### – **4.2 Government/IOC contributions update**

MR RICCI BITTI said that the contributions were in line with the previous year. Regretfully, he informed the members that the only relevant missing payment came from his country, but he hoped that it would pay. The amount was for 745,000 dollars; the rest was peanuts, from small countries. Basically, with Italy's payment made, although late, WADA should be in line with the previous year's level.

#### DECISION

Government/IOC contributions update  
noted.

#### – **4.3 2015 quarterly accounts**

MR RICCI BITTI informed the members that the only really important matter was on the income side of things. In relation to the additional income from Asia, Russia, the UK and Kuwait, he wanted to thank the countries for the great support and additional funding. The only comment he wished to make was on exchange rates, as the rate between the US and Canadian dollars had had an impact on the accounts. The second comment had to do with the cost of the Independent Commission. Depreciation was higher than anticipated because it had been decided that WADA would write off some projects such as the paperless project and spend more on the new ADAMS, which was a vital project for WADA.

#### DECISION

2015 quarterly accounts update  
noted.

#### – 4.4 Revised budget 2015

MR RICCI BITTI referred only to the large variations in the revised budget. On the income side, there was a decrease in income due to exchange rates. The depreciation of the Canadian dollar directly impacts the contribution received from Montreal International as the contribution is received in Canadian dollars. Globally, the total revised income budget was reduced by 13,000 dollars less than budgeted, so there was no big difference.

Going to expenditure, he jumped immediately to the legal heading; the members would see an increase of 1.3 million dollars, which was due to the cost of the Independent Commission. The Finance and Administration Committee had tried to cope with that and save money. He understood that the members were concerned; he was more concerned than they were, and was trying to find the money to compensate for that. As the members would see, many departmental expenses had been reduced, including education, science and research, and standards and harmonisation. Those were the items in which the greatest sacrifices had been made. At the end of the day, the total operational expenditure was reduced in the revised by 221,000 dollars; however the overall operational costs has increased due to the cost of depreciation and the write down of the Paperless Project.

To cut a long story short, compared to the budget and before capital expenditure, the revised budget shows an increase in total expenditure of 278,266, thus posting a profit of 1.113 million-dollars rather than a 1.405 million dollar profit. However, the commitment not to drain the unallocated cash reserve of more than 500,000 dollars had been respected. The Finance and Administration Committee had maintained that condition; therefore the litigation reserve, in the amount of 300,000 dollars will be used to cover the total cost of the Independent Commission Investigation. That was the outcome and that was the gain and loss. So, basically, huge efforts had been made to reduce many of the costs and compensated for the huge increase in investigation costs. The minister from Norway had made a very appropriate point, as a great deal of effort needed to be made to try to survive with some self-imposed conditions, the main condition being to drain only 500,000 dollars from the reserve, and that was being respected. So that was the revised budget, and he hoped that it was close enough to the end of the year so that the members would be comfortable with the figures before them. The budget had to be approved for submission to the Foundation Board.

THE CHAIRMAN asked if there were any other questions on what Mr Ricci Bitti had said, dealing with what WADA was doing with the remuneration committee, the funding of the Independent Commission and dealing with the effect that that would have on the revised budget. He thought that the Executive Committee would certainly have to tell the Foundation Board in November what the Finance and Administration Committee thought would happen over the 12 months to 31 December 2015.

MS WIDVEY stated that she had heard what the Chairman of the Finance and Administration Committee had said, especially in relation to the remuneration committee. She looked forward to receiving the terms of reference for the committee at the Executive Committee meeting in November. She thanked Mr Ricci Bitti for going through all the figures.

MR RICCI BITTI concluded that he considered approved the revised budget and the remuneration committee proposal including the terms of reference, which he had mentioned verbally but would submit in writing, to be presented to the Foundation Board.

#### DECISION

2015 revised budget approved.

#### – 4.5 Operational reserve policy

MR RICCI BITTI recommended that the Executive Committee approve the recommendation of the Finance and Administration Committee, as it had no practical effect (it was in principle) to agree to the staff recommendation that the reserve should go possibly to six months, although obviously, as the members would see, that would not be easy. He hoped it would be in the future, but it almost certainly would not be that year and the following year with the extraordinary expenses that WADA was incurring.

#### DECISION

Proposed operational reserve policy approved:

- Reserve fund to be increased to 6 months (USD 9.6 million)
- Reserve fund not to be depleted by more than USD 500,000)

#### – 4.6 Draft budget 2016

MR RICCI BITTI noted that many options had been presented, with the 0%, 3% and 4% increase. The middle proposal was the only way of maintaining WADA's activities, and the Finance and Administration Committee recommended very strongly that the 3% option be approved for the 2016 budget. 2016 would be an Olympic year, there would be a RADO conference, and there had been a decision to reinstate the 300,000-dollar litigation reserve taken to pay for the Independent Commission. The Finance and Administration Committee had produced a budget in which obviously it wanted to keep the allocation limit of 500,000 dollars, and it was not able to reinstate, as the IOC always recommended, the travel expenses of members. WADA was not ready for that; the money was not there, as he had said, so that was what he had to say on that.

The members also had the 2017 and 2018 projections, for which the Finance and Administration Committee had also provided a 2%, 3% and 4% scenario. Again, the Finance and Administration Committee believed that 3% would be the preferred option, although it was not urgent, as it was necessary to talk more about the 2016 budget, as the financial situation and possibly the continuity of the investigations forced the committee to recommend very strongly the 3% increase. Later, perhaps at the meeting in November, it might be possible to discuss the 2017 and 2018 projections provided for the Executive Committee's consideration, and that could help the project of the 3% figure, unless extraordinary expenses would allow WADA to fulfil what he had said about the reserve fund, so perhaps it would be possible with the 3% option to fulfil the request of the staff to have a more comfortable reserve fund up to six months. He had to recommend a draft budget to the Foundation Board and he strongly recommended that the members support the 3% proposal.

Last but not least, there had been a decision about the eventual renewal or change of auditor, and all the exercises had been completed. The Finance and Administration Committee had considered continuing with PricewaterhouseCoopers if they reduced their fees a little bit. He thought that that had been achieved. The Finance and Administration Committee recommended that PricewaterhouseCoopers continue to be WADA's auditor, as the company was very experienced when it came to sport organisations. The Finance and Administration Committee had also received other proposals.

He would be happy to take questions, but he tried to summarise what he suggested that the Executive Committee propose to the Foundation Board: the remuneration committee proposal, the revised budget, the budget for 2016 for approval in November and draft projections for 2017 and 2018, and the continuation of the current external auditors.

THE CHAIRMAN asked if the Executive Committee was happy to recommend that the Foundation Board reappoint PricewaterhouseCoopers in return for its outstanding generosity in reducing its fee.



The 2016 budget was traditionally an issue. WADA had to present a full budget to the Foundation Board in November. The proposal was before the members, and Mr Ricci Bitti had outlined the basis.

MS WIDVEY asked if all the different finance items were to be discussed at that time. When it came to item 4.2, she informed the members that the contributions by Andorra and Italy were currently being paid and the money should be received by WADA shortly. Greece had formally requested an exemption from payment to the WADA budget for 2015 and 2016 due to its difficult situation. Europe would be discussing that at the next CAHAMA meeting in November.

On item 4.5, the operational reserve policy, she had a question as to whether there was a need to change the existing policy regarding the operational reserve approved in 2009, especially taking into account that the existing target for the cash reserve had never been reached. The 2009 agreement had been to keep the reserve at a level of four months of WADA operational expenses, totalling 6.4 million US dollars. Would it be possible to get some more indication about the sources from which the funds for the reserve would be drawn?

When it came to item 4.6, she welcomed the approach taken by the Finance and Administration Committee in producing several budget scenarios but she regretted that, among the proposed scenarios, there was no option between 0% and 3%, something Europe had requested at the May meeting in order to have a broad backbone for the budget discussion. So she asked if it would be possible to get a 2% budget scenario in order to see the situation and the results, so as to have a broader discussion in November when the Executive Committee and Foundation Board met to approve the budget. Europe continued to advocate a balanced budget for WADA and to cut expenditure to avoid deficit. Europe welcomed the savings made to fund the Independent Commission but also expressed concern about the reallocation of funds from the litigation fund. That must not happen in the future. She thought it very important to underline that. She asked WADA to explain on which activities the savings had been made. She noted in the revised budget that the cost of the commission was estimated at 1.4 million US dollars for that year. In her view, expenditures of that size should have official acceptance from the Executive Committee and, if possible, from the Foundation Board. Again, Europe was concerned about the reallocation of funds from the litigation fund, and it was very important to underline that that should be avoided in the future. She also invited WADA to identify the priorities for which increased funding in 2016, 2017 and 2018 would be required.

MR RICCI BITTI answered in two parts: formally and informally. He was surprised that the minister had raised all of those points, as the Finance and Administration Committee formally followed all the procedures that it had to follow, and had to make a recommendation, and that could be accepted or not. The Executive Committee had the duty to recommend something to the Foundation Board. Formally, he thought that the Finance and Administration Committee did exactly what it was required to do.

Having said that, in relation to the substance of the 2016 budget (because he believed that the other points had been positive comments, for which he thanked Ms Widvey), the answer was very simple: if the Finance and Administration Committee did not recommend the 3% option, there would still be a drain on cash. That was the minimum that could be supported if WADA wanted to respect the limitations that had been imposed to drain only half-a-million dollars. It was as simple as that. If WADA did not go to 3%, more would have to be drained, and that was not considered healthy or acceptable by the Finance and Administration Committee, as it was necessary to continue working. On the reserve policy, he was happy to hear that Europe approved the four-month proposal, but WADA was currently working at two months. The Finance and Administration Committee had accepted the principle recommended by the staff to go possibly to six months but, since the money was not there, WADA would never go there. The recommendation had been accepted. Nevertheless, the current situation was much lower than the 2009 agreement (two months). The proposal had been accepted in

principle, so it might be a source of comfort. When possible, it would be necessary to increase that a little bit. With all the extraordinary items coming up (currently it was investigation, in the future it could be something else, in the past it had been the Landis case), the Finance and Administration Committee believed that two months was not sufficient. The members would know that such extraordinary expenses came up all the time. To cope with them, as they formed part of WADA's activities, he believed that the reserve should be a little higher. He would say that four was a good figure. The staff recommended six. WADA was currently at two. It would be better to be more comfortable.

In relation to the final comment made, the Finance and Administration Committee had done all the budgeting exercises again, but the 2% figure would not enable WADA to stay within the imposed limit of the reserve of half-a-million dollars. That was the reason for the three options provided. In 2017, there would be an option.

He had mentioned before that 2016 would be a special year, as it was an Olympic year. He was not very optimistic that expenses would be as budgeted with the Rio Olympic Games coming up. There were three basic extraordinary items that had to be supported: the Olympic Games in Rio, the RADO conference (which was vital), and the reinstatement of the litigation reserve, as clearly requested. The Finance and Administration Committee had gone to the litigation reserve as it was a reserve, and it had been felt that it could be used, but Ms Widvey was right: it was not advisable. The Finance and Administration Committee had felt that it was the only way to cope. Nevertheless, the Finance and Administration Committee would have to reinstate the reserve, and it wanted to reinstate the reserve. To cope with the three special items, the 3% budget increase was necessary.

MR GENDALL said that he supported the proposal for a 3% increase in the budget. He briefly noted that the Australian view was not necessarily the New Zealand view, but he was bound to speak on behalf of Oceania. The Australians said that it would be essential to demonstrate particularly to governments how the increase would directly support the anti-doping strategy and mission rather than just paying for existing capacity. That was a legitimate comment. He supported the 3% increase.

The second issue was the operational reserve policy. He accepted and agreed that the proposal to increase financial reserves was prudent management, and accepted the need to increase the restricted operational reserve fund from its current level, so it should go up; however, there was a view in the Oceania region that the proposal would result in a significant amount of funds being locked away rather than being invested in the fight against doping in sport because, when WADA included other funds and reserves, such as the proposed reinstatement of the litigation reserve, WADA would have over 10 million US dollars of its working capital sitting idle. On behalf of his government and the governments of the Oceania region, he would like to see consideration being given to some of the funds being used to good effect. However, they supported an increase in the financial reserves because that was sound management.

MR RICCI BITTI said that the question regarding Australia could have more to do with the President than him; on the second point, he thanked Mr Gendall for understanding the need to be more comfortable in terms of capital or the operational reserve, but he thought everybody agreed. Ms Widvey had mentioned four months, although currently it was not four months. Everybody agreed that it was prudent, but the money was not there, so nobody should worry. The capital reserve recommended by the staff was around six months. That was basically 9.6 million dollars. Perhaps it was slightly high, but there was no risk of reaching that. The idea had been to discuss the principle, and he believed that prudent management should allow WADA to have more operating capital or reserve. Perhaps six was too much, but it should be at least four. The group had mentioned four many years ago. Two was a little too low in his view.

THE CHAIRMAN noted that he was very pleased that Australia and New Zealand agreed on spending the same amount of money. The point made from Australia was very

much in line with the point made by Ms Widvey about priorities for increased funding. Each year, costs went up. Each year, WADA was subject to potentially substantial exchange rate variations, so one could not just say that WADA's costs stayed frozen at X. They might go up, and then, if there were new priorities, it was important that WADA identify those priorities. He thought that the Executive Committee would then throw it back to the Finance and Administration Committee and ask for a proposal on how to deal with that.

On the Greece issue, would the CAHAMA meeting be held before the WADA meeting in November, so that Ms Widvey would be able to advise the Executive Committee about what would be done in relation to Greece?

He thought that it should be made quite clear that, having set up the Independent Commission and having had an estimate of what it might cost, WADA had been rather lucky because, in two areas of activity (standards and harmonisation and education), WADA had not spent the funds, so had found that it had somewhere in excess of 900,000 dollars of money unspent, so that plus the 300,000 from the litigation reserve would fund the Independent Commission, and then the 300,000 would be refunded back to the litigation reserve. In terms of timing, WADA had been lucky. Not much more than that, and that matter would be finished.

Finally, on the Independent Commission and on criteria, he was aware that the Olympic Movement wished to discuss that as well, and he would attend the summit mentioned by Professor Erdener and he would find out exactly what was being discussed and what was planned. Once WADA knew that, the members could make up their mind how WADA as an organisation would proceed, whether according to a set of rules or any one of a number of different options. Mr Ricci Bitti had answered most of the observations. Was the Executive Committee happy to put the 2016 budget before the Foundation Board in November?

MR GOTTLIEB asked if the recommendation from the Executive Committee to the Foundation Board in November would be a 3% increase for the following year. Then he understood that there would be a discussion at some point in time for 2017 and 2018.

THE CHAIRMAN said that he thought that WADA had been asked to project ahead, which he thought had been done. The Executive Committee would have to go to the Foundation Board with a stated budget and contribution increase, and people would decide whether or not they wished to do that.

MR RICCI BITTI clarified the fact that, on the revised budget, the big savings in standards and harmonisation that would perhaps impress the minister were simply to do with time. The Code implementation, which was going ahead more slowly, was a big saving that perhaps had not been explained clearly enough.

THE CHAIRMAN thanked Mr Ricci Bitti and asked if the members were all happy with the proposal. Presumably the Executive Committee would take up the issue in Colorado Springs in November.

#### DECISION

2016 draft budget approved for submission to the Foundation Board in November.

#### – **4.7 Selection of auditors for 2016**

#### DECISION

Proposal to maintain PricewaterhouseCoopers as auditors for 2016-2018 approved.

## 5. World Anti-Doping Code

### – 5.1 Compliance update

THE CHAIRMAN referred the Executive Committee to the updated position on compliance of the various stakeholders. The Executive Committee had, in the main, dealt with the IFs the previous time. There were one or two others to deal with. He would ask Mr Niggli to introduce the item, and he was very pleased to welcome Mr Bouchard, the Chairman of the Compliance Review Committee. He was told that Mr Bouchard had a really good committee, and that was a very important part of the work of the agency.

MR NIGGLI referred to the documents and the report in the members' folders. Since the report had been written, there had been a meeting of the Compliance Review Committee and the members would shortly be hearing an update from Mr Bouchard on the work conducted. The management continued to implement a compliance programme, as had been discussed at the previous meeting; the Compliance Review Committee was fully functioning; the internal task force was meeting every two weeks to review current issues and work on the implementation of the compliance process; and the management was in the process of developing a questionnaire for all ADOs (the questionnaire had been discussed for the first time with the Compliance Review Committee and would be presented in November at the Foundation Board). The management was also working on getting the whole process ISO-accredited, which had been part of the plan.

WADA was still dealing with the issue of making sure that all Code signatories had rules in place and rules that were Code-compliant, so that was the main discussion that had taken place; there had not yet been any discussion on the quality of the programme, which would be the next step and would come with the questionnaire and the process.

Mr Bouchard would talk about the discussion that had been held at the Compliance Review Committee meeting which had included the issue of having the rules in line, and had also included a specific issue, which had been brought to the members' attention and discussed by the task force, which was the use of non-accredited laboratories by some organisations.

MR BOUCHARD thanked the Chairman and Mr Niggli. The Chairman was right: it was a very good committee, with a strong membership, and he thanked all the members of the committee for their work. With the members' permission, he would go through the report. It was rather long but it was important to fully cover the issues as discussed at the meeting on 4 September.

There had been a focus on a number of elements, which he would describe before discussing the views of the committee. There had been an update on the implementation of the 2015 World Anti-Doping Code by signatories and an update on the progress made by signatories declared non-compliant at the previous Foundation Board meeting. The members had also been briefed on progress made by other signatories towards compliance with the Code; those signatories had not been declared non-compliant at the previous Foundation Board meeting. The committee had monitored the progress made by WADA in the implementation of the different components of the monitoring programme, and had been briefed on a number of subject matters and made a few recommendations, and Mr Niggli had touched on some of the issues covered. First, the committee had been briefed on the ISO accreditation process, as well as the effort undertaken by WADA to reach out and engage with a number of IFs to assist them in the implementation of all aspects of the Code. The committee had also spent time discussing the first draft of the survey, which would have to be completed by signatories and was designed to assist WADA with the monitoring of the implementation of all aspects of the Code. The committee had spent some time discussing an important issue that had triggered several questions at the Foundation Board meeting in May, specifically sanctions to be imposed on signatories declared by WADA to be non-compliant with the 2015 World Anti-Doping Code.

As he had said, he would review each of the elements and give the members the current views of the Compliance Review Committee. On compliance of signatories, the committee felt strongly that, more than two years after the adoption of the Code, it was time to expect more from signatories that were still non-compliant. The committee was of the view that being engaged with WADA, discussing draft rules or legislation and continuing to make progress towards full compliance was positive and WADA should continue to facilitate those discussions. However, the committee was of the view that signatories should be assessed on the results. Did the signatories meet the requirements of the 2015 Code or not? The committee felt that it was time to raise the bar. Signatories should meet all the requirements of the Code if they were to be considered compliant. That was how the committee was approaching the issue in view of the Executive Committee and Foundation Board meetings in November. As a result, the members could expect a recommendation from the Compliance Review Committee at the November meeting to declare signatories non-compliant if they did not meet all the requirements of the Code. The committee was looking at leaving the door open for some exceptions, but leaving the door only slightly open. Exceptions would have to be based on very extraordinary circumstances and, if the Compliance Review Committee recommended that an exception be granted to a signatory, the committee would also recommend that the signatory be put on a watch-list and solve the situation within four months of the Foundation Board meeting, which would be in March. As a result, for the next Executive Committee and Foundation Board meetings, the Compliance Review Committee would submit for approval a list of signatories that, since the May meeting, had been considered compliant (if they were considered compliant, they would be marked in green), declared non-compliant (in which case they would be marked in red), or should be put on a watch-list (to be marked in orange) and would become non-compliant if the issue was not solved by the end of March. The list of countries that would fall under the different categories could be found in annex 5.1. There was also an IF that was indicated, not so much in the list but in the annex. WADA had sent letters to all signatories informing them of the need and urgency to solve outstanding issues. The letter provided signatories with an opportunity to address any outstanding issues in the coming weeks. Before the November meeting, the Compliance Review Committee would meet again and would consider the signatories' response to the letter before finalising the list and recommendations to be put to the Executive Committee and Foundation Board for consideration.

As part of its discussion on compliance, the committee had also spent time discussing the use of non-accredited laboratories by a number of countries. The use of accredited laboratories was an important element of the Code; signatories had to use accredited laboratories in order to be compliant with the Code and allow for transparent and reliable anti-doping data. As a result, letters had been sent by WADA to all the countries to ask for confirmation that such practice would cease immediately. The responses to the letters would be taken into account in the list of signatories that the Compliance Review Committee would recommend to be declared non-compliant at the November meetings. Those countries were not part of the list in annex 5.1 but could be added to it depending on the response to the letters that they provided.

During the second part of the meeting, as he had said, the committee had focused on specific elements of the compliance monitoring of the new Code. It had revised the survey questionnaire that WADA intended to send to signatories to help determine the level of compliance with the Code. The WADA staff had done a remarkable and thorough job in developing the questionnaire, and that was not an easy task, quite frankly. The fact that the monitoring programme was based on quality assessment meant that a number of the questions had to be asked to cover all the key requirements of the Code so, at the end of the day, the challenge for WADA was finding the right balance between asking the right questions while not making the survey too burdensome for signatories, especially those with less administrative capacity. The Compliance Review Committee had given advice to WADA, and the advice (or recommendations) was as follows: to have some of the questions completed every two or three years instead of every year; to pre-

test the questionnaire with stakeholders; to provide support to small organisations; and to have an online and paper version. Further comments regarding specific questions had also been conveyed to WADA, and the members would see the second draft of the questionnaire moving forward. The committee recognised that it was important to send the questionnaire to signatories in the near future, but had felt that some modifications were needed.

During the third part of the meeting, the discussion had related to sanctions imposed on signatories declared non-compliant. At the Foundation Board meeting in May, there had been a number of questions regarding the consequences for a signatory declared non-compliant. Back in May, questions had been put back to members of the Foundation Board, be they representatives of sports organisations or governments. A number of organisations had already identified sanctions that could be imposed and had the flexibility to develop others. The importance of sanctions for signatories declared non-compliant would become increasingly important moving forward. What were organisations prepared to do with signatories that were declared non-compliant? That question would probably come up at the November meeting and it was key for the Compliance Review Committee. It was with that in mind that the Compliance Review Committee had asked WADA to review the types of measures already foreseen by different organisations. It had also asked the WADA staff to consider sanctions that could be implemented by WADA. It was very important for WADA to set an example and adopt sanctions to be imposed on signatories when they were declared non-compliant. It was the committee's view that WADA could set an example in that regard. The sanctions currently being considered by the Compliance Review Committee and that could be submitted for the consideration of the Executive Committee and Foundation Board included: modifying WADA's statutes to exclude from the Executive Committee and Foundation Board or from WADA standing committees the participation of representatives of non-compliant signatories; actively communicating to the public once or twice a year (and he insisted on the term 'actively communicate') the list of signatories that were compliant, on the watch-list or non-compliant; sending a letter to the IOC and the IPC, to IFs and UNESCO to encourage them to impose sanctions; and encouraging governments not to seek the hosting of games organised by non-compliant signatories. That was a non-exhaustive list of sanctions that could be proposed by the Compliance Review Committee, and it would meet again between then and November and could have a more definitive list and/or provide the members with some best practices or potential options.

The next steps were for the Compliance Review Committee to come back in November with a list of recommendations for non-compliance; a list of recommendations for the watch-list, or orange list, allowing signatories on that list to remedy the issue within four months; a proposal for the amendment of the WADA statutes to reflect the consequences of non-compliance; and a discussion paper on the measures that WADA stakeholders could take in the event of non-compliance. That ended his report. He would be willing to answer questions and listen to any observations that the members might like to make.

THE CHAIRMAN observed that Mr Bouchard quite clearly presented issues that had been in the distant future when the exercise had started but which were coming closer. He asked for one slight clarification: if a stakeholder was declared non-compliant and had an accredited laboratory in its territory, was there a sanction in relation to the accreditation of that laboratory as well? That would be relevant.

MR BOUCHARD replied that that point was already in the international standard rules. One of the sanctions was not to grant or maintain the accreditation of a laboratory based in a non-compliant country. He had skipped over that one because he thought that people were already aware of that potential sanction.

MS WIDVEY thanked Mr Bouchard for the compliance update. Europe was very concerned about the European countries listed as non-compliant signatories in the compliance update. She assured the members and WADA that the European public

authorities were doing what they could to ensure full compliance with the Code. However, one must recall that legislative processes could take time. She had received information from six of the ten countries listed (Andorra, Belgium, France, Hungary, Romania and Slovakia) that they were in progress. Ensuring compliance with the Code was one of the core activities for WADA, and that included assisting stakeholders in developing Code-compliant programmes to make sure that the Code was followed. The Council of Europe and NADOs in Europe were eager to contribute to that development, and that was also in the interests and the aim of the Council of Europe's recently established compliance working party. The Council of Europe and WADA, with the assistance of UK Anti-Doping, had contributed to the development of an anti-doping organisation in Belarus.

THE CHAIRMAN said that the experience of that on the previous occasion with a small number of IFs or NADOs was that WADA had been able to head off problems with IFs actually by going to them and telling them that they were non-compliant for the smallest of reasons and asking them whether they would like to reconsider their position, and almost inevitably it had all been resolved very quickly. WADA had then identified six (effectively five) NADOs that had not done anything for a number of years despite several reminders and declared them non-compliant, and almost by the time WADA had completed the process, which had been to tell the IOC and major event organisations that they were not compliant, they had all become compliant. Thus far, WADA had a pretty good success rate. That one was more complicated because there were several pretty serious sporting countries on the list. Letters had gone out from WADA on 8 September to all the countries involved. To those with laboratories, WADA had specifically pointed out the laboratory issue. He could only hope that those countries would make progress between then and the date given towards the end of October and that Mr Bouchard's recommendations would be much shorter than they currently were. He was very grateful if the Council of Europe and the European authorities were going to European countries because, in the main, his experience had been that it was a personality issue and somebody in the department had not done what he or she should have done, and some of that could be resolved pretty quickly. WADA did, however, have one or two big countries; he was perfectly well aware of that, and the particular issue of Brazil had been discussed that morning. The NADO in Brazil, for whatever reasons, had been non-compliant for ages. It did not even have proper rules under the previous Code and WADA wanted it to have rules under the 2015 Code. What was equally troublesome was the clause that would remove the accreditation of the Rio laboratory, which WADA had worked very hard to achieve in the knowledge that, when one got to the Olympic Games, it was not WADA's problem; it was the IOC that was in charge of the doping facilities. It was a major issue that WADA had to try to deal with. Professor Henrique de Rose had already said that there were structural issues in Brazil; it was actually quite difficult to get the government to face up to its responsibilities. He was not sure, having asked the organising committee for help with that, that it would have any more success than WADA had had to date. He would quite like to think of a strategy over the coming weeks as far as Brazil was concerned. He had personal experience of Spain, which had had a candidate for the Olympic Games decision to be taken in 2013 and, as chairman of the evaluation commission, he had told the Spanish representatives that, unless they passed their legislation by 15 June that year, Spain would not be able to attend the technical meeting run by the IOC and would not be able to bid for the Olympic Games. Lo and behold, the parliament had passed the legislation. It was easier to call it legislation, but he was not sure that it would be as easy as that going forward.

He asked the members to think about the recommendation to put countries on a watch-list, which presumably meant a timetable, and presumably could be set specifically country by country, and it would not just be that everybody had to do certain things by a certain date. WADA would look at a specific country that had, for example, a different parliamentary process and say that, under that process, the country needed to complete according to a timetable. That would extend the time limit, so it would be two years and six months before the countries had approved the 2015 Code. It was time to draw a line

in the sand and be firm. He invited the members to consider too the likely reactions from some members of the Foundation Board who would say to do it. That was the easy way; it might not be the right way. There was a whole range of issues there.

He asked the members to deal with Brazil first of all. Was there anything that Professor Henrique could help WADA with?

PROFESSOR HENRIQUE DE ROSE said that he thought that nobody knew about the situation in Brazil. The problem was that the letter had gone to the ABCD and the director general of the organisation had not moved things ahead. In his opinion, there would be a very good chance if WADA sent a copy of the letter to the Rio 2016 organisers, telling them that they had to act very quickly with the government to solve the problem. He had tried to understand the problem regarding compliance but had not managed to get an answer about that. In any event, it was impossible that, knowing about the problem, those responsible would not establish a task force and try to solve the problem. He was a little concerned about the fact that, if the Casa Civil alone were contacted and not Rio 2016, there would be less pressure on the government to solve the problem. More importantly, it was not public in Brazil because, if it were, the public would ask the government to take a position on that, because that was how things worked in his country: people went out into the streets and the government moved. His only request was to try to get Rio 2016 involved where possible in the discussion and the decision. There was a semi-governmental authority that brought together all the levels of government working exclusively for Rio 2016, and that was a very strong authority that could get things moving. He had been consulted when he had arrived, as he had received information from the IOC about the problem, and they had been astonished, as they had never heard about it. For him, Rio 2016 should be involved and WADA should try to make the situation more public to try to force some kind of a reaction from the government.

MR RICCI BITTI agreed that perhaps a formal letter to the organising committee might help, but he could not assume that the organising committee did not know about the problem because the IOC task force had gone there so many times. He thought that the committee had to know about the problem. Formally, perhaps it did not, but nobody could tell him that the organising committee did not know about the problem.

THE CHAIRMAN pointed out that WADA would not be fomenting revolution on the streets of Rio to get a doping policy in place. For the record, he had met the minister for sport who had promised to deal with it on 21 July and had done nothing. He had raised it at the previous IOC executive board meeting with the Rio 2016 organising committee and nothing had happened. Sending a copy of the letter to Rio 2016 could be done and would be done, but WADA needed to take two steps. First of all, with a discussion with the task force people, WADA had to determine very quickly who had to be seen in Brazil, and who actually was prepared to assume the authority to do something about that. WADA would invite Rio 2016 to join WADA in that, and would go down to Brazil and try to resolve it. He sought the support of his colleagues from the IOC, and he would ask the president of the IOC to support WADA in its effort. From the IOC's point of view, to lose the accreditation of a laboratory would be a disaster, and not to have the national ADO with compliant rules would be another disaster; perhaps, with a combined IOC-WADA effort, it would be possible to move the issue forward. The clock was ticking. There would be a meeting in November at which WADA would have to do something about it. In relation to Mr Bouchard's suggestion of naming and shaming stakeholders, there would be worldwide attention on 16 November when WADA declared Brazil non-compliant; the news was likely to hit the headlines. WADA needed to find out if people were prepared to live with another four months and if the timetable would work, because the problem that WADA had with Brazil was that nothing happened, WADA received no feedback, and it was a very difficult situation for any organising committee to deal with. As he understood it, the IOC coordination commission had one advantage, and that was that it was dealing with the mayor of Rio. That was very different to dealing with the government in Brasilia.



DR STOFILÉ stated that he was not addressing Brazil in particular, but he was speaking about the problem of non-compliance and the possible causes and how to deal with it. He accepted the fact that there were legislative processes to be followed at the governmental level. He accepted that there must be pressure, namely from the populace, but did not necessarily think it was the best route to rely on. On the contrary, he believed that WADA must rely almost entirely on NFs in the country. There was no way that one could expect a populace, the people of Brazil or Kenya, or Congo (he had just come back from Brazzaville) to be aware of such challenges on a daily basis. They were not on their plate or menu. Those things should always be on the menu of the NFs. The NFs were the custodians of all those things, be they the preparation of athletes, laboratory oversight, efficacy or compliance: they were the primary clients and, as such, should take responsibility. He always wondered, especially after his horrendous experience in Brazzaville, if WADA had carried out an audit of the state of livelihood of the federations in those countries and if they were as alive and active as they should be, why there were so many problems. They should be the chief whips who went to parliament and lobbied parliament to fast-track processes. He knew that his country had very problematic processes, especially when it came to ratification; it was very cumbersome. It needed to be kicked up the backside, it needed somebody to put fire under its tail, and of course the best placed to do so were the federations themselves, which of course meant the athletes and administrators. It could not mean his mother sitting in a village being aware of whether or not Rugby Union was compliant. She had no appetite for such things. Perhaps the most important pillar in ensuring compliance was being left out: the pillar of the participants, the practitioners, and the federations. Obviously, he was not conversant with the whole world on such things, but he was conversant with some parts of the world. The weakness of the pillar should be exposed. It was sick or broken, but it was certainly not what it should be. When one left the government, people had other things on their agendas and could not remember those things that had been spoken about unless somebody pushed them. He was arguing that the IOC and the public authorities had a serious responsibility of jointly monitoring the authorities in terms of making things happen, and the IOC in terms of building the pillars and inspiring life, so they would in turn nudge the governments to get on with the job as far as he was concerned.

MR MOSES referred to the description of what was going on in Brazil with the laboratory and the compliance issues. He could really relate to that, because there had been a similar issue with Laureus for the World Sports Awards. There had been direct communication with the governor of Rio, and funding and everything had just evaporated and it had been a very difficult working situation. He thought that, between the people on the ground and the IOC, something had to be done about it and his concern was, if and when bad news broke, what the newspapers would say. Was the Brazil laboratory not certified by WADA? He thought that WADA was squarely in the middle of it because it was doing certification and, whatever happened, it would not be good for public relations for WADA. The suggestion to get the IOC involved and to intervene directly was very important, as it would not be the first time; it would be more of what had happened at the FIFA World Cup, when testing had not been possible in Brazil, and the signal would be that the IOC and WADA were not serious about testing at the Olympic Games. It had to be taken to the highest levels. If WADA could find out and get a solution by November and get some action and get things in line, that would be fantastic; otherwise, he could see a public relations catastrophe with WADA squarely in the middle.

MR ESTANGUET supported what had been said. He had already mentioned that the credibility of the system was also linked to the good laboratories and it was necessary to make sure that at least in each continent there was an effective laboratory. He understood the pressure that could be put on NADOs with potential sanctions on the laboratories but, at the end of the day, it was necessary to make sure that it would not be against WADA's interest to lose big laboratories in different continents. It was a critical point and, again, from the athletes' point of view, in terms of fairness, it was

necessary to make sure that there was a good laboratory able to carry out good testing in each continent.

THE CHAIRMAN responded that he was sympathetic to that view. WADA might be removing accreditation on an administrative basis because others were not doing what they should be doing in that particular country. Before the next meeting of the Compliance Review Committee, Mr Bouchard might like to think about that, because huge effort went into accrediting laboratories and maintaining that accreditation, and they were central to everything that WADA did.

MR GOTTLIEB referred to what his colleague from Norway had said earlier, in terms of the mandate of the committees. It was difficult to ask the Compliance Review Committee, because its task was to report back to the Executive Committee on compliance, and to put the possibility of the consequences on the laboratories on the committee's plate added another dimension. What WADA needed to hear from the committee was whether or not there was compliance, and then it would be up to WADA or the IOC to determine what to do, whether there should be changes to the Code or standards; then it would be necessary to deal with that. At that point in time, the issue was compliance and not the consequences. That was not what Mr Bouchard and his committee had been asked to do.

THE DIRECTOR GENERAL noted that there was one issue that might be looked at as a matter of policy, as the ISL dealt with the laboratories, and article 4.4 of the ISL said that, in order for a laboratory to maintain its accreditation status, the NADO and/or NOC had to be Code-compliant. That could be changed so, as a matter of policy, WADA might want to reflect and ask the Laboratory Expert Group to consider the necessity for that within the ISL. That was another route that might be taken. He would not ask for any response from Dr Rabin. That was the reason for the laboratory issue, and it might be wrong.

THE CHAIRMAN replied that that followed in a much more legalistic way the point that he had been making. He did not absolutely agree with Mr Gottlieb that he was not to consider the results of non-compliance. He considered the results of non-compliance being that one might not be able to run the Olympic Games in Brazil, and he thought that that was really quite important. WADA would pick up on making sure that Rio 2016 got all the information. WADA would pick up on how to process that in Rio. He would pick it up with the IOC. He thought that it would help if it were possible to have a copy of the report delivered by Mr Bouchard that morning immediately copied and circulated to everybody in the Executive Committee. Before he spoke to the IOC president, the IOC representatives present might begin to consider how WADA might work with the IOC on making that work. For the other countries on the list, if the Council of Europe and Europe could work with them, and if there were issues in other countries, the representatives of those countries should know what WADA's thinking was, the suggestion being that, at worst or at best, depending on which seat one was on, there be a four-month timetable for compliance and then there would be consequences if compliance was not achieved. The IOC would be announcing a list of cities and countries that would be bidding for the 2024 Olympic Games. WADA was moving into really deep and troubled waters and needed to come out as best as it could.

DR STOFILÉ recognised that he was an ambassador of his country to Germany, but he was not known for his diplomatic language. What WADA was doing was what it had always done in the past: papering the cracks and not going to the nub. He had been involved for quite some time in WADA's Executive Committee, 11 years, and he had listened to people speaking a lot of good English or French, making promises they would never be able to fulfil. How many promises had been made at Executive Committee or Foundation Board meetings that had never been fulfilled? They had not been fulfilled precisely because the speakers had just been uttering words without a mandate from anybody; they had not represented anybody. WADA kept marking time instead of marching on. He had seen many people who were currently called traditional leaders of some of the federations who had been there forever and who had no idea what the pulse

of the athletes was, what the needs of the athletes were and what the statutory requirements were for the athletes to perform equally without doping or cheating or embarrassing anybody. They had no idea because they were sitting there on Mount Olympus (and he apologised if there were any Greeks present) articulating and pontificating. Professor Henrique de Rose had said that he did not know where those things came from because nobody in Brazil knew about them. How come? Those things had been discussed over and over again. Where did the reports go? Who received those reports? How come nothing had been done about them? He was not talking about Brazil; he was just giving an example. There were many countries like that in the world, especially in the continent from which he came. He wanted to plead with the governments in terms of legislation but especially with the sport movement in terms of democratisation of structures. The structures should be living structures that attended to the issues that should make the children credible.

THE CHAIRMAN thanked Dr Stofile for his comment. In compliance terms, perhaps the suggestion made about publicity should be noted, stating clearly that such people were not compliant, which would go in WADA terms some way towards addressing the points made by Dr Stofile. He thanked Mr Bouchard for making the morning more exciting and interesting. There was actually quite a lot of work to do between then and the meeting in Colorado Springs.

## DECISION

World Anti-Doping Code update noted.

### **6. Science**

#### **– 6.1 Health, Medical and Research Committee Chair report**

MS FOURNEYRON informed the members that the Health, Medical and Research Committee had convened on 1 and 2 September at the WADA headquarters in Montreal. The meeting had been very fruitful, constructive and intense, and a lot of important decisions had been taken, and she wished to pay warm tribute to the experts on the committee who were extremely committed to the fight against doping in sport and clean sport. Although she repeated herself, she noted that WADA was very fortunate to have some of the best experts in the world on the expert groups, for example, Professor Ted Friedman, Chair of the Gene Doping Panel, had been awarded the very prestigious 2015 Japan Prize for his contribution to gene therapy. WADA was privileged to have such international specialists working on anti-doping. She also warmly thanked all the chairs of the expert groups. They did not count their time and dedication. This was something that should be valued. The four expert groups had also carried out a tremendous amount of work to prepare the recommendations to be discussed that day, as well as the recommendations to be approved by the Foundation Board at the November meeting. She thanked the Science Department under the leadership of Dr Rabin. The department did such a great job all year round on all fronts.

That had been her first ever Health, Medical and Research Committee meeting, a great responsibility, made even greater due to the fact that it was a special and sensitive time for the committee and for WADA. That was one of the messages she had wanted to convey to the Health, Medical and Research Committee members, and a message she wished to briefly summarise. The efficiency in the fight against doping in sport had been under recent scrutiny, even under fire from severe media attacks, as highlighted by the Director General in his report. The credibility of the agency and even more generally the credibility of the fight against doping in sport were being tested and questioned in such attacks. She did not want to be overly dramatic, but she thought that the fight against doping in sport was under pressure to prove its credibility and efficiency more than ever. It was a critical time, as mentioned earlier. A big part of WADA's solidity, reliability and reputation lay in the work done by the Health, Medical and Research Committee. Whether the members talked about the results of the research projects, the Prohibited List or the quality of the laboratories able to conduct doping tests according to the

highest international standards, the Health, Medical and Research Committee needed to be irreproachable and forward-thinking all the time, but especially in that difficult period when WADA's credibility, utility and efficiency were being questioned. The second thing that made the context special was that WADA had been given extra money with the special research fund. While the research budget had been one-quarter of WADA's overall budget, it had been constantly and significantly decreasing over recent years. For example, the budget for research that year had been 2.4 million US dollars, the smallest in WADA's history. But there were no complaints, as an extra 12 million US dollars had been allocated over a three-year period from 2015 to 2017, with the pending question for the future. With that asset came increased responsibility. WADA needed to demonstrate the return on investment of research and show tangible progress; prove that, with resources, WADA could find solutions and make concrete breakthroughs in developing new and improved detection methods. It was the best answer WADA could provide to recurrent criticism about the so-called lack of efficiency of anti-doping. Incidentally, she wished to warmly thank the governments, which had committed funds of up to 6.5 million US dollars, and those that had already paid. She also thanked the President and Director General, who had worked very hard to reach an agreement on how the special fund would be managed to avoid duplication in research projects and achieve greater efficiency. She would come back to the special research fund in greater detail later on.

In that context, all the members of the Health, Medical and Research Committee were very much aware of the responsibility in their hands and also aware that, with the extra resources allocated, there were huge expectations from the Health, Medical and Research Committee. That left the Health, Medical and Research Committee with no choice other than to be more innovative and strategic than ever, and to be very clear about its priorities. Those two key words, innovation and strategy, were reflected in the recommendations for research projects submitted for the members' approval that day. The meeting that day was mainly about the changes to the List and the selection of research projects. A lot of time would be spent on those two issues during that day's meeting. However, even if they were not on the agenda of the Executive Committee meeting that day, she would provide a very short overview of the main achievements discussed at the Health, Medical and Research Committee meeting regarding TUEs, laboratories, the Athlete Biological Passport and the Gene Doping Group.

Two things should be noted about TUEs. The TUE Expert Group was working with the IOC medical commission to organise potential TUE review cases during the following year's Olympic Games and Paralympic Games in Rio. It was a huge and very important task. In 2015, there had been a 60% increase in the number of ADAMS users for TUE applications with respect to the previous year, which was a very good sign in relation to the development of ADAMS. Regarding the Athlete Biological Passport, it was a very valuable tool for staying ahead of cheats, but it was still in its infancy. Too few IFs and NADOs had been using it to monitor their athletes and detect signs of doping. WADA should improve the Athlete Biological Passport to detect lower thresholds. The Athlete Biological Passport had been created thanks to significant research and it had been enhanced since its introduction for even more research. It should remain a research priority. WADA needed to introduce new sets of cutting-edge biomarkers. Parts of the special research fund had already been earmarked for those developments, which was good news. On the Athlete Biological Passport and TUEs she wished to thank Dr Vernec, the WADA Medical Director, who was doing a great job on both fronts. In relation to the WADA Laboratory Expert Group, there were 35 WADA-accredited laboratories around the world, representing three more than the previous year: Rio, Ankara and Doha. There were no more probationary laboratories at that time. Several site visits had occurred over the past 12 months. A few of them had been to the laboratory in Moscow, a task assigned by the Independent Commission to the group.

There was just one thing worth mentioning in relation to gene doping. A major step forward to an effective new screening technique for gene doping had been achieved by Dr Anna Baoutina from Australia. It was the first gene doping screening test validated by

WADA. The technique would be tested in selected WADA laboratories. It was a huge breakthrough that could have a big impact in the near future. That concluded her report. She would be happy to answer questions or comments.

THE CHAIRMAN observed that he shared Ms Fourneyron's comment about the quality of experts that WADA had. There were world figures helping WADA and that was greatly to their credit and to WADA's credit.

## DECISION

Health, Medical and Research Committee  
Chair report noted.

### – **6.2 2016 Prohibited List**

MS FOURNEYRON informed the members that there were very few changes to the List. From the feedback received from the stakeholders and experts, it was the first time in WADA's history that there was such a short list of changes to recommend at the September Executive Committee meeting. That did not mean that the Health, Medical and Research Committee was getting lazy or complacent. She thought it only reflected the fact that the List had reached a certain level of maturity, which was good news, as it meant that WADA could spend more time on spreading educational messages. However, the List was not a done deal. It remained a work in progress, because the creativity of cheats was limitless. Everybody knew that, unfortunately. And because two important issues remained to be solved: glucocorticoids and narcotics. She would develop on those two issues later.

She would highlight the differences between the 2016 List and the 2015 List. They concerned the products highlighted in yellow on the screen.

The first difference could be seen in the substances prohibited at all times, in- and out-of-competition. In section S2, leuprorelin replaced triptorelin as a universal example of chorionic gonadotrophin and luteinising hormone-releasing factor. In S4, insulin mimetics had been added to the List to include all insulin receptor agonists. Insulin mimetics were in clinical development but already available from illegal sources, so the conclusion had been reached that it was very important that such substances be prohibited. Also in S4, the committee recommended adding meldonium mildronate to the Prohibited List. As some might recall, the product had been on the monitoring list before. Meldonium was a cardio-protective and anti-ischaemic drug, and the monitoring programme had provided evidence that the product was widely used by some athletes with no medical reason, with the intention of enhancing performance. That was why it was recommended that it be included on the 2016 Prohibited List. Still in section S4, it had been clarified that the ophthalmic use of carbonic anhydrase inhibitors was permitted to facilitate glaucoma treatment. Worth mentioning was the case of clenbuterol, which was still on the Prohibited List. She knew that there were concerns about clenbuterol, as there had been numerous cases, especially in China, Guatemala and Mexico, of high-level athletes testing positive for clenbuterol after the ingestion of contaminated meat. Dr Rabin could provide more details, as he had been in Mexico the previous week.

Moving on to substances and methods prohibited in competition, there was no change to the List except that it had been clarified that clonidine was permitted, as it had no stimulatory effect.

Regarding substances prohibited in particular sports, there had been the issue of alcohol in motorcycling; after careful consideration of the request from the FIM, it had been removed from the list of sports prohibiting alcohol as a doping agent. WADA understood that the FIM would address the use of alcohol in its own regulations to give it a greater opportunity to better control blood alcohol levels in drivers.

Moving on to the monitoring programme, she highlighted two major changes. Meldonium had been removed from the monitoring programme and added to the Prohibited List, as she had mentioned previously. Hydrocodone, morphine/codeine ratio

and tapentadol had been removed from the monitoring programme following the sufficient collection of data leading to clear conclusions.

That was that for the changes to the Prohibited List. They were very minor changes.

Among the issues discussed by the Health, Medical and Research Committee in relation to the Prohibited List was the hot topic of the single list. She knew that it was widely expected by stakeholders and athletes alike. The idea was to have one list whereby all categories would be prohibited at all times. It would be very useful for everybody and it would greatly enhance the clarity and implementation of the Prohibited List. It was not an easy job. The advantages and disadvantages, as well as the feasibility of such a list were being examined in detail by a group made up of Dr Rabin, Dr Vernec and Dr Budgett from the IOC. It was still very much a work in progress. There were two categories in particular that created many debates when it came to the single list: narcotics and glucocorticoids. Regarding narcotics, there had been some lively discussions within the List Expert Group about tramadol. It was a very powerful analgesic. There had been a proposal to add it to the Prohibited List, as the monitoring programme had revealed a serious prevalence of use in cycling over the past two years. It was not a performance-enhancing product, but it did present risks to the health of athletes. Nevertheless, two-thirds of the stakeholders had not supported the proposal. Therefore, it had been decided that the discussion on tramadol would be part of a more global reflection the following year by the List Committee on narcotics, painkillers and pain management for high-level athletes. It was necessary to adopt a broader approach for the important topic of narcotics. She was happy to inform the members that a pain management symposium would take place in 2016 under the auspices of the IOC. Its outcome would be relevant for future decisions in relation to narcotics and to make progress on the issue of the unique list.

Regarding glucocorticoids, WADA was still actively looking for solutions, as the current situation was not satisfactory at all and nobody was happy with it. All of the List Committee and Health, Medical and Research Committee experts agreed that glucocorticoids were performance enhancing. But some authorised routes of administration yielded some high urinary concentrations overlapping with prohibited routes. At that stage, WADA was not able to distinguish between prohibited and permitted routes of administration. That complicated the establishment of urinary thresholds for glucocorticoids. Research efforts had been unsuccessful to date. In that context, the members of the List Committee had been mandated to look into the issue carefully and link up with other experts, namely the IOC medical commission and the International Federation of Sport Medicine, to come up with possible solutions for 2016 to be further explored, including retroactive TUEs or delayed return to competition after administration.

To conclude on the Prohibited List, she stressed the fact that it was very much an interactive work with all of the stakeholders. First, stakeholders made a lot of suggestions and recommendations all year round about products that should be added to the Prohibited List. All the stakeholders' comments and feedback were reviewed and discussed by the List Expert Group. The WADA Science Department also received a lot of questions about why such-and-such a product was added or removed from the Prohibited List, or not added to the Prohibited List when they thought it should be. That had been the case for thyroxin, which was not on the Prohibited List. Several media reports indicated the use of the product. WADA had received comments from its stakeholders that it should be considered for inclusion on the Prohibited List. A thorough review by some of the List Expert Group members indicated that, contrary to comments received, thyroid hormone did not contribute to weight loss and did not improve performance. However, there was a growing and very understandable frustration, as the stakeholders felt that they did not get sufficient feedback from the Science Department when their recommendations were not taken into account. Part of the frustration stemmed from the fact that the answers from WADA were mostly informal, given only verbally. It was true that WADA was reluctant to provide answers in written form, as they could easily be

misused in legal cases and diverted from their original purpose if papers fell into the wrong hands. But she agreed that the WADA Science Department needed to provide answers to stakeholders and should leave no question or comment unanswered. There was always room for improvement, so she assured the members that she would continue to make sure that every question or suggestion about the Prohibited List from stakeholders received a proper answer. She undertook personally to pay great attention to that point. For the same purpose of improving transparency, WADA would also send a letter to all stakeholders outlining the process for review of the Prohibited List and answering recurrent questions. Regarding thyroid hormone specifically, it was the List Committee's recommendation to publish information within the scientific community and in the global media to clarify why that product was not on the Prohibited List. There were some valid complaints from stakeholders about the fact that they did not have enough time to study the Prohibited List thoroughly and make comments in time for the Executive Committee. She thought that a way could be found to improve that and make sure that stakeholders had more time to contribute to the work. Therefore, she would like to start reflection about the calendar of the List Committee and on how WADA could improve the process and give stakeholders more time to share their thoughts and opinions.

THE CHAIRMAN asked if there were any questions, preferably from medically qualified people.

MR ESTANGUET observed that, as a former athlete in canoeing, he was used to paddling in big waves so as to avoid falling into the dark waters. He was slightly lost with all the terminology, but he had a question on how the List was communicated. Would the changes be highlighted or would it simply be published on the website? How could WADA continue to simplify the List? He supported the proposal for a single list. From the athletes' perspective, it would be easier to manage, and more generally he thought that WADA really needed to find ways to educate athletes and to simplify such information, because every time he was discovering new words and new things and it was really hard for the athletes to understand the List.

PROFESSOR ERDENER agreed with Mr Estanguet. The medical side of the Prohibited List was not the most important thing: education was the most important factor, especially when it came to the NADOs.

MS SCOTT thanked Ms Fourneyron for her thorough and interesting report. She supported the comments and said that, communication-wise, that year, when the Prohibited List was published, probably the most important thing would be to communicate the changes. Many athletes competing were probably aware of what was prohibited, but the most important things to highlight would be the changes.

She had a question about tramadol. Why were athletes using it if it was not performance enhancing?

MS FOURNEYRON responded that it was a substance that was most effective against pain. It was used for old injuries and to enable athletes to bear training when they were in pain.

MS SCOTT asked whether that would not be considered performance enhancing.

MS FOURNEYRON replied that it would not, but it was dangerous for the health of athletes, so it was one of the three criteria.

THE CHAIRMAN observed that Ms Scott had asked a very good question.

MS FOURNEYRON stated that there was a big issue about all painkillers, as there was a big problem when athletes had injuries or were in pain. There were a lot of different substances: aspirin and corticoids, and then there was tramadol in the middle. It was important to reflect upon all the substances used by athletes and medical practitioners to treat pain.

MR MOSES noted that there had been a couple of highly publicised cases in relation to thyroid medication. What was the position? He did not know if there were any thoughts about putting some of the medications on the Prohibited List, prohibiting them under certain circumstances.

MR GENDALL said that there was a view from the New Zealand NADO that having a single list would in fact complicate the process for athletes and lead to many TUE applications that were not necessary.

THE CHAIRMAN noted that therein lay one of the issues. He asked Ms Fourneyron to deal with the thyroid issue.

MS FOURNEYRON responded to the last question asked. The explosion of TUEs was recognised as being one of the disadvantages of the single list. It was necessary to work on the single list and conclude the issue in 2016, as it would be easier, first and foremost for the athletes, and WADA worked for the athletes.

DR RABIN referred first of all to the communication of changes to the Prohibited List. That year, the changes were minimal. The way in which WADA communicated the changes, with the support of the explanatory note, was very simple. Most of the changes should not have any impact on the athletes. The majority were clarifications, other than the addition of meldonium, which WADA knew, based on the monitoring programme, was widely used by athletes, in particular in certain regions, namely Eastern Europe. A communication would go out as usual, and the Science Department always worked with the Communication Department and the Education Department, because the Prohibited List was not only about science or medicine: it was also about education and legal aspects, and WADA communicated as much as possible on that aspect.

In relation to thyroid medication, WADA had a very prominent endocrinologist in the List Committee who worked with other endocrinologists, and all the recent publications did indicate that thyroid medication alone should not have any performance-enhancing effects. It had been reviewed from many different angles. WADA wanted to communicate its scientific and medical opinion more widely, to the stakeholders, NADOs and USADA in particular. It would be much more visible, not only in the global media but also in the scientific community. It was something that would be put in place very actively over the coming days.

MR MOSES asked why the experts thought that athletes were using the medication if it was not performance enhancing.

DR RABIN responded that the experts did not really understand from a medical point of view. Thyroid hormones were usually metabolic activators, so the use and abuse of thyroid hormones in conjunction with anabolic steroids, for example, would be understandable. They would potentiate the effect of anabolic steroids. It had been said at the time that it would probably better to focus more on the steroids than on the thyroid hormones. Thyroid hormones did not enhance performance. The experts were still extremely puzzled to say the least by the fact that some physicians or people were using thyroid hormones to enhance performance. On the contrary, hyperthyroidism was leading to a decrease in performance, and the fact was that thyroid hormones were so well balanced in the body that the minute one went into hyperthyroidism one would probably see a decrease in performance. Therefore, the experts were very puzzled that some people were claiming that injecting thyroid hormones into athletes would enhance their performance; quite the contrary was true.

MR ESTANGUET informed the members that an important athlete forum would be held in three weeks' time with all the different athlete commissions of the IFs, and it could be a good way of communicating such changes.

THE CHAIRMAN asked the members to formally agree that the 2016 Prohibited List would be accepted and disseminated and published to come into effect on 1 January 2016.



He congratulated Ms Fourneyron on her triumph in explaining all of that in a foreign language. Her explanations were much clearer than his would have been.

#### DECISION

Proposed 2016 Prohibited List approved for entry into force on 1 January 2016.

#### – **6.3 Research projects 2015**

MS FOURNEYRON said that Dr Rabin would provide a more detailed explanation of the projects recommended for funding. She simply wished to provide some figures and facts as a preamble. 110 research projects had been received following the 2015 call for applications, which was more or less the usual number of projects WADA received annually. The researchers represented 26 different countries from four continents. 68% of the projects submitted had come from leading researchers not in anti-doping laboratories. Five research categories had been included. The selection process for the projects was something with which the members would be quite familiar. All the research projects were submitted for review by independent panels of experts. The research projects were then reviewed and ranked by a project review panel. All the projects were submitted to ethical reviews. The proposals were reviewed by the Health, Medical and Research Committee, and then the Health, Medical and Research Committee's recommendations were presented to the Executive Committee for approval. WADA was very careful with potential conflicts of interest. It was a very solid selection process. As a result of the consideration and review process by the Health, Medical and Research Committee, a total of 28 projects had been selected and were recommended for funding. Seven of the projects would be supported by the special research fund for a total amount of 1.3 million US dollars in 2015. For the first time, two projects would be supported by the fund created with the Partnership for Clean Competition, for a total of 0.41 million dollars on the production of reference material and standards, and 19 projects would be funded out of the regular fund from WADA, totalling 1.9 million dollars. Of those 19 projects, two projects approved by the Health, Medical and Research Committee did not come from the call for applications. They were two special projects: one with Interpol, the other a shadow laboratory project, both of which were very interesting.

The Health, Medical and Research Committee did not only approve the topics. It also looked at financial relevance. Out of the 28 projects presented that day, seven had been asked to reduce their budgets quite significantly. With that effort, there was a total budget for research of 3.2 million US dollars.

Before giving the floor to Dr Rabin, she wished to explain how the Health, Medical and Research Committee decided which projects would be funded by the traditional grant budget and which would be supported by the special research fund. All the projects selected for funding had been proposed to WADA through the usual call that WADA issued every year. Of the 110 projects received by WADA, the Health, Medical and Research Committee had selected the projects whose topics would fall under the special fund priorities, which were autologous blood transfusion, the Athlete Biological Passport, improving blood testing (including coming up with less invasive forms of collection), the detection of doping by genomics, proteomics and metabolomics, the detection of doping agents in athletes' hair and in sewage, and better evaluation of the prevalence of doping in particular sports and in general. After revision, seven projects appeared to fall under those topics and were solid enough to be recommended for funding. However, she thought that WADA had to be more proactive than that when it came to using the special fund. The key word for the special research fund was innovation. Its purpose was to encourage innovative research that would look at more creative ways to address doping detection. The Health, Medical and Research Committee recommended that the special research fund be allocated in two ways: the projects emerging from the regular call and falling under special fund topics would be assigned to that group; secondly, and that was new, WADA would issue requests for proposals on three top priorities. Requests for proposals meant that the WADA Science Department would identify targeted research

teams, laboratories and researchers around the world who were known within the scientific community as being capable of addressing those three issues and would contact them actively. In other words, WADA would attract proposals and applications from renowned experts on the specific and targeted issues identified.

The Health, Medical and Research Committee recommended to the Executive Committee that the first request for proposals be on autologous blood transfusion. One million dollars out of the special research fund would be assigned to that request for proposals. With the Executive Committee members' approval, the request for proposals could be issued very quickly and WADA could call for proposals from specialised haematological societies before the end of the year.

It was key that WADA maintain a very strong and close collaboration with the IOC in terms of the way in which the funds were distributed for appropriate research projects to avoid duplication and ensure a coherent and coordinated approach with regard to research projects. That was practical and sensible, and was something that had been agreed by the IOC and WADA top management.

The chairs of the expert groups had also been encouraged to participate more actively in identifying specific projects. They should feel free to make suggestions regarding research grant topics that were circulated among members for consultation. Therefore, WADA would be able to increase the sharing of knowledge about top trends and doping issues as they emerged and would target topics of research that were most relevant to the international anti-doping community. That change in method would hopefully generate tangible results that would be useful to clean sport.

THE CHAIRMAN said that the refinement of the process seemed to him to make sense. If WADA needed specific things done, it should try to attract applications for specific purposes. It was a modest change in the system but, basically, it fitted with what WADA did each year.

DR RABIN promised to be quick and not too technical. Starting with the projects that had been approved with the support of the annual WADA research fund, as Ms Fournayron had said, a certain number of projects had been retained. The first five projects would all fall under the category of how to improve the detection of peptide hormones. That was a very active field, as everybody knew that there were ways to try to tackle the issue using classical methods such as mass spectrometry. Some of the projects that year had been very promising, and five were recommended for support. Two projects aimed to improve or extend the detection of known substances. As the members knew, with regard to long-term metabolites, because of the increase in sensitivity with some of the mass spectrometry methods available to the scientific community, it was possible to go for long-term metabolites, some of which were metabolites of metabolites, which could significantly extend the window of detection, and there were two projects in that field, also looking at new metabolites that could be found.

Always in support of better detection and refinement and understanding the drugs, there were two projects related to pharmacokinetics of some of the products for beta-2 agonists and also vaptans, the class of substances recently added to the Prohibited List.

There was one project to detect blood manipulation: the project listed on the screen which was in fact a follow-up project to what had already been financed and supported by WADA for a couple of previous projects.

There was a lot of interest in projects in support of the Athlete Biological Passport, and two of the projects were to be taken from the annual research fund because they were extensions of projects already supported by WADA.

Finally, more interestingly, there was a project based on the detection of myostatin inhibitors, a class of substance in development by the pharmaceutical industry. Some saw them as future anabolic steroids, but clearly there was a whole range of fusion proteins that would act directly on the mechanism of muscle growth or removing the inhibition of muscle growth, which would allow some athletes to abuse the drugs.

There were three projects on the production of reference materials. The members had heard several times that morning about the need for laboratories with absolutely impeccable results and, in order to support the activities of the laboratories, WADA needed to provide them with reference materials that allowed them to precisely and accurately report on the substances detected. There were three projects in support of providing laboratories with reference materials. There were two projects to evaluate novel doping trends. It was not because tramadol was not listed that there was no interest in the substance and in particular better understanding the psychological effects of tramadol and its effects on performance. There was a very old class of compounds, ecdysteroids. As the members might see, they contained steroids from animal extracts, and there had been renewed interest in that old class of drugs, as recent studies confirmed that there might be a potential steroid and anabolic effect of that class of drugs.

Ms Fourneyron had mentioned the work of Anna Baoutina, from Australia, on gene doping detection; that time, there was a new approach targeting some specific parts of the genes that would be non-natural paths, and he believed that there was certainly potential behind such an approach.

Two projects were to be taken from the targeted section of the budget. One was a collaboration with Interpol, the Department of Forensic Medicine at the University of Lausanne and WADA, and the objective was, based on substances and products seized by the police forces, to track counterfeit products and see how they could be linked to doping activities and the sources of the products. It was a major problem, not only for the pharmaceutical industry, but also a health problem in general. Counterfeit drugs were flooding the market worldwide, and that was also an issue in anti-doping.

There was also a project called the Shadow Laboratory, which was an idea from colleagues in investigations on how to be more proactive and provide an analytical service for people who were likely to release drugs for athletes on the Internet in particular, so the idea was to help the laboratory establish its analytical capability that would be of use for producers of substances who wanted to receive certification, which would allow WADA to see the drugs before they went onto the market. According to colleagues at Interpol and in the USA, such a laboratory would be very helpful. The idea was to support the laboratory for one year, after which time it would be self-sustainable, as it would receive a fee for service from clients.

He mentioned a reactive project. The members might have heard something in the news, and he referred to what he had been saying earlier about the appeal for peptides and hormones; some of those had been used or were potentially being used by some athletes, and there had been a need to support legal cases with more science. A project for 82,000 dollars had been approved in support of the detection of thymosin beta-4, a substance that everybody could secrete, but it was necessary to make the distinction between endogenous and exogenous secretion.

Moving on to the research projects from the special research fund, he echoed what Ms Fourneyron had said earlier. There were four projects to detect blood manipulation. Autologous blood manipulation remained one of the biggest challenges in science. There were some projects proposed on the deformability of red blood cells or markers from red blood cells that could help and new methods that could be applied for the detection of autologous blood transfusion. There was one project proposed which was a continuation of previous projects led by Professor Yannis Pitsidatis. He had had some very interesting results to date and sought to explore the confounding factors of the results.

There was one novel method to assess the prevalence of doping, and it was interesting because there was renewed interest in the analysis of sewage, and it was certainly something that could be applied to anti-doping to have a macro view of the abuse of substances and to try to detect new substances. The prestigious MIT had recently published that it would try to analyse sewage as an indicator of contamination or

disease outbreak in the global population. That was something being looked into, and why not for anti-doping?

There were two projects using very novel detection approaches in saliva. As the members knew, saliva could be of interest, also because for anabolic steroids it was an interesting matrix to work with, as could the detection of stem cells, in particular muscle stem cells with myogenic markers that could help WADA to better understand if there was an interest among athletes in using stem cells, in particular to enhance muscle potential.

He mentioned two requests for proposals to be taken from the special fund, one on autologous blood transfusion (still a very big challenge) and another that WADA was currently preparing on the prevalence of doping and how to develop a tool or a combination of tools to allow it to have a better idea about the prevalence of doping. It was a major challenge, as there were very heterogeneous populations, but there were probably ways and means of combining different approaches that would allow WADA to have a very reasonable estimate of the prevalence of doping in sport.

Finally, there was a joint approach by the Partnership for Clean Competition and WADA to work on some projects of interest, and two projects had been earmarked at a recent expert meeting that could be helpful, again in support of the activities of the anti-doping laboratories, on reference materials that might be proposed to laboratories to enhance the quality of analysis, in particular related to steroid profiling. That concluded his presentation of the research projects. He would be happy to answer any questions.

THE CHAIRMAN observed that quite clearly WADA relied very heavily on the skills of the Science Department and the cooperative work it undertook with other research funders such as the IOC to ensure that everything worked. Were the members happy to approve the recommendations made by the Science Department that the projects be funded as of 2015 with, almost certainly, the money spent in 2016, 2017 and 2018?

He had one small comment on the Interpol project. He had taken the opportunity to continue discussions at a very high political level in China, and the Director General would continue those when he travelled there later that week. If WADA provided the information through the sports movement to the proper authorities in China, that might help the process. It was slow but it was certainly an effort that was worthwhile.

#### DECISION

Proposed research projects for 2015 approved.

#### – **6.4 Technical documents**

##### – **6.4.1 TD2016EAAS**

DR RABIN informed the members that this was the continuation of the constant improvement of the technical documents. Two big pieces had been left for consideration: the Technical Document on Exogenous Anabolic Steroids and the Technical Document on IRMS. WADA was coming to the end of the process. He would be very brief, unless the members had very technical questions. Starting with the Technical Document on Endogenous Anabolic Steroids, there had been some reviews on the way in which the values would be reported in ADAMS, in particular because WADA wanted to make sure that all the information was retained to have the finest analysis possible of the steroid profiles. There had been small issues in the past, with values reported as invalid while WADA tried to report them valid except when there were very clear situations, in particular when testosterone could not be detected. Even when there were confounding factors such as alcohol or microbial contamination, WADA wanted the samples to be reported as valid. It was up to the Athlete Biological Passport management unit to assess the impact of those elements on the validity or non-validity of the steroid profile. There had been a lot of changes and technical elements brought into the reporting section of the initial testing procedure, which was absolutely crucial, as that was what could trigger

the adaptive model in ADAMS. That had been well clarified. As well as for the confirmation procedure, WADA was expanding the variables taken into account as part of the steroid profiles, adding some ratios that were potentially very useful for the detection of doping with testosterone and related substances. Also, WADA tried to make sure that there was a clear process between the laboratory and the testing authority, in order to ensure that, when IRMS needed to be implemented shortly after the reporting of the value, it could be done whether or not the client was using ADAMS. That was something that had been discussed with the experts. The laboratories needed to confirm the substance or substances that triggered the abnormal steroid profile and, also as part of the reporting of the confirmation procedures, WADA had certainly provided more details and clarification on how the values should be reported by the anti-doping laboratories. There were also some analyses that had been added to the technical document, some of which were related to the steroid esters, which were not necessarily a brand new category of testosterone products, but they were being used increasingly, and WADA needed to ensure that there was a clear way for the laboratories to follow the procedure, in particular for blood analysis. DNA analysis had been added, as there were regular questions from IFs and NADOs on the use of DNA analysis, so clarifications on the conduct of DNA analysis had been provided, and WADA wanted to restrict the use of DNA analysis but not exclude it.

#### – **6.4.2 TD2016IRMS**

DR RABIN summarised the main modifications to the document. When there were multiple adverse analytical findings, the laboratory could proceed with the confirmation of the suspicious profiles if agreed with the testing authority. WADA wanted to make sure that the testing authority was always in control of what happened in the laboratory, except when there were agreements between the client and the laboratory. There had been further information on the use of IRMS for additional substances, in particular for boldenone and boldenone metabolites, which were increasingly being seen, either related to degradation and contamination of samples, or used as a doping agent. That had been clarified in the technical document, with a value clearly separating between use and non-use of IRMS. There were some technical elements that were always very important and very useful for the anti-doping laboratories of course, and also clarifications on the way of using some of the additional information generated by the anti-doping laboratories, and finally the use of laboratory reference data, which had been a somewhat controversial point. It had been agreed with the laboratories and the independent experts how best to use the information to facilitate the reporting of exogenous anabolic steroids by IRMS. It was known that there were some exogenous testosterone forms out there and other drugs specifically developed to bypass the IRMS analysis, which was why it was so important to refine and further develop the steroid profile as WADA went forward. That concluded his short presentation of the technical documents. He would be pleased to try to answer any questions.

THE CHAIRMAN asked if there were any questions. He had to say that some of the explanations looked pretty compelling to him. Were the members happy to approve the amendments to the two technical documents?

#### DECISION

Proposed amendments to TD2016EAAS  
and TD2016IRMS approved.

#### – **6.5 Athens Anti-Doping Laboratory – non-payment of insurance**

THE CHAIRMAN said that the item in question dealt with a proposal that the management had thought it would have to make in relation to the Athens laboratory, which had been incapable of meeting the insurance premium necessary to allow the laboratory to work. The funds had since been found; it would take two or three weeks to extract the funds from Greece to pay the insurance brokers, but he was happy that that would go ahead.

## DECISION

Update on Athens anti-doping laboratory noted.

### **7. Any other business/future meetings**

THE CHAIRMAN noted the dates of the future meetings. He hoped to be able to tell the members where they would meet in November 2016. WADA would meet in Colorado Springs that November, where it would be royally entertained by USADA, which would be celebrating a birthday. He thought that Denmark had set a pretty reasonable standard for parties the previous evening. The members would then meet in Montreal in May the following year, and the September meeting in 2016 would be in Warsaw, Poland.

He thanked the members for their attendance, and thanked the interpreters and audio-visual providers, as well as the WADA staff, who put together papers of very high quality that allowed the members to do their work properly. Finally, he thanked Denmark for hosting the meeting. The working conditions had been splendid and the hotel had been great. He thanked and congratulated all of the meeting participants for their efforts.

## DECISION

Executive Committee – 17 November 2015,  
Colorado Springs, USA;  
Foundation Board – 18 November 2015,  
Colorado Springs, USA.  
Executive Committee – 11 May 2016, Montreal,  
Canada;  
Foundation Board – 12 May 2016, Montreal,  
Canada;  
Executive Committee – 21 September 2016,  
Warsaw, Poland.

The meeting adjourned at 13.20 p.m.

## **FOR APPROVAL**

**SIR CRAIG REEDIE**  
PRESIDENT AND CHAIRMAN OF WADA