

Note: the Foundation Board meeting minutes are published on WADA's website once they have been approved by the Foundation Board, generally at its subsequent meeting. The minutes are intelligent third-person verbatim transcriptions, i.e. slightly edited for readability.

**Minutes of the WADA Foundation Board meeting
18 November 2022, Montreal, Canada**

The meeting began at 9.00 a.m.

1. Welcome, roll call and observers

THE CHAIRMAN welcomed the members to Montreal. He was pleased to be holding the meetings there again, after the last ones held in Montreal over three years previously in May 2019. It was good to see the members in that city, which hosted the headquarters of WADA. Once again, Ms Lefèvre would act as the meeting moderator. She would provide details on how to navigate the Zoom system and do a quick microphone and camera check with everyone, which would also serve as the as the roll call.

As noted by Ms Lefèvre, there were four deputies in attendance that day. That was also the first meeting for two new board members, Dr Ádám Schmidt from Hungary, representing the Council of the European Union, and Mr Diego Galeano from Paraguay, representing CONSUDE. He was also pleased to highlight that Mr Richard Pound, WADA's founding president, was in attendance in an observer capacity. Having looked at the agenda, he was forecasting that the duration of that day's meeting would be around five hours, so the members should hopefully be finished shortly after 3 p.m. local time. He would largely follow the order of items on the agenda; however, he might move some items to ensure fluid timing around the break.

Before he began, there was one matter he was extremely sad to raise. As everybody knew, their esteemed colleague and dear friend Mr Frédéric Donzé had suddenly passed away on 15 August. That had come as a great shock to everybody. Fred had been one of the longest serving employees, having been at WADA for 20 years, during which time he had held the positions of media relations and communications manager, director of WADA's Europe Office and IF relations and, more recently, CEO. One could say that he had dedicated almost half of his life to the anti-doping cause. He would be greatly missed by all of the people at WADA and the anti-doping community at large. In memory of Fred, he asked the members to observe one minute of silence and invited those present in the meeting room to stand. He thanked the members very much.

He gave the floor with great pleasure to the Canadian minister, Ms Pascale St-Onge, who wished to welcome the members to Canada.

MS ST-ONGE thanked the members very much for being there in the beautiful city of Montreal. First, she wished to acknowledge that the members were on the traditional territory of the Kanien'kehá:ka. Montreal was very proud as an Olympic city and a major Canadian hub to have been hosting WADA's headquarters since 2002. There had been progress and amazing work done in the past 20 years in combating doping in sport, but there was still much to do. It was still necessary to work hard together in order to have cleaner and safer sports for all. Within many entities in Canada, a lot had been heard about psychological and sexual violence. That kind of behaviour could no longer be tolerated. It was necessary to promote athlete wellbeing. That was an essential priority in sport. She was certain that many others around the table also shared that priority. Such violent behaviours threatened to take away athletes' ability to achieve excellence while staying healthy in mind and body. To protect them, an independent office had been created in Canada where athletes could bring their complaints safely, quickly and in respect of their privacy. That office was the first in the world of its kind. She thought that it was necessary to start thinking

about how, internationally, it might be possible to come together to better prevent and stop abuse and mistreatment in sport, just as had been done with WADA. She also recognised the work done by the Canadian Centre for Ethics in Sport in terms of anti-doping and athlete welfare. Regarding the governance reforms at WADA, some initiatives were also effective at tackling issues in safe sports and doping, such as the creation of the extended Athlete Council. Everybody agreed that athlete representation in sport governing bodies was critical for better governance and accountability. WADA had also reaffirmed its commitment to education as a foundational tool to engage and empower athletes on their journey towards healthy sporting careers. The success of the recent Global Education Conference hosted in Sydney in September was a testament to that commitment. The discussions that would be held over the coming hours would be constructive and she looked forward to talking with the members about harmonising the global anti-doping mandate, setting goals for everybody and raising the bar of international sporting integrity.

THE CHAIRMAN thanked Ms Pascale for her comments and warm words.

The following members attended the meeting: Mr Witold Bańka, President and Chairman of WADA; Ms Yang Yang, Vice-President of WADA; Mr Sclater, representing Ms Miki Matheson, Member, IPC Governing Board; Professor Ugur Erdener, IOC Member, President of World Archery; Ms Filomena Fortes, IOC Member, President, Cape Verde National Olympic Committee; Mr Jiri Kejval, President, National Olympic Committee, Czech Republic, IOC Member; Ms Grossenbacher, representing Ms Baklai Temengli, IOC Member, Vice President, Oceania National Olympic Committees; Mr Andrzej Krasnicki, President, Polish National Olympic Committee; Mr Santiago Lange, Athletes' Commission Member, Argentina National Olympic Committee; Mr Zlatko Matesa, President, Croatian National Olympic Committee; Professor Fabio Pigozzi, President, International Federation of Sports Medicine; Mr Ingmar De Vos, Council Member, ASOIF, IOC Member, FEI President; Mr David Lappartient, UCI President, IOC Member; Mr Jean-Christophe Rolland, World Rowing President, IOC Member; Mr Nenad Lalovic, Executive Member, GAISF Council, UWW President, IOC Member; Mr Jan Dijkema, ISU Honorary President; Mr Humphrey Kayange Emonyi, IOC Member, representing the IOC Athletes' Commission; Ms Emma Terho, IOC Athletes' Commission Chairman, IOC Member; Ms Astrid Uhrenholdt Jacobsen, IOC Athletes' Commission Member, IOC Member; Ms Hong Zhang, IOC Athletes' Commission Member, IOC Member; Ms Anna Krupka, Secretary of State, Ministry of Sport, Poland; Dr Ádám Schmidt, Minister of State for Sport, Hungary; Mr Johansson, representing Mr Anders Ygeman, former minister responsible for sport, Sweden; Mr Bjørn Berge, Deputy Secretary General, Council of Europe; Mr Mehmet *Kasapoğlu*, *Minister of Youth and Sports, Turkey*; Mr Ashraf *Sobhy*, *Minister of Youth and Sports, Egypt*; Dr Ayew *Afriye*, *representing Mr Mustapha Ussif, Minister for Youth and Sports, Ghana*; Mr Luis *Denis Arce*, *President, CONCECADE, Panama*; Mr Baum, representing the President of CADE, Colombia; Mr Diego Galeano Harrison, President, CONSUDE, Paraguay; Ms Pascale St-Onge, Minister of Sport, Canada; Dr Mohammed Saleh Al Konbaz, President, Saudi Arabian Anti-Doping Committee, Saudi Arabia; Mr Yingchuan Li, Vice-Minister of the General Administration of Sport, China; Mr Yongman Cho, Second Vice Minister of Culture, Sports and Tourism, Republic of Korea; Mr Ide Yosei, State Minister of Education, Culture, Sports, Science and Technology, Japan; and Ms Anika Wells, Minister for Sport, Australia.

The following standing committee chairmen attended the meeting: Mr Ben Sandford, Chairman of the WADA Athlete Committee; Mr Henry Gourdjji, Chairman of the WADA Compliance Review Committee; Ms Kady Kanouté Tounkara, Chairman of the WADA Education Committee; Mr Ser Miang Ng, Chairman of the Finance and Administration Committee; and Professor Lars Engebretsen, Chairman of the WADA Health, Medical and Research Committee.

The following WADA management representatives attended the meeting: Mr Olivier Niggli, Director General; Mr René Bouchard, Government Relations Director; Ms Dao Chung, Chief Financial Officer; Mr Sébastien Gillot, Director, WADA European Office and Sport Movement Relations; Mr Kazuhiro Hayashi, Director of the WADA Asia/Oceania Office; Mr Kevin Haynes, Compliance, Rules and Standards Director; Ms Amanda Hudson, Education Director; Ms Angela Iannantuono, Human Resources and Corporate Services Director; Mr Stuart Kemp, Deputy Chief Operating Officer; Mr Francisco León, Programme Development Director; Ms Catherine MacLean, Communications Director; Mr Marc-André Matton, IT, Data

and Digital Development Director; Mr Tom May, NADO/RADO Relations Director; Ms Maria José Pesce Cutri, Director of the WADA Latin America Office; Mr Rafal Piechota, Office of the President; Dr Olivier Rabin, Science and Medicine Director; Mr Tim Ricketts, Testing Manager; Mr Julien Sieveking, Legal Affairs Director; Mr Rodney Swigelaar, Director of the WADA Africa Office; Dr Alan Vernec, Medical Director; Mr Ross Wenzel, General Counsel; Mr Gunter Younger, Intelligence and Investigations Director; and Ms Shannan Withers, Chief of Staff.

The following observers were present: Richard Pound, Clayton Cosgrove, Darren Mullaly, Chris Garry, Nozomi Haraguchi, Shin Asakawa, Yumiko Nakajima, Soichiro Sano, Gabriel Cyr, Iyad Kaghad, Mustafa Öztürk, Ahmet Temurci, Melahat Bildiren Çucu, Mehmet Ata Öztürk, Ömer Özel, Gerhat Akbulut, Halil Kasapoglu, Amandine Carton, Julien Attuil, Michal Rynkowski, Hubert Dziudzik, Mohab Elgebaly, Hazem Khamis, Marwa Shawki, Andrew Ryan, James Carr, Michael Vesper, Richard Budgett, Paulina Budek, Prince Emekor Azanu, Marcellin Dally, Simon Geinoz, Takao Akama, Orlando Reyes, Ákos Reinhardt, Hidenori Suzuki, Rob Koehler, Amélie De Fenoyl, Kerry Knowler, Yu Ueki, Kenji Takahashi, Jocelyn East, Chris Butler, YaYa Yamamoto, Chika Hirai, Geewon Yoo, Yasemin Gödek, Sayaka Hori, Martin Holmlund Lauesen, Ichiro Kono, Clare Egan, Jaimie Earley, Kitti Varga, Zoraida Chong, Allison Wagner, Carlos Roy, Marcos Díaz and Auguste Robert.

1.1 Disclosures of conflicts of interest

THE CHAIRMAN asked if any members wished to disclose any conflicts of interest. He saw no requests for the floor.

2. Minutes of the previous meeting on 19 May 2022

THE CHAIRMAN said that draft minutes from May had been circulated among the members as part of the meeting document set. No member comments had been received regarding those minutes. If there were none that day, he would proceed to approve them. He asked the members officially, for the record, if they had any comments or questions in relation to the meeting minutes. No comments meant that the minutes were approved.

DECISION

Minutes of the meeting on 19 May 2022 approved and duly signed.

3. Director General's report

THE DIRECTOR GENERAL extended a very warm welcome to Montreal. He started his report by updating the members on the work conducted the previous day by the WADA Executive Committee. A number of important decisions had been taken on that occasion.

The decision by the Executive Committee to approve the start of a comprehensive study on the impact of human rights on anti-doping was based on a request formulated by the WADA Athlete Committee some years previously, and he was pleased to say that a framework had been accepted the previous day. There was a budget for the project and an expert in the person of Ms Samardžić-Marković, who had been appointed to conduct the study. Ms Samardžić-Marković had been for many years the director general of democracy at the Council of Europe and therefore was ideally placed to conduct the study. The budget at that stage was 75,000 USD, but there might be some extra funding coming for 2024 if the project was not completed the following year. That was going to start immediately after the meeting.

The Executive Committee had looked at the audit report for the Intelligence and Investigations Department. As the members knew, the Intelligence and Investigations Department operated in an independent fashion and, therefore, had a separate auditing process every year. The report had been approved and would be published on the WADA website.

The Executive Committee had nominated Ms Emma Terho to be a member of the board of the ITA at the ITA's request.

The composition of the standing committees and two new members of the Compliance Review Committee had been approved the previous day. He was referring to the Compliance Review Committee, the Education Committee, the Finance and Administration Committee and the Health, Medical and Research Committee. All contingents were represented within the various committees. There was a balance between representatives from public authorities and the sport movement and there were no fewer than 11 NADO representatives on those committees.

In terms of Foundation Board members, as decided in the governance reforms, the members would receive shortly after that meeting the profile of all the experts appointed to those committees so the members would be able to see who the people were.

On the compliance front, there had been discussions and a recommendation that the NADOs of Gabon and Moldova be put on the watchlist, which meant that they had been given an extra four months to correct their non-conformities. If that was not done by the deadline, they would automatically become non-compliant at that time.

A number of technical documents and standards had also been approved the previous day. Without going into detail, they concerned dry blood spot, the athlete passport management units, result management and testing. One annex to the testing standard had been approved which related to the possibility to carry out testing in a virtual environment in the event of a pandemic. There were very narrow and specific circumstances, but WADA had learned through the Covid-19 situation that, when such things happened, it was good to have a process agreed upon by everybody. It was obviously not going to be mandatory for any organisation. There were a lot of safeguards to ensure that, before such testing took place, the laws of the country allowed for it, as well as data protection requirements. However, the standardised procedure had been adopted the previous day.

Finally, it had not been discussed the previous day because it had been discussed at the Executive Committee meeting in September, but the 2023 budget had been recommended by the Executive Committee to the Foundation Board for approval and it would be submitted to the members for formal approval later on that day.

Before ending, he highlighted one more point regarding the fast progress made on the second batch of WADA governance reforms adopted in May. Since then, actually, a lot had happened. There would be an item on the agenda under which he would be able to give a bit more detail. WADA had an ethics board that had been appointed in May which functioned fully and had met in person. Later on that day, the members would hear a report from the chairman of the committee who was actually present in person. The new Athlete Council was progressing well. Groups one and two had been appointed and group three was being selected as he spoke. He was confident that, by the end of the year, there should be a full committee in place. The NADO Expert Advisory Group had been elected, so 10 members were part of that group and would have to decide on their representative on the WADA Foundation Board. Discussions on a third independent member to the WADA Executive Committee were ongoing and progressing well as well. The separation of the Foundation Board and the Executive Committee, as recommended during the governance reform process, was also going to take place. WADA was working on the revision of the statutes and that was also progressing and the members would probably receive a draft in the coming months to be considered before formal approval. Finally, he drew the members' attention to the fact that they had decided on the creation of a new Audit and Risk Committee in May. Work on the creation of the committee was progressing as well, in particular the terms of reference. There had been discussion with the public authorities and the sport movement. WADA was in the final process of aligning the terms of reference of the committee with the terms of reference of the Finance and Administration Committee to make sure that they complemented one other and that the whole system was coherent. As soon as that was completed, the board members would receive for approval the terms of reference of the committee, which would actually report to them, and the Executive

Committee would approve revised terms of reference for the Finance and Administration Committee. That would also happen, probably in the coming months.

As the members could see, quite a lot had happened since May on top of the normal anti-doping work. WADA had been busy, but he was very pleased that the governance reforms were progressing, which meant that he was comfortable that, in 2023, WADA would be able to operate under the framework agreed the previous May.

THE CHAIRMAN thanked the Director General for his report.

PROFESSOR ERDENER spoke on behalf of the sport movement to thank the Director General for his very comprehensive written report, the great work done and the information about the Executive Committee meeting held the previous day.

MS KRUPKA spoke on behalf of the public authorities to express her appreciation to the Director General of WADA for the comprehensive report. The public authorities acknowledged the work done by the various WADA departments, and in particular wished to express appreciation for the Intelligence and Investigations Department and its commitment to developing capacity in Europe. Also, WADA's efforts to find additional sources of funding could not go unnoticed. She hoped that they would bring the expected results. She wished to take the opportunity to honour the memory of a man whose actions had supported everybody over the years. Remembering his achievements would bring WADA closer to reaching the goal of doping-free sport. The members would not forget about him and what he had done for the anti-doping community. She hoped that Mr Donzé would rest in peace.

THE CHAIRMAN thanked the minister for her words.

DECISION

Director General's report noted.

- **3.1 Strategic key performance indicators update**

THE DIRECTOR GENERAL gave the members an update on the key performance indicators. They had a comprehensive report in their files. The organisation was undergoing a significant transformation and, in order to measure the impact of the new developments, key performance indicators had been developed. They had been discussed in May. The members had therefore already seen what they were. As they would remember, in May, it had been said that there would be an initial survey in order to have a baseline for the indicators on which to be able to work. That was what had been done. A survey had been sent out and WADA had received a response from 793 stakeholders, the majority of whom had been athletes (about 63%), ADOs and then other organisations. Looking at the numbers in the paper, the members would see that 82% of the respondents perceived WADA to be a leader in the field of anti-doping and 77% of athletes had indicated that they felt WADA was concerned with their welfare. The lowest score was, however, on satisfaction with WADA's digital process, and that had clearly been noted. The management was actually aware of it and it was work in progress. WADA had the baseline. The management was going to continue the work on the KPIs, establish targets for 2023 based on those and, of course, would need them to collect further data. The members would therefore receive another survey in 2023 to complete the work.

DR SCHMIDT said that he was the State Secretary for Sport of the Government of Hungary, representing the Spanish, Belgian and Hungarian trio Presidency of the European Union. The European representatives welcomed the report presented and also emphasised the importance of measuring the impact generated by the activities. On the other hand, he highlighted the importance of the indicators such as the impact of scientific and social research and confidence in the anti-doping system. He underlined the importance of the process, which allowed WADA to hear the opinion of the anti-doping community and improve its impact. He thanked the members very much for their attention and wished everybody a productive day.

DECISION

Strategic key performance indicators update noted.

4. Governance

- 4.1 Confirmation of second terms for the WADA President and Vice-President 2023-2025

THE DIRECTOR GENERAL explained how the agenda item would be dealt with. The members would first see a short video, which would be followed by a speech by the WADA President, who would address the members. After the speech of the President, the members would have an opportunity, if they wished, to make comments or ask him questions. Following that, the Foundation Board would proceed with the formal re-election, starting with the President followed by the Vice-President. As per the WADA statutes, given that there was only one candidate for each of the positions, he thought that it would be possible to do that by acclamation. Following the formal part, the Vice-President would also address the members briefly. He started by showing the members the video.

THE CHAIRMAN addressed the members of the Foundation Board. It had been three years since they had elected him as the WADA president in Katowice. Many of the members had been present that day in Poland, in Katowice, the capital of Silesia, his home region. He recalled very well how privileged and excited he had felt. He felt it still, but also a great sense of responsibility had accompanied him that day. He had known that he was undertaking a very challenging mission. Nothing, however, had signalled the problems that he would have to face. The Covid pandemic had been a huge challenge to everybody, for the whole world, not only for sport. It was not how he had imagined the beginning of his presidency, which for two years had been dominated by an invisible enemy. He was proud of how WADA and the entire anti-doping community had risen to the challenge. He hoped that the problem was slowly being left behind. That day's meeting, during which the members would decide on the re-election of WADA's president and vice-president, was a good occasion to summarise the past three years and share with the members his plans for the next term to show them his vision. Just over three years ago, when he had launched his presidential campaign, he had given his promise that, as president, he would do his best to deliver on the promises. He looked at what had been achieved in that regard.

While running for the position of WADA president, he had been aware that WADA needed to strengthen the anti-doping system, and a strong system required building capacity, not only globally but also on an individual national level. There were still too many countries in the world in which insufficient funds were allocated to fight for clean sport. Therefore, in 2020, he had announced the need to seek alternative sources of funding for the fight against doping. From the very beginning of his presidency, it had been his priority. At WADA, a strategy had been prepared for WADA's approach to partnerships with the private sector. WADA was interested in partnerships at the national, continental and global levels, and was actively looking for global partners in areas such as athlete engagement, development, education, science, technology and innovation. Strategic industries with which to enter into partnership without compromising WADA's mission had been selected. The first results of such activity had already been announced. In April, WADA had signed the first sport sponsorship contract with the African broadcaster Supersport, which had become a continental partner of WADA. Funds from that partnership would be allocated to educational activities in Africa. That was not the end. WADA was in talks with several other companies, including a potential global partner. He could not say more at that stage because of the confidential nature of the negotiations, but he would hopefully announce some very positive news soon.

However, alternative sources of funding were not only partnerships with the private sector. WADA was always also very active in applying for funds from international institutions. That year, after intense efforts, WADA had been awarded a grant to implement a pilot project of the European Union dedicated to expanding the intelligence and investigative capabilities of anti-doping organisations across the continent. The project would be largely financed by the European Union up to 1.4 million euros. It would include, among other things, innovative and expert-led education programmes delivered by the team built around WADA's

independent Intelligence and Investigations Department, building a special IT platform for investigators, assistance in creating legal frameworks for cooperation with law enforcement authorities and whistleblower protection, as well as a communication strategy. The beneficiaries of the project would be Europe's national anti-doping organisations and law enforcement agencies. WADA wanted to raise awareness of the need for cooperation between the entities. The project enjoyed great popularity, hence WADA was already thinking about its expansion beyond Europe, again using EU funds if possible. WADA was applying a similar approach in the field of science and was looking for national and international partnerships. In May that year, WADA had renewed its agreement with the Fonds de Recherche du Québec, which would ensure that two million Canadian dollars were directed to anti-doping scientific research over the coming five years. That was not all. WADA was in talks with several countries and institutions about possible partnerships. That was one of the projects in which the members' involvement would be highly appreciated. He was looking in particular to ministers and other government representatives who might supervise or at least be aware of funds and institutions operating in the field of research in their respective countries. One should not forget about the voluntary contributions from WADA's stakeholders, starting with the IOC, and he expressed his thanks to the IOC President, Thomas Bach, who had pledged 10 million dollars in Katowice for the better protection of clean athletes. Since then, many governments had agreed to match those funds and, over the past three years, WADA had managed to obtain another five million dollars for scientific and investigative activities. He sincerely thanked all of the members for the great effort.

Strengthening the anti-doping system, as stated in his manifesto, was also about building partnerships between well developed and less developed anti-doping organisations. WADA, under his leadership, had always been supportive and would continue to support such partnerships. What was very promising was the will from more and more NADOs to collaborate with one another. Currently, there were dozens of such formal and informal partnerships. There were also many examples of successful cooperation between NADOs and RADOs, especially within the African region.

Regarding good governance, in 2018 WADA had entered the path of governance reforms. Thanks to two phases of reforms, completed in May that year, WADA had become a more modern, open and accountable organisation with athletes at the centre. Some of the members, like him, had been involved in the process from the very beginning. It had changed the organisation a lot. Governance reforms had had a significant impact. That was true not only for all of the WADA structures, from expert groups and standing committees to the Executive Committee and Foundation Board, but also for its management process, bringing new quality to the functioning of the organisation. He reminded the members of what they had managed to do together over the past two years in terms of good governance. WADA had approved a Code of Ethics and created an Independent Ethics Board. WADA had decided to create a reformed and renamed WADA Athlete Council. He would say a few more words on that subject later. WADA had decided to change the composition of the Foundation Board to include more athlete representatives and to welcome NADOs. WADA had also decided to change the composition of the Executive Committee, including the WADA Athlete Council chairman and another independent member. WADA had also introduced a number of technical changes that would positively affect the work of the organisation, such as a clear separation between the Foundation Board and the Executive Committee. He emphasised that all those changes had been developed in the spirit of good collaboration and compromise between various groups of stakeholders of the organisation. They had been unanimously adopted by the WADA Foundation Board at its meetings in November 2021 and May 2022. That was a special reason for him to be proud, as it had reinforced the spirit of cooperation between the public authorities and the sport movement. He was exceptionally grateful to the members for that. The time was ripe to implement the adopted reforms, and that was what would be focused on in coming months and years. Of course, that did not mean that there would be no further reforms in the future. In order to remain a modern, well-structured and athlete-orientated organisation, WADA would continue to monitor how it was governed. But, for the time being, the focus would be on other areas of activity. Improving the quality of WADA's governance was not only a matter of adopted reforms and changes in the structures of the organisation. It was also a matter of the approach to strategic planning, which WADA had been implementing since 2020, when the new strategic plan for 2020-2024 had been adopted. The organisation had undergone a significant transformation since then. WADA's processes were currently more efficient and ensured that WADA stuck to the budget while still fulfilling its mission.

When running for the position of WADA president, he had been aware of how complex the anti-doping landscape was, how many stakeholders it involved and how important it was to build relationships based on mutual respect and understanding. That was why he had made a commitment to be the president of dialogue, someone who treated all stakeholders equally. It was true that he had been selected as a government representative. In the past, he had been a minister himself and represented the government side on the WADA Executive Committee. However, he was currently the independent president of WADA who spoke to and worked with everybody. That was how he approached his mission. Also, he had always wanted his presidency to be as inclusive as possible and to be the president who was as approachable as possible. In order to achieve it, he tried to meet with all stakeholders. To date, he had had nearly 100 meetings with ministers and prime ministers of the world's governments. There were not many sports ministers he had yet to meet. However, he thought that he would complete the list in the coming years. He had also met with almost 70 NADOs and IFs since becoming WADA's president. He maintained regular contact with most of them, listening to the needs and voices of those who fought doping on the front lines and were also responsible for the first experience of athletes with the anti-doping system. Over the past three years, he had also participated regularly, both remotely and in person, in ASOIF, ANOC and ARISF meetings, IOC sessions and summits, as well as intergovernmental meetings, Council of Europe and United Nations meetings, reporting on WADA's activities and participating in exchanges of views. He had had dozens of individual meetings with the leaders of the sport movement. On top of that, most importantly, he had spent the past three years meeting the athletes of the world. They were his priority. It had been and continued to be his wish that the voices of athletes be listened to; since there was not a single athlete voice, he had met hundreds of athletes during his term of office to better understand their expectations. He had met with all continental athlete commissions operating under the umbrella of the continental associations of the NOCs, the athlete committees of NADOs and IFs, as well as athlete groups and committees during round-table meetings and, of course, also individually. Three years previously, he had identified better communication with the athletes and increasing their role in decision-making processes as key objectives. A lot had been done in recent years on both those fronts. The WADA strategic plan for 2020-2024, adopted in May 2020, made being athlete-centred one of WADA's strategic priorities. That was the best illustration of the changes taking place at WADA. The athletes were at the centre of everything WADA did. They were also much better informed about what WADA was planning as a global regulator. WADA had also made enormous progress in increasing the athletes' role in the management of the organisation. Thanks to the governance reforms he had mentioned, WADA had created a reformed and renamed athlete representative body, namely the WADA Athlete Council. Unlike the Athlete Committee, the Athlete Council would be a representative body, bringing together athletes from many different organisations, backgrounds and sports. It would include athletes nominated by the IOC and IPC from among those elected to the respective athlete commissions and athletes elected by the athlete commissions of all international federations that were signatories to the Code, as well as athletes co-opted to the group by the previous two groups to fill the skills and diversity gaps. In addition, the chairman, who would be elected by the council, would become a member of the Executive Committee, and two other athletes would be elected by the council to sit on the WADA Foundation Board, with a real say in the most important decisions of the organisation.

Speaking of athletes, he could not fail to mention another crucial project that he had supported from the very beginning and which he considered important for communicating with athletes, namely the athletes' anti-doping ombuds. He strongly believed that that project was very much needed. Anti-doping would always be a difficult and complicated field. Therefore, athletes needed somebody who would be at their disposal to explain the aspects of it that directly concerned them. That project would undoubtedly pass successfully through the pilot phase and be implemented on a larger scale. At that point, he wished to thank Ben Sandford, who, as the chairman of the Athlete Committee, had played an important role in both projects, athlete representation and the ombuds.

That brought him on to the subject of communication, which was one of his priorities. Perhaps he was not being objective if he said that, for him, it had been one of the most important changes in the way the organisation operated in recent years. WADA was currently more open to the outside world, and sought to communicate its complex activities to its stakeholders and the public in an understandable way. WADA tried to react quickly, comment on many current matters and, at the same time, provide reliable information, using

many information channels, including social media, which were especially important for young people. The brand refresh delivered in early 2022 was helping WADA to reach more people and engage publicly in a meaningful way. The pledge to raise the game was helping shape what WADA did and explain how WADA's people were delivering against the vision in collaboration with the global anti-doping community. It reflected the positive perception and experience that he wanted people to have of WADA. But that was not the end. In the future, he wanted to continue those activities on a larger scale. He wanted WADA to conduct a large media campaign aimed at making people aware of the importance of the mission being pursued.

It was necessary to continue evolving the image of the organisation and of anti-doping in general, and change some of the public perceptions. Yes, anti-doping was there to catch and punish, but it was also very important that WADA support and prevent. Therefore, his goal for the future was to continue raising awareness about WADA's work and improving communication.

Speaking of supporting and preventing, another area to which he wanted to devote more attention was education. When he had run for the position of WADA president three years previously, WADA had just been changing its approach to education. A standalone department for education had been created and, in 2020 WADA, had adopted the 2020-2024 social science research strategy. It had helped reverse the trend he had described in his manifesto, whereby WADA had financed social science research projects primarily in the developed countries where funds were already available and where there were many more opportunities to obtain grants for such projects. Since then, WADA had put more emphasis on sharing the outcomes and setting up research partnerships. Most of the grants currently went to the developing countries. In addition, in the following years, new initiatives had appeared such as the Global Learning and Development Framework and Global to Local. They had helped to finally define WADA's role in the area of education and structure the approach to training and setting professional standards in anti-doping.

Last but not least, in 2021, WADA had launched a new and improved anti-doping education and learning platform, also known as ADeL. Via the new ADeL platform, WADA provided education and learning opportunities for the anti-doping community worldwide, including athletes, coaches, parents, medical professionals and more. It was a modern and easily accessible tool.

Summarising the past three years, it was hard not to mention the area of intelligence and investigations. In 2022, WADA had continued Operation LIMS, the investigation into the data retrieved from the Moscow laboratory. As of that day, WADA had reached 166 athletes sanctioned, with an additional 81 charged and 254 cases that remained under investigation. The majority of those cases were based on circumstantial evidence, in particular raw data received because of the Executive Committee decision from September 2018. Without such data, none of the Russian athletes would have been charged and sanctioned. WADA had also continued to support Europol's Operation Shield, which tackled doping, trafficking, fake medicine and Covid-related crimes. That cooperation had been strengthened with the signing of a memorandum of understanding with Europol in February 2021. WADA had also completed a number of its own operations, including an investigation into the International Weightlifting Federation and operations such as Hercules, Echo and Arrow. WADA had launched and contributed to many training activities, including the already mentioned European Union pilot project and Interpol regional workshops in South America, Europe and Africa, with the goal of strengthening and expanding cooperation between law enforcement and anti-doping organisations.

WADA had also created a temporary compliance investigation section within the Intelligence and Investigations Department to address compliance-related allegations funded by the IOC and governments. Last but not least, WADA had continued promoting the Speak Up! platform, and he was very proud to say that the volume of Speak Up! messages received had significantly increased to 35 reports per month. More than 1,000 reports had been received since its launch in 2017. That meant that Speak Up! was growing and gaining more and more credibility and trust among athletes.

In terms of the 2021 Code and standards, a major project that WADA had delivered under the watchful eye of the Legal Department was the 2021 World Anti-Doping Code review process. The exhaustive two-

year three-phase process had involved extensive stakeholder consultation and ultimately delivered greater protection for athletes and clean sport, not just through the Code itself, but also its related international standards and the Athletes' Anti-Doping Rights Act. Since it had taken effect on 1 January 2021, WADA had been working closely with the anti-doping organisations to ensure its proper implementation and he thanked the sports, governments and the NADOs for their high level of cooperation in that regard.

The last topic he had touched upon in his manifesto had been science and the approach to laboratories. As the members already knew, WADA's budget for science had fallen drastically in recent years from 6.5 million USD in 2006 to 1.8 in 2017. An organisation such as WADA could not afford to save money in that area because the efficiency of its core activities depended to a large extent on how advanced it was in the field of science. Only with a strong science agenda could WADA catch up with and eventually beat those who cheated. That was why he was pleased with the decision taken in May to increase WADA's budget for 2023, 2024 and 2025, and to allocate a minimum of four million US dollars to research. He had been very much engaged in convincing the members to take that much-needed decision, and he was very grateful for their support. However, WADA did not rely solely on the regular budget to strengthen its scientific capacity. WADA was also actively looking for partnerships with national and international research institutions. He sincerely hoped and expected that those efforts would bring tangible results soon.

Finally, he would briefly mention the issue of laboratories. In his manifesto, he had seen the need for a more proportionate distribution of accredited laboratories worldwide. The majority of them currently operated in Europe. There were fewer laboratories in the other regions, including only one in all of Africa. All that meant that some ADOs had to invest heavily in shipping samples, which affected their other activities. After all, the money saved on shipping could be invested in testing or education. Therefore, during his presidency, he had attached particular importance to the issue of laboratories. WADA had worked intensively not only to maintain the high quality standards of accredited laboratories, but also to expand the network. In recent months, the laboratory in Lisbon had regained accreditation and Athens and Shanghai had joined the candidate pathway. WADA was also conducting intensive talks and cooperation with the Egyptian authorities about the laboratory in Cairo so that it could enter the probationary phase in the near future and become the second accredited laboratory operating in Africa.

Summing up what he had said thus far, he believed that the past three years had resulted in enormous progress by the organisation in many areas, including governance, exploring alternative sources of funding and relations with the stakeholders, especially taking into account the circumstances in which WADA had operated. He was speaking primarily about the Covid pandemic, because of which the whole world had held its breath for two years. Although the threat was not completely gone, the world was slowly returning to normal. However, he also saw positives in that period. As an organisation, WADA had successfully navigated the anti-doping community through that difficult time. From the very beginning of the pandemic, WADA had performed very well as a leader in the community, preparing and then updating guidelines for both anti-doping organisations and the athletes. The great success of that time was that anti-doping had come out of the pandemic unharmed. WADA had not let the cheats think for a moment that it was their time. Thus, WADA had maintained the credibility of the system and the confidence of all clean athletes. The situation was slowly being left behind and everything was getting back to normal. The number of samples collected was already higher than before the pandemic. Moreover, that period had resulted in many new ideas in the field of doping control innovations, such as dried blood spot, which might turn out to be game-changers in the near future.

The pandemic, however, was not the only challenge faced during his first term. In December 2020, one year after the decision on RUSADA's non-compliance had been taken by WADA's Executive Committee, the Court of Arbitration for Sport had issued the final verdict on the matter. Although the court had confirmed all the evidence presented by WADA, the scale of the consequences imposed by the CAS and above all the length had been an unpleasant surprise. He had expressed that many times in his statements. After the CAS decision had been rendered, WADA had begun the robust, time-consuming and costly process of monitoring its implementation, ensuring that the consequences imposed on RUSADA, although softer than proposed by WADA, were respected. Another major challenge had come that year. On 24 February, Russia

had launched an unprovoked invasion of Ukraine. Once again, sport had had to take a back seat. Therefore, the only appropriate reaction from WADA had been to condemn the Russian aggression. He had been one of the first leaders of sport organisations to do so publicly. In a civilised world, there would never be a place for brutal war and aggression against another nation. However, even that difficult time had brought hope to the anti-doping community, showing how noble, altruistic and solidarity-based people could be. On the initiative of WADA, many national anti-doping organisations and IFs had agreed to include Ukrainian athletes in their doping control programmes, funding sample collection and analysis from their budgets. As an anti-doping community, he thought that they had passed the test. They had shown their humanity in the face of callous brutality.

It had certainly been easier to go through all the challenges and difficulties he had faced in the past three years with Vice-President Yang Yang by his side. Their cooperation had been harmonious from the very beginning and, with time, it had turned into friendship. As a former athlete, Yang Yang had enabled the organisation to better understand the perspective of those for whom WADA's members worked every day in the fight for clean sport. She had been particularly involved in promoting educational activities. Yang Yang had contributed very much to all the achievements that he had been talking about that day. It was a great honour for him to work with her and he hoped to continue the mission for years to come. They would be busy years. Many challenges still lay ahead. Therefore, he told the members briefly about the plans for their next term of office. After the second phase of governance reforms had been completed, attention should be focused on core anti-doping activities. It would be necessary to intensify efforts in areas such as building anti-doping capacity, developing anti-doping programmes, education, science and innovation, compliance and investigations. Despite sustained efforts in those areas, there was still much work to be done. One thing that had not changed since his election manifesto had been published three years previously was that the anti-doping system was still dependent on its national links. Therefore, in the coming term of office, WADA would work more closely with leaders in regions with insufficient financial resources and promote partnerships between anti-doping organisations. WADA would be present wherever its assistance was needed. He would also continue his bilateral meetings with public authorities and convince them to invest in the future of their athletes by building strong anti-doping programmes. For that to happen, accountable and trustworthy governments were necessary, because the burden of building a strong national programme lay primarily with the national authorities. Of course, financial resources were needed for that, but a lot could be done even with minimal financial involvement. WADA provided many ready-made solutions. On the financial side, as a former sports minister, he could not accept the fact that, in some countries, there was a lack of funding for basic anti-doping activities whilst, at the same time, there were resources for many officials to attend major sporting events. Speaking of funding, he realised that more financial resources would be needed to get WADA more involved in many areas and, thanks to the strategic decisions of the Foundation Board, the budget had been increased from 37.6 million US dollars in 2019 to just over 50 million US dollars in 2023. Moreover, some substantial voluntary contributions had been made over the past three years by the IOC and some governments. What was also important was that WADA intended to continue actively seeking private partners and obtaining funds from international and national institutions, as well as from funds and programmes coordinated by organisations such as the European Union. It was a long process, but he believed it would allow WADA to obtain the funds necessary to support clean sport in the world's most remote corners. WADA was ready to make that effort. He had particular plans for the coming years in several areas of WADA's activity. One was monitoring compliance with the Code. The previous year, a new policy had been introduced for WADA's application of the International Standard for Code Compliance by Signatories, the so-called prioritisation policy. It increased compliance obligations to more signatories and more anti-doping programme areas. Dividing signatories into tiers, the policy created a clear framework in terms of when and for what reason WADA would initiate a compliance procedure for signatories within respective groups. That was a definite tightening of the policy. WADA currently demanded much more from its signatories and would demand even more because athletes deserved to train and compete in different countries on an equal basis, subject to the same anti-doping regime.

The second area for which he had great hopes was education. He would like WADA to work on the success of many of the programmes, as well as the ADeL platform, to focus on more region-specific activities such as the Global to Local initiative, which had been piloted in Europe. He would also like to work intensively

on educating the youngest athletes and informing the public that doping was a public health problem. Another issue was science and innovation. There, too, he saw many opportunities for WADA's activities to grow in the near future. Finally, he hoped that activities such as the European Union pilot project would lead to the building of a professional network of anti-doping investigators in Europe and then in the world, which would allow for even more robust investigations within global partnerships. Those, in a nutshell, were the priorities of his presidency in the coming years. He was convinced that, as with his first term, he would not run out of challenges.

Before he finished, he wanted to thank one important group of people without whom his first term as WADA president would certainly have been a much more difficult experience, namely the WADA employees. Over the past three years, he had had the opportunity to work with real professionals, and their great knowledge, experience and, above all, hard work, although often invisible to an external observer, were greatly appreciated by the members of the Foundation Board and him. He also wished to thank Mr Niggli, with whom he had spent countless hours talking over the phone, on Teams and, of course, in person. They had shared ideas and solutions and, he had to say, sometimes frustrations, but Mr Niggli's help and good advice during those three years had been invaluable. He hoped that Mr Niggli was ready for another term; he was aware that he was not always easy to work with!

He closed with the words he had addressed to the participants of the World Conference on Doping in Sport in Katowice as, in his view, they were more relevant than ever. Sport was a beautiful idea. The world's last one with the power to unite people no matter what they were, political views, religion, skin colour or age. That idea must be protected. WADA had to prevent people from destroying it. If WADA allowed it, that would be the end of sport. People would turn their backs against it. They would not want to watch competitions in which faster, higher, stronger were possible only through cheating. WADA must, therefore, do everything possible to save that idea. To that end, WADA would sometimes have to take difficult decisions, yet he was convinced WADA would be able to make them stronger. He thanked the members for their attention, given the length of his speech, and their patience.

THE DIRECTOR GENERAL thanked the Chairman. Before proceeding to the vote, were there any questions or interventions?

MR SOBHY spoke on behalf of the African region to express his appreciation for the work done in that regard and the commitment of the individuals who had sacrificed their time to lead the various committees. He noted the diversity in the group, something very close to his region's heart. He wished each and every chairperson the very best, and also the committee that assisted them in their endeavours. The African region wished to add its voice in congratulating the President and the Vice-President on their re-election. Indeed, their first term had been a dramatic one, to say the least. Covid, as it had done in all other sectors, had severely affected their first term. However, despite that unprecedented challenge, they had been able to achieve a great deal using very innovative ways and had shown what could be achieved with great determination and commitment. The region wholeheartedly supported their second term and recommitted to assisting and supporting their efforts.

MR KASAPOGLU said that, as a representative of the Council of Europe and the Minister of Youth and Sports of Turkey, he wished to express his respectful greetings to everybody. He noted his pleasure and excitement at meeting the WADA Foundation Board family in Montreal, which hosted the headquarters of WADA. He followed every development closely within the scope of the fight against doping. Turkey attached great importance to and had implemented a zero tolerance approach to doping. In view of the fact that Turkey had been the country to have provided the most effective participation in the campaign of WADA, Play True Day was a significant indicator of implementation. There was no doubt that WADA's role of leading, being athlete-centric and visible and encouraging the implementation of international cooperation were of great importance in terms of the fight against doping. In his opinion, the history of the President and Vice-President as former athletes was very valuable in terms of the tasks they undertook in that regard. They had achieved many great missions during the three-year period of their tenure. The most important of those was the governance reform. It had contributed to the empowerment of WADA as an effective and

leading sport organisation and to the development of WADA's image and visibility substantially. He thanked Mr Baňka and Ms Yang, who had completed their first three-year mission, for their inclusive and effective efforts for clean sport. Continuing in their role was also an important gain for the WADA family in terms of ensuring sustainability and benefiting more from their valuable experience. He believed that the communication and strong cooperation among the stakeholders would increasingly continue during their new terms. At that point, he welcomed the confirmation of their roles as WADA President and Vice-President. He wished them continued success in their new term of office.

MS KRUPKA said that it gave her great pleasure to be able to express her appreciation for the activities of the President and Vice-President of WADA. Their term of office had partly coincided with the very difficult period of the Covid-19 pandemic and WADA governance reform. That difficult time had allowed the members to get to know the President and Vice-President and their extraordinary competence and leadership. She sincerely congratulated them and hoped that they would continue their fruitful work for clean sport.

MR LAPPARTIENT congratulated the President and Vice-President on the excellent job that they had done over the past three years. It had not been easy, as mentioned. However, they had been strong leaders. More importantly, they had been able to bring people together. The members saw the job of the leader. They all recalled some tensions around the table. However, the President and Vice-President had been able to bring everybody together, which was important in the fight against doping in sport. They had also been able, of course, to address governance issues. A lot of time and money had been spent on that topic. He hoped that it was over and that WADA could focus on its main job, which was the fight against doping. It had been necessary to address issues regarding governance, but he just wanted to recall that WADA really sought to be focused on research. He was very happy that the President had also mentioned that in his speech, because that was really key. More specifically, the IFs had to collect samples, and were doing so through, for example, the ITA, which was doing an excellent job. But what was important after was to be sure that the level of research would be strong enough to discover some different substances. That was really key in order to be sure that the money would be spent on collecting samples and having strong and efficient IF anti-doping programmes, and he was sure that that would also be one of WADA's priorities. Maybe one topic needed discussing, that of ensuring that all the laboratories were on the same level. There would be a lot of discussions in the future, and he appreciated the fact that, under the leadership of the President and the Vice-President (and it was nice to see them working so well together), everybody was committed to the same goal. He congratulated them on what they were and what they were doing. He was very happy to see that they would probably be able to continue to lead WADA for the coming years.

PROFESSOR ERDENER thanked the President and Vice-President for the very hard work they had done during their first term, especially for ensuring a very good climate in WADA's activities. The sport movement fully supported their re-election.

MR BAUM noted that the Americas region wanted to offer sincere congratulations to the President and Vice-President on their re-election and thank them for the many meetings, discussions and engagements. He really appreciated the opportunity to have that direct communication from the region so as to be able to have frank and candid exchanges. He thanked them for those many exchanges and looked forward to continuing to work with the President and Vice-President over the coming three years.

THE DIRECTOR GENERAL asked the Foundation Board to formally proceed with the re-election. He asked the members whether they were in favour of electing Mr Baňka president of WADA for another three-year term starting on 1 January 2023 until 31 December 2025. Was there anybody against the proposal? He did not see anybody. He saw no abstentions. He moved on to the election of the vice-president, Ms Yang Yang. Were the members in favour of electing Ms Yang for another term as vice-president of WADA for three years, starting on 1 January 2023 and ending on 31 December 2025?

MS YANG confessed that she was quite emotional after hearing so many nice comments. She still remembered three years previously how nervous she had been about coming to the Foundation Board. She

thanked the members of the WADA Foundation Board and the Honorary President. She was so delighted to be able to address them as WADA's vice-president for a second term. The past three years in that position had been a privilege for her and a real highlight of her life in sport. Her role as WADA's vice-president was to support and serve alongside Mr Baňka, and she was honoured to do so. She thought that they complemented one another well and his experience in government and as an athlete made him an excellent president. She spoke from the heart. She was very happy to advise him, particularly when giving another view of athletes and also the perspective from Asia. Although she had retired from elite speed skating a long time ago, she still thought like an athlete. Her first priority was the athletes and it always would be. She had tried to bring that to all aspects of her work at WADA. WADA, in essence, was about upholding the principle of fair play and respect. For athletes, that meant that success was founded on a belief in hard work. There was no shortcut to excellence; but, for the truth to take hold and flourish, a culture of integrity and honesty had to be fostered. In recent years, it had been rewarding to see WADA's culture shift towards being athlete-centred, and a major element of that had been making education a key pillar of anti-doping. The introduction of the World Anti-Doping Code currently included education in the prevention of intentional or intended doping. The first International Standard on Education had entered into force on 1 January 2021. That important document set out the requirement that Code signatories needed to meet regarding education. As already mentioned, the launch of the anti-doping education and learning platform known as ADeL was an important milestone. It demonstrated the agency's practical commitment to education and its intention to support the development of a balanced anti-doping programme that included education as a core function. Of course, anti-doping education was not just about athletes. Crucially, WADA needed to inform and equip the athletes' entourage, including their parents, coaches, trainers and doctors, etc. In many parts of the world, athletes, especially the younger ones, relied on their entourage for everything. They trusted them completely and did as they said. That could be a good thing or a bad thing. When WADA educated the entourage and made them understand the importance of clean sport, clean competition, it filtered down to the athletes, even those at a very young age. There could be no more hiding behind the achievement or activities of athletes. It was so important that athlete support personnel also feel the heat. WADA needed to continue to make them more accountable. She wanted to see a stricter code of conduct in place for the entourage of elite athletes so that WADA could hold them to the same high standard expected of athletes. That was something she would follow up on during her next term as WADA's vice-president.

In conclusion, she wished to thank the members again for electing Mr Baňka and her to lead WADA for the coming three years. As the members had heard that morning, much work had been done and much more remained to be done to secure athletes' confidence and trust in the system. As WADA was doing with the governance reforms, athletes had to be at the centre of the organisation and have a real say in the decisions that were being made. It had been a great pleasure to work closely with the WADA staff and the management led by Mr Niggli over the past three years. She was confident that, together, they would overcome the challenges they faced.

PROFESSOR ERDENER spoke on behalf of the Olympic Movement to congratulate President Witold Baňka and Vice-President Yang Yang on their re-election. Despite the challenges linked to the Covid-19 pandemic, which had affected most of their first term, the President and Vice-President had promoted the importance of clean sport and guided the anti-doping community through the uncharted grounds of the pandemic. Both former elite athletes, President Baňka and Vice-President Yang Yang had also laid the path for WADA to be more athlete-centred. The Olympic Movement further took the opportunity to commend President Baňka on leading WADA through major and necessary governance reforms. Protecting the level playing field was no easy task, but the Olympic Movement was confident that, under President Baňka's leadership, WADA was in very capable hands to lead the fight against doping and protect clean athletes. As their new term was about to start, President Baňka and Vice-President Yang Yang had an important task ahead of them to ensure the consolidation of the governance reforms. Education and leading innovative research were among the priorities that they would need to address as well, ensuring that those who facilitated and enabled doping would be held accountable. WADA's leadership could continue to count on the Olympic Movement's full support in the common endeavours to protect clean sport.

MS WELLS spoke on behalf of the public authorities to congratulate the newly re-elected President and Vice-President and really looked forward to continuing such a productive working relationship. The public authorities were very grateful to both of them.

THE CHAIRMAN thanked the members for their decision to re-elect him and the honourable Vice-President Yang Yang. It was a big honour for him to work with the members, and he looked forward to their future collaboration. One was as strong as the people one worked with, so all the achievements were thanks to good collaboration with the members, whom he thanked. There were a lot of challenges ahead, so it would be great to work with the members and continue their collaboration.

DECISION

Second terms of the WADA President and Vice-President confirmed.

- **4.2 Governance reforms implementation update**

THE DIRECTOR GENERAL said that he had already touched on the matter during his introduction, so he would just give the members a few more details. First of all, as mentioned, the Athlete Council was in good progress. Groups one and two had been finalised. From groups one and two, a member had been identified (or elected for group two) to be on an appointment committee and joined by the chairman of the Nominations Committee. The group of three was currently selecting the athletes for group three. There had been a lot of interest, which was very good. There had been 54 applicants for seven positions. The nomination group had made an initial selection and was in the process of interviewing 21 out of the 54 candidates for group three. Obviously, they would look into gender and geographical diversity, as well as skills requirements within the committee. All that was work in progress and he was confident that, by the end of the year, the Athlete Council would be fully complete. Once it was done, the Athlete Council would have to elect the chairman and also the two members from the Athlete Council who would sit on the WADA Foundation Board. That would be made known in the first few months of the following year.

In parallel, there had been a process to elect the NADO Expert Advisory Group. The election had taken place at the beginning of that month. A total of 10 members had been elected, two per region: from Africa, the NADO of Egypt and the NADO of South Africa; from the Americas, the NADO of Panama and the NADO of Argentina; from Asia, the NADO of Korea and the NADO of Japan; from Europe, the NADO of Austria and the NADO of Norway; and from Oceania, the NADO of Fiji and the NADO of New Zealand. Those 10 members would have to elect the members who would be representing the NADOs on the WADA Foundation Board. They would all come together and be appointed to the board when all the athletes and NADOs were known, after which it would be possible to have the full composition of the board.

The discussion on the third independent member on the Executive Committee was ongoing between the public authorities, the sport movement and the Nominations Committee. Again, there was a little bit of time, because the appointment would be made at the same time, when WADA had the name of the chairman of the Athlete Council. It would happen in the first part of the following year.

The management was currently working on revising the statutes to incorporate all the changes in the statutes and the regulations. It was necessary to work on both in parallel. There would also be an informal discussion with the Swiss authorities to make sure that they were comfortable with the proposed changes so that, when he approached the members for approval of the statutes, it would not be necessary to change the wording because the Swiss authorities were not happy. The intention was to provide the members of the Foundation Board with a draft later that year or early the following year and give them enough time to go through it and provide their remarks and comments before things were finalised and then sent out for more formal approval. That was all work in progress and was working well and he would keep the members updated on it.

MS WELLS spoke on behalf of the public authorities. There had been discussion among the One Voice group about how to structure the Executive Committee and Foundation Board for the next move forward. The aim was to further promote ongoing and robust discussion, particularly on significant items and things that were coming over the horizon, substantially working towards sport integrity. She thought that the Americas in particular might want to speak to their thoughts on that.

MR BAUM stated that, as part of the governance reform, he really appreciated and understood that WADA had been working to consider the agendas for the following year's Executive Committee and Foundation Board meetings, understanding, as already referenced, that the agendas would be separated from the Foundation Board and Executive Committee. The two bodies would have different agendas. That was a change that governments had strongly supported, and they appreciated that change. As WADA considered the meeting agendas and what they would look like the following year, the governments recommended collectively finding a way to work into the meetings more open discussion and dialogue among the members around the table. Of course, they understood that there was a lot to cover and limited time. Nonetheless, there should be some time reserved for at least one subject for open dialogue and a deeper dive into a key issue or challenge. The governments would be glad to suggest some topics and were also interested in any ideas for discussion from the sport movement, independent members and WADA management and staff. That open discussion would allow more voices to be heard at each meeting on some upcoming challenges. After all, there was a lot of talent and experience at the table, and the members had a lot to learn from one another. Also, the governments recognised how much work went into the document packages for the meetings, but requested that some effort be made, particularly within the executive summaries of each report, to very briefly frame the key challenges in each area. Members were interested in hearing about the many accomplishments and activities completed, and it was appropriate that the reports cover those things. Frankly, when reading through them, it was quite impressive what the WADA staff and committees together accomplished each year. However, in addition to accomplishments, the members also wanted to hear candidly and directly in the written reports about the obstacles and challenges to anti-doping efforts that all of them would have to address together in the months and years ahead.

MR DE VOS acknowledged that the process for the governance reforms had been long and thorough, and also sometimes difficult. However, in the end, it was good to see that everything was coming to a conclusion and that the governance reforms were in a phase of implementation. He also looked forward to receiving the draft for the statutes because, as was sometimes said, the devil was in the detail. He was confident that, with the good atmosphere between the public authorities and the sport movement, that should be not a real problem.

With regard to the Athlete Council, first of all, it was good to see that, for group two, there had been so many candidates and it had been a very democratic election. When it came to group three, he underlined that the purpose of group three was to fill some gaps. Not only should gaps regarding gender or regional representation be filled, but he believe that expertise should also be looked at. It would be good to have some athlete representatives in the council who were knowledgeable about specific doping issues, either medical doctors or pharmacologists, or people with similar expertise. He fully agreed with the comment made by the American colleague regarding dialogue. It was really important to have very good and permanent dialogue between the public authorities and the sport movement, but also with the involvement of the management. He reiterated the proposal to have some informal meetings, also preparatory ones for the formal meetings.

It was important to finalise the governance reforms as soon as possible so that, as his colleague Mr Lappartient had mentioned, the members could get back to the core business. The core business was the fight against doping. He also welcomed the comment made by the President about communication and being unified and ensuring positive communication. WADA should not be seen as the enemy. It should be seen as the friend, as supporting athletes, supporting sport. For that reason, the President's proposal to focus on communication in order to spread the message that WADA was there to serve sport and not to serve the organisation was a very good one.

MR KASAPOGLU noted that one of the most important subjects was the governance reforms. At that stage, WADA had been communicating to the anti-doping community in the best way. Because of that, the sport movement and public authorities all over the world were able to follow closely every development in the struggle against doping and also the governance reforms. They welcomed all of the efforts made by WADA, which had implemented the governance reforms transparently. It was beyond any doubt that athletes and NADOs were the most important actors of WADA's anti-doping policies. For that reason, maybe the most important one of the governance reforms was increasing the representation of the athletes and NADOs in the management of WADA. In that direction, the Athlete Committee, which had consisted of 12 members, was transforming into an Athlete Council, which would have 20 members, based on the decisions taken, as the members knew, at the previous meeting. In the same way, the NADO Expert Advisory Group, which had 10 members and included two NADO representatives for all continents, was being formed. He congratulated the selected representatives from among the athletes and NADOs who would strengthen WADA's vision. The two structures were of great importance for WADA's future. They would play an important role in strengthening the struggle against doping and making it more meaningful. With two members assigned from each of the structures to the Foundation Board, he believed that WADA would achieve a very important governance reform. He looked forward to the completion of all governance reforms regarding NADOs and athletes.

THE DIRECTOR GENERAL gave a general response to the comments. The proposal to have time for discussion on specific topics was noted. There could be discussion as to the best format for doing that, whether through the meeting agenda or as proposed by the sport movement through pre-meeting discussions. There was certainly no objection to that. He noted the point. On the Executive Committee and Foundation Board agendas, just to manage expectations, he would repeat what he had said the previous day at the Executive Committee meeting, that an attempt would of course be made to minimise overlaps. However, the Foundation Board remained the supreme body of the organisation and would meet only once a year and would need to be informed of the activity of the organisation. So, whilst trying to minimise the overlap, there would be items that would be important for the board to be informed about which would overlap with some of the work done by the Executive Committee. That was inevitable in the current structure, but he would see how it played out. It would only be once a year, because there would be only one Foundation Board meeting a year.

DECISION

Governance reforms implementation update noted.

- **4.3 Executive Committee and Foundation Board memberships**

4.3.1 Executive Committee composition 2023

THE DIRECTOR GENERAL informed the members that the Foundation Board had to elect the members of the Executive Committee who were either new or who needed their terms to be renewed. They had received a paper with the names available as of that day. The list was not yet complete because there were a few missing names. When those names came, they would be sent to the members for a circulatory vote. At that moment, he needed to formally ask the Foundation Board to vote for the list of people which included the two independent representatives, a new member from Japan and a renewal of the representative from ANOC to be put on the Executive Committee. That was a formal decision to be taken.

THE CHAIRMAN asked if the members had any comments or questions. As that item was for decision, he asked them whether they agreed to appoint the Executive Committee members for 2023 as listed in the documents provided to them on 16 November. Were they happy with that? The outstanding members would be appointed via circulatory vote.

DECISION

Proposed composition of the Executive Committee for 2023 approved.

4.3.2 Foundation Board composition 2023

THE DIRECTOR GENERAL noted that the Foundation Board had to approve its own composition for formal reasons with the Swiss authorities. The members had received the list of the current composition of the Foundation Board with the terms of each of the mandates. Some members were new, some terms were being renewed, and some members' names were not yet known. He asked the members to approve the list that they had in front of them. Once WADA got the names for the missing positions, the decision would be part of a circulatory vote. It would be important to have the full composition as early as possible so as to be able to send it to the Swiss authorities.

THE CHAIRMAN asked if the members had any comments or questions. For the record, did they agree to formally acknowledge the composition of the WADA Foundation Board as of 1 January 2023, as listed in the document provided to them on 16 November? Again, as for the Executive Committee, the outstanding members of the Foundation Board would be approved via circulatory vote.

DECISION

Proposed composition of the Foundation Board for 2023 approved.

- 4.4 Standing committee composition 2023

4.4.1 Compliance Review Committee composition 2023

THE CHAIRMAN believed that the Director General had already presented both agenda items under his director general's report.

DECISION

Proposed Compliance Review Committee composition for 2023 approved.

- 4.5 Code of Ethics/Independent Ethics Board update

THE CHAIRMAN was very pleased to welcome the Chairman of the Independent Ethics Board, Professor Mette Hartlev, who was at the meeting in person. She would be providing a report on what the new Independent Ethics Board had been doing since its composition had been approved in May 2020.

PROFESSOR HARTLEV expressed how happy she was to be at the meeting. She was grateful for the opportunity to give a brief update on the activities of the Independent Ethics Board. She had prepared some slides, on which the members would be able to see the nine members of the Independent Ethics Board. On behalf of all of those members, she wished to thank the Foundation Board for their appointment and for entrusting them with the task of ensuring awareness of and compliance with the Code of Ethics. She also wished to express her gratitude to the Nominations Committee, which had done a brilliant job showing that the Foundation Board represented a variety of essential competencies, cultural diversity and a clear dedication to promoting ethics and integrity in sport. The Independent Ethics Board had been appointed at the Foundation Board meeting in May, only six months previously. As the members would be able to see from the written report, which they had in their folders, the Independent Ethics Board had been determined to get started as quickly as possible. It had already had four virtual meetings and one whole-day in-person meeting in Copenhagen. Already at the first meeting, the board had had to make decisions regarding the appointment of two members as election scrutineers for the election procedures for the WADA Athlete Council and the WADA NADO Expert Advisory Group. The board was very grateful that two members, Phil Hutchinson and Ana Tuiketeti, had volunteered to take on those important roles at very short notice.

As the Code of Ethics and also the board were new, it had also been necessary to spend some time clarifying the scope of the code and getting a clearer picture of what kind of complaints the board would receive and also how many. Thus far, the board had not received any complaints, but had tried to figure out the sort of complaints that it might receive and also how many. In order to do that, the members had scrutinised the code but also carried out a comprehensive analysis of other organisations' ethics bodies to

gain knowledge about their experience and to identify potential boundaries and overlaps. That had been an important exercise in order to develop a clear profile for the ethics officer, who had a central role according to the Code of Ethics receiving and investigating the complaints and providing recommendations for the Independent Ethics Board. A significant part of the members' work, both during meetings and outside meetings, had been dedicated to the recruitment of an ethics officer, who needed to be in place before the board could be fully operational. The board had started out by establishing a profile for the ethics officer and had then moved on to the actual recruitment process, collaborating closely with the Nominations Committee and taking advantage of its experience from previous recruitment processes. The Independent Ethics Board was very thankful for the very efficient collaboration established between the two bodies. It had published the call for applications in late August with the deadline for applications on 23 September, and had received 21 applications, which was a good number, sufficient to have a pool for selection, but not too many to go through. One of the applicants had been deemed ineligible due to failure to meet the independence criteria, but the rest had been fine and a shortlist of eight candidates had been drawn up. The first round of interviews had just been completed with the candidates and, luckily, they were a good group of very qualified candidates. The next round of interviews would take place in the coming weeks before the end of November. She was confident that the recruitment of the officer would take place before the end of 2022, which was important because, without an ethics officer, the board could not be fully operational.

Apart from recruiting the ethics officer, the board had other key priorities on its agenda. One was related to communications and education, including establishing a separate reporting platform. Currently, it had a regular website, but had to develop it further to raise awareness of the Code of Ethics and also about the scope of the code and what was and was not covered. Then, of course, there had to be a proper reporting platform to receive complaints. That had been one key priority. Another key priority had been stakeholder relations. There had been supplementary meetings with key stakeholders in WADA. The board members had met with WADA's Intelligence and Investigations Department and the Human Resources Department, both of which dealt with complaints that could be similar to the complaints that the Independent Ethics Board would receive. The following week, the Independent Ethics Board would be having a meeting with the Education Department. The purpose of the meetings was to learn from their experience and be wiser in terms of the role that the Independent Ethics Board could play and ensuring sufficient awareness of the Code of Ethics and sufficient resources and competencies to deal with complaints. Finally, the board had also been looking into legal issues related to the interpretation of the Code of Ethics and also other issues, including legal issues. With all legal and ethical regulations, there would always be issues of interpretation, but it was good to be proactive and try to identify some of the uncertainties and clarify them beforehand so as to be ready when complaints were received. More practically, three sub-committees had been established to work in smaller settings on those issues, and the members had agreed on some action plans for future work within each of those areas.

None of the activities would have been possible without the extremely professional and dedicated support of the WADA staff members. They had provided absolutely outstanding administrative and analytical assistance, and they had shared important contextual information regarding the history and the interpretation of the Code. She gave very warm and special thanks to Ms Rangeon, Ms Withers and their colleagues.

To conclude the brief update, it had been a very intense and interesting journey to start implementing the Code of Ethics. The code was, in itself, very innovative. She had never seen a code of ethics with that content and scope. It was a very important part of the WADA governance reform and striving to strengthen ethics and integrity in sport. She could only say that the Independent Ethics Board members very much looked forward to continuing their work, raising awareness about the existence of the code and also ensuring compliance with the code.

THE CHAIRMAN thanked Professor Hartlev very much for her very comprehensive report on the activities of the Independent Ethics Board.

MR BERGE thanked Professor Hartlev for the very important and impressive presentation of the work done to date. On behalf of Europe, he wished to congratulate the Independent Ethics Board and all its members on the work accomplished during the past year. It was crucial for all of the members and for WADA as an organisation to ensure respect for fundamental principles such as impartiality, integrity and respect for human dignity in all actions. In that context, the ethics officer recruited would play an important role in strengthening ethical processes throughout. The Council of Europe was ready to support and assist in light of its long-standing experience in the area.

MR BAUM expressed his appreciation that WADA had come so far on the ethics issue over the past two years. He also congratulated Professor Hartlev and the Independent Ethics Board members on working so diligently to bring to life what WADA had been planning for and moving forward so rapidly and efficiently. He did want to make one point. He understood that it was an important element of the Independent Ethics Board's work to continue to educate all of the stakeholders about ethics, and also it was important for them to stay in touch with all of the priorities for WADA. He asked the WADA management to consider some appropriate amount of travel funds for the members of the Independent Ethics Board to enable them to attend a symposium or some other activities in order to fulfil their functions of communicating to stakeholders about ethics priorities as they came to life, and also stay up to date on the priorities of WADA. He asked that that be taken into consideration at the appropriate time. Again, he congratulated all the Independent Ethics Board members on getting going so strongly over the past few months.

PROFESSOR HARTLEV welcomed all of the comments. She could only say that she very much looked forward to working together with the Council of Europe. It was clear that the Independent Ethics Board could also learn from its experience, and human rights, as everybody knew, was an issue that was closely related to ethics. There was a lot to learn from that collaboration, also in terms of the important part of the board's work, which she believed would be (especially in the beginning, but probably also continuously) to support or raise awareness about the existence of the code and the content of the code and the importance of the code. The members of the board had clearly felt during their in-person meeting in Copenhagen that they had achieved much more by being together, but also that they would like to do what they could to be present at different events at which the sport community met and do what they could to raise more awareness and respond to questions and discuss with the sport community. She thanked the members very much for their supportive comments.

DECISION

Code of Ethics/Independent Ethics Board update noted.

4.5.1 Remuneration – Independent Ethics Board members

THE DIRECTOR GENERAL informed the members that the new Independent Ethics Board was doing a good job and it had been foreseen in the Code of Ethics itself that the body had to fix the honorarium for the members and the chairman. The management had therefore put together a proposal that it believed was in line with practice in the field, and it needed the Foundation Board members to formally approve that as the honorarium for the work.

THE CHAIRMAN asked if the members had any comments or questions. He saw no requests for the floor. For the record, were the members happy to approve the remuneration model to be applied to the Independent Ethics Board?

DECISION

Proposed remuneration model for the Independent Ethics Board approved.

4.5.2 Independent Ethics Board membership terms ending in May 2023

THE DIRECTOR GENERAL recalled that, when the Independent Ethics Board had been appointed in May, in order to have a staggered re-appointment of the members, some of them had been appointed for

one year, some of them for two years, and some of them for three, which meant that there were currently already two members whose terms would finish in May the following year, i.e. one year after their appointment. Both of the members had indicated their willingness to continue. They were supported by the Executive Committee and the Nominations Committee. As discussed the previous day at the Executive Committee, the proposal was that, if anybody had a concern about reappointing them, they should indicate such concern to the management by 15 December. If the management did not receive any concerns by that date, it would assume that the members were happy to reappoint the Independent Ethics Board members in May and therefore the management would not start a search for new members. It was important in terms of efficiency and costs. Having informed the members about the process, he asked them to send in any objections by 15 December.

THE CHAIRMAN indicated that any objections in relation to the reappointment of the two members of the Independent Ethics Board for a further three-year term from 19 May 2023 to 18 May 2025 should be sent to the WADA management by 15 December 2022. In the absence of any objections, Mr Hutchinson and Ms Tuiketēi would be automatically approved for a further three-year term commencing on 19 May 2023. Did the members agree with the proposal?

DECISION

Proposed Independent Ethics Board reappointment process approved.

5. Finance

- 5.1 Government/IOC contributions update

MR NG said that he was happy to report that, as of 16 November, WADA had received from the public authorities 97.2% of contributions compared to 90.8% the previous year. There was a total of about 610,000 US dollars yet to be received, mainly from Asia and the Americas. In Europe, the outstanding amount was from Greece (103,000 US dollars) and Serbia (33,000 US dollars); in the Americas, 224,000 US dollars were due from Peru, Cuba and Venezuela; in Asia, 345,000 US dollars were due, mainly from Bahrain (114,000 US dollars), Lebanon (39,000 US dollars) and Pakistan (42,000 US dollars). From Africa, WADA was still expecting 50,000 US dollars in contributions. Oceania had contributed 100%. He was happy to say that there had been additional contributions of 212,000 US dollars from the governments of Australia and Japan and that there had been a contribution of 63,000 US dollars from India. The latest update included contributions from the City of Lausanne and the Canton of Vaud. WADA thanked them for their generosity. In terms of special funding, Saudi Arabia had contributed 500,000 US dollars for research. Also, the EU had approved a grant of up to 1.4 million euros for a two-year pilot project on building investigative capacity. WADA had thus far received one million euros. That ended his report.

DECISION

Government/IOC contributions update noted.

- 5.2 2022 quarterly accounts (quarter 3)

MS CHUNG went over the quarterly accounts. The total income was at 44.1 million US dollars, representing 91% of the revised budgeted income. The total operating expenditure had reached 63% or 28.7 million US dollars of the budget. From the numbers reported, the first nine months' spending had been lower than budgeted, as WADA had been very cost-conscious, always operating in a fiscally responsible manner, largely online, with some events held in person and in hybrid mode. Most recently, the September Executive Committee meeting and the Global Education Conference had taken place successfully in Sydney. More expenses would of course come in the last quarter of the year. Those Executive Committee and Foundation Board meetings, taking place in person, along with other meetings and expenses and projects towards the end of the year, would increase the total expenses and should be within the budget and, of course the surplus would be changed accordingly. Depreciation was at 2.3 million dollars, or 76% of the budget. Overall, capital expenditure was at 2.3 million dollars, but it was mainly due to timing. A quick note on investment: the total market value of investment at the end of September was 19.5 million dollars,

split between UBS and Lombard with 95% of the portfolio in bonds. With the fluctuations of the market, the value of the portfolio had decreased due to unmaterialised loss. The members should bear in mind the fact that the actual value would not change until its maturity. WADA continued to invest in secure investments as per the no-risk policy and based on the recommendations of the banks. That was the update for the quarterly accounts.

DECISION

2022 quarterly accounts noted.

- **5.3 2023 draft budget**

MS CHUNG said that, in May 2022, the Foundation Board had approved annual contribution increases of 8% for 2023, 6% for 2024 and another 6% for 2025. WADA was very grateful for the increase. Just like every year, and more so that year, the detailed budget had been prepared following a robust and very thorough budgeting process. She gave the members some of the highlights. The total income for the 2023 budget from all sources of funding represented 50.2 million USD; of which, IOC and Public Authorities represented 47.2 million US dollars, an 8% increase compared to 2022. Montreal International accounted for 2.44 million dollars, and the rest had come from additional contributions from public authorities and other incomes. As the 8% increase in contributions was mostly to secure 4.5 million dollars in research, most of the other departments had been required to lower their budget expectations. Of course, there had been an increase in budget for ADAMS development and security and, inevitably, the new governance reforms also required an increase due to the change in the number of different members. As it was assumed that the activities would be fully resumed in 2023 and onwards, the total operating expenses had been budgeted at 47.8 million dollars, generating therefore an operating surplus of 1.4 million dollars. The net bottom line, including the non-cash items such as depreciation and interest on lease, brought the amount to 2.6 million dollars of excess of expense over income. For 2023, as there had been a request to stabilise the organisation, for the headcount, the figure would remain the same as in the 2022 revised budget. In terms of cash flow impacts, there was 1.49 million or close to 1.5 million dollars in cash generated from operating activities minus all the investment in capital expenditure, about 3 million, resulting in a net cash flow negative of 1.5 million. However, because of the increase in research, WADA would use about 980,000 dollars from the unallocated fund, or 4.5% of its total, while maintaining the limit of cash depletion as approved by the Finance and Administration Committee. The KPIs that the Director General had mentioned earlier in section 3.1 would be in place to track the effectiveness and efficiencies of the programmes. Last but not least, as of the previous week, there were some encouraging signs with regard to inflation; it seemed that the peak had passed. She hoped so. However, it was still high and there was no doubt it would remain a concern. It was still very uncertain where it was going to be the following year. It was likely that the 8% increase in contributions would be affected if inflation remained high. Those were the highlights of the 2023 budget.

MR KEJVAL said that the sport movement supported the adoption of the budget for 2023.

MR BERGE noted, on behalf of Europe, the ambitious budget presented which demonstrated the commitment and global support to strengthening WADA and the fight against doping. The budget presented was fully in line with the needs, notably to substantially increase the funds allocated to research. Scientific research was essential for the fight against doping to be more effective and more relevant. Consequently, she approved the 2023 budget presented and welcomed also the continuous practice to review and approve it annually.

THE CHAIRMAN thanked the members very much for their comments regarding the budget. For the record, were the members happy to approve the 2023 budget? He thanked them.

DECISION

Proposed 2023 draft budget approved.

- **5.4 New Audit and Risk Committee, terms of reference**

THE CHAIRMAN noted that the item was a matter for decision, but the Director General had already presented it in his report. Unless there were any comments or questions, he suggested moving to the next agenda item.

DECISION

Audit and Risk Committee terms of reference approved.

- **5.5 Working Group on Efficiencies report**

MR NG said that, following the request made by the Foundation Board in May to look into WADA's operational efficiency, a four-member working group had been formed with two members from the sport movement and two from the public authorities. The working group had held two virtual meetings in September and October. The WADA management had presented a summary of the various efficiencies implemented over recent years for the group to consider, and he mentioned the key findings. Close to 40 efficiencies had been identified and grouped into four categories: processes, digitisation, system and tools, procurement and partnership. For all four, attempts had been made to quantify the existing and potential future savings. The group had discussed in depth the various options. Overall, a total estimate of 1.4 million US dollars per year in cost savings had been identified, of which 140,000 US dollars had been identified as potential future additional savings, which had not been included in the 2023 draft budget. Those had been based on the assumption that WADA would continue to operate in a hybrid environment and would fulfil its mandate while bearing in mind that a work environment and conditions had yet to be stabilised post-pandemic. Therefore, some adjustments might still be required. The working group had also discussed more extreme scenarios in which, in cases of extreme financial difficulties, WADA would have to stop delivering its mandate and concentrate foremost on minimising costs. Under such circumstances, some key programmes, notably independent observers, athlete engagement and outreach and the annual and other symposiums would probably have to be dropped. Another scenario would be that all meetings, including the Executive Committee and Foundation Board meetings, as well as all standing committee and expert group meetings, including the new Athlete Council, could also be entirely virtual, in which case the total estimated saving would amount to around 3.5 million US dollars. However, it was very clear that those extreme scenarios would not allow WADA to pursue and deliver its mandate properly and would significantly affect the productivity of the organisation and would not meet the stakeholders' expectations. Therefore, the scenarios had been viewed by the group as extreme measures, which would be put forward only in the event of real severe financial crisis. WADA had taken advantage of the hybrid operating environment established and developed during the Covid-19 pandemic to maintain savings in relation to meetings and transport. Digitisation was ongoing and would further benefit the organisation. The areas, in most cases, would require initial investment that would offset any short-term benefits. Savings in time and better use of resources would continue to occur and key performance indicators would help to track effectiveness on a regular basis. WADA continued its efforts in the procurement area, including ensuring that conferences were organised in partnership with hosts and contracts negotiated with suppliers were cost-effective. A number of partnerships had been put into place and efforts to seek private funding were also ongoing. The management would continue to report on that progress.

In conclusion, the working group was of the view that WADA was currently operating in an efficient way. Its budgetary process was vigorous and many aspects of its operations had been changed and improved and should be maintained while at the same time balancing an efficient approach, as excessive cost-cutting might have the opposite effect and become counter-productive. The right balance had to be achieved and implemented and monitored over time, as the organisation was coming out of three very unusual years due to the pandemic.

MS ST-ONGE thanked Mr Ng for providing a detailed overview of the increased budget in 2023, and also for the work done to identify opportunities for operational efficiencies that would support financial stability at WADA. Canada did, of course, remain committed to supporting the integrity of the sport system

and to the achievement of clean sport. But, as governments around the world continued to recover from the pandemic, while also experiencing significant inflationary pressures that posed a threat to the global economy, it was definitely reassuring to see plausible scenarios for prudent financial management and heightened operational efficiencies at WADA.

MS WELLS noted the report on behalf of the public authorities and really wanted to thank the members of the working group for their significant efforts in pulling that all together under such tight timeframes. On behalf of her Oceania colleague, Deputy Prime Minister Robertson, she just wanted to reiterate the importance of regularly performing that task and made the suggestion that perhaps the activity could be enshrined within the terms of reference of the Finance and Administration Committee.

THE DIRECTOR GENERAL acknowledged the request from Ms Wells. As indicated, as the terms of reference were being reviewed for the Finance and Administration Committee in light of the Audit and Risk Committee, that would indeed be introduced in the terms of reference so that it was a recurring item on the agenda.

DECISION

Working Group on Efficiencies report noted.

- **5.6 Finance auditor extension**

MS CHUNG said that, as per the WADA statute, the Foundation Board was responsible for appointing the auditing body for the foundation. By way of background, in November 2019, following a request for proposals for auditing services, the Foundation Board had approved the recommendations of the Finance and Administration Committee and the Executive Committee to contract PricewaterhouseCoopers for a new three-year mandate. That current mandate would end on 31 December 2022. In September, the Executive Committee had been asked by the Finance and Administration Committee to consider extending the current PricewaterhouseCoopers mandate for one year to the end of 2023 in light of the new governance reforms and in particular to allow sufficient time for the new Audit and Risk Committee to take effect and for the members to assume their role. The Executive Committee had agreed to the recommendation based on the current transition situation. The Foundation Board was therefore being asked to confirm the agreement that PricewaterhouseCoopers undertake the auditing services for a further year. Of course, the Finance Department would work closely with the new committee and the request for proposals process would then start as early as 2023.

MR KEJVAL said that the sport movement supported extending the contract with PricewaterhouseCoopers for one year to allow the new Audit and Risk Committee to review.

THE CHAIRMAN asked the members to approve a one-year extension of the term of the agency's auditor PricewaterhouseCoopers, extending the current three-year mandate set to end in December 2022 to December 2023. Did they agree?

DECISION

Proposed extension of finance auditor mandate approved.

6. Athletes

- **6.1 Ombuds update**

MR SANDFORD informed the members that there had been a rather overwhelming response to the ombuds position. There had been over 140 applicants for the position and the selection and interview process had taken far longer than he and everybody would have liked. The field had been narrowed down to a final three candidates, of whom there was a preferred candidate with whom the working group had been in correspondence and had essentially offered the position to. He would love to be able to reveal who that person was; however, because that person was currently employed, it was necessary to respect their wishes because they needed to talk to their employer about taking on the role. Hopefully in the next week or so,

there would be a positive response from that person and it would be possible to set the role up and have the ombuds start work very shortly. He would keep the members updated as they moved through those final stages and would be happy to answer any questions.

MS KRUPKA observed that athletes were the most crucial element of the anti-doping system, and their voice must be heard. A well-known Latin legal standard was nihil de nobis, sine nobis (nothing about us without us). The appointment of the athletes' ombudsman would be an important step in implementing that norm. As a representative of Europe, she strongly commended WADA's efforts in that regard.

DECISION

Ombuds update noted.

7. Legal

- 7.1 RUSADA CAS update

MR WENZEL said that he would follow the structure in the report that was in the members' hard copy or virtual digital bundles. He would deal with the consequences from the CAS award first, then go on to the reinstatement conditions and finish with an update on the result management of the cases arising from Operation LIMS. To start with the consequences, perhaps a preliminary point, which was that, of course, the consequences imposed in the final CAS award at the end of 2020 had not been the consequences sought by WADA and recommended by the Compliance Review Committee and adopted by the Executive Committee. They had been curtailed and reduced by the Court of Arbitration for Sport. By way of a reminder, the consequences related to things such as Russia bidding for and hosting events, Russian government representatives sitting on signatory boards, attending major events and the neutral participation of Russian athletes. The CAS panel had decided, as mentioned, to reduce or to curtail the consequences sought by WADA. He gave a few examples. WADA had asked for the consequences, the event-related consequences, to be applied to all major events. That had not been accepted by the CAS. WADA had sought increased testing of Russian athletes before major events as an eligibility condition for those Russian athletes to participate in major events. WADA had also sought much more robust neutrality criteria than those ultimately imposed by the CAS panel and, of course, WADA had sought a period for those consequences of four years, and that had been cut in two by the CAS.

WADA had, in the wake of that decision, expressed its disappointment with the curtailment of the consequences. It had done so in the past, and it was particularly disappointing that those consequences had been reduced in circumstances in which the finding of the CAS panel on the merits the Chairman had mentioned earlier as to the violation, had accepted WADA's position and referred to the brazen manipulations and deletions of data, of course, to cover up the misdeeds of the past. But the CAS award was what it was. WADA had continued, of course, throughout the two-year period, to monitor the implementation of the consequences by the signatories. That work, throughout most of the year, had been reduced by the measures separately adopted and imposed by IFs and other sports bodies further to the IOC recommendation after the invasion of Ukraine by Russia, but nonetheless, WADA had continued to monitor the consequences in the CAS award as necessary. The CAS award was also clear that the consequences imposed would come to an end on the second anniversary of the award, which was 17 December of that year, in a month or so. He had already expressed, and it was nothing new, WADA's disappointment with, in particular, the halving of the duration of the period of consequences. But for that halving of the period of consequences, he would not be talking about that, or at least not in those terms that day, but rather in two years' time. Nonetheless, WADA could kick and scream all it wanted. But those kicks and those screams would not change the fact that WADA and others were bound by the CAS award and the rules; in particular, the ISCCS did not enable WADA to depart from or impose new consequences on RUSADA for that non-compliance. It was a binding award and WADA had to respect it. The Compliance Review Committee had specifically asked WADA's management to seek a further opinion, an independent opinion with respect to the duration of the consequences, the fact that they would end on the second anniversary of the award. The management had done that; it had instructed an eminent barrister in the UK,

Michael Beloff, King's Counsel, to provide an opinion on that question, and he had opined in unequivocal terms that, regardless of reinstatement, the consequences imposed through the CAS award would come to an end on 17 December 2022. However, it was important to say that at least one consequence, and he said consequence, perhaps with a small 'c' because it was not imposed through the CAS award, it was as a result of the operation of WADA's statutes, but one consequence with a small 'c' would remain, and that was that, where the NADO of a country was non-compliant, the officials of that country, the government officials, could not sit on WADA's Foundation Board, Executive Committee or other boards or committees. That consequence would remain until such time as WADA reinstated RUSADA. That brought him on to the second point, which was the reinstatement of RUSADA and the reinstatement conditions. Unlike the consequences, it was important to understand that that was not automatic. At the end of the two-year period, a series of conditions would have to be met. They related to things such as payments that RUSADA was required to make to WADA. They related to investigative support and prosecution of certain cases, and they also related to RUSADA's independence. Perhaps on the financial conditions first, RUSADA had paid most of the amounts that it was required to under the CAS award. It had paid, for instance, the 1.27 million dollars of investigation costs incurred up until the CAS proceedings. It had paid the fine, it had paid the arbitration cost, the contribution to WADA's legal costs and the one outstanding financial item, the costs of monitoring the consequences and the reinstatement conditions after the CAS award. As mentioned in the paper, a bill had been, at the time of drafting that paper, about to be sent to RUSADA for the period (he thought that the paper referred to the end of August of that year). In fact, a bill had been sent, but it had been sent at the end of September. It had been sent only very recently and, after the end of the two-year period, a further bill for the remainder of those monitoring costs would be sent to RUSADA. Of course, the other conditions that he had mentioned were not as straightforward to assess in terms of whether or not they had been met and the process for assessing whether or not the conditions had been met and for ultimately reinstating RUSADA was a three-phase process. First of all, the WADA management had to consider that RUSADA had met those conditions. If it did, it would refer the matter to the Compliance Review Committee, which, if it agreed that the conditions had been met, would refer the matter on to the Executive Committee for decision. As far as the WADA management was concerned, it intended at the end of the two-year period to scrutinise those conditions very carefully on a cross-departmental basis. WADA would not take documents at face value and any further follow-up that was necessary in order to reach the conclusion, to assess whether or not the reinstatement conditions had been met, would be conducted. That might involve follow-up questions, it might involve interviews, it might involve site visits, or even an in-person audit.

As mentioned in the paper that the members had, a virtual audit had been conducted on RUSADA in early September of that year and it had led to a number of non-conformities of different categorisation, including critical and high priority, being identified. WADA was, of course, monitoring that pending process very carefully. If any of those non-conformities were not resolved, corrected within the relevant deadlines, of course, that process would follow the usual course: the matter would be referred to the Compliance Review Committee and could, if again correction was not made, result in further consequences being imposed. The other point to note was that the ISCCS was very clear that, when a signatory like RUSADA was non-compliant and during the currency of the non-compliance, further non-conformities were discovered, reinstatement in respect of the original non-compliance could not occur.

The third item that he wanted to address was Operation LIMS or the result management cases arising from Operation LIMS. By way of a reminder, those involved two types of case: use cases on the one hand or 2.2 cases, which, very broadly speaking, were cases based on data recovered from the Moscow laboratory in January 2019, but also supplemented by evidence from the independent person, Professor McLaren, as a result of his investigations from 2016 onwards. But also 2.1 cases, presence cases, whereby samples had been recovered from the Moscow laboratory and the analysis or the retesting of those samples had resulted in adverse analytical findings. The members had a very detailed report that broke those cases down, categorising them by 2.1 or 2.2, by sport, and setting out where they were in the process, whether they had already resulted in sanctions, whether they had been closed without a sanction, whether they had been charged or whether they were still under investigation. He certainly did not propose to go through that very long report, but perhaps just to give a summary of where WADA was, the members could see from table one, which was on page two of the report, that there had been significant progress. There had been a

significant number of sanctions that had been imposed. The number in the table was 162. He believed that the Chairman had given an updated figure of 166 sanctions that had been imposed. That was an increase of more than 40 cases from the meeting in Cairo earlier that year. The number of cases that had been asserted or charged had doubled from 38 to 80 and he thought perhaps even more. He thought that the Chairman had mentioned 81 earlier in his address. A further 262 cases remained subject to investigation. WADA was closely monitoring the investigation and prosecution of those cases by signatories, which could be the IFs or RUSADA in certain cases. And, of course, the decisions that were being rendered by those signatories were closely scrutinised and appealed where necessary. WADA had lodged to date 13 appeals against decisions in which either the violation had not been established or the consequences had not been appropriate. To give one example, WADA had appealed against three decisions by the International Canoe Federation not to move forward with three 2.2 cases, use cases, on the basis that, in its view, the evidence had not been strong enough. The Court of Arbitration for Sport in September had upheld WADA's appeal and imposed sanctions of four years, four years and two years on the relevant athletes. WADA had also intervened to support the decisions of the signatories, in particular IFs, where the athletes in question had appealed against them to the Court of Arbitration for Sport. So that monitoring work continued. Every decision that was rendered, whether it was to impose a sanction or to close a case, was closely scrutinised, and WADA would continue to appeal as necessary. But he thought that it was also important to stress that, in addition to the monitoring work at WADA, its Intelligence and Investigations Department, but also its Legal Department, had been supporting signatories in their investigation and ultimately in their prosecution of the cases, including by providing expert evidence through the relevant WADA investigators.

MS WELLS spoke on behalf of One Voice to reiterate the comments that she had made at the Executive Committee meeting the previous day. One Voice unanimously shared concerns about how any eventual reinstatement of RUSADA would be handled. It was imperative that the reinstatement of RUSADA be very carefully managed, very carefully communicated by WADA, and that a detailed report be provided to members which carefully considered and provided evidence of all aspects of compliance. One Voice was concerned in particular about a virtual audit not being sufficient in order to have confidence in the process.

THE CHAIRMAN reiterated what had been said by Mr Wenzel, just to make it clear. RUSADA remained non-compliant. The process for reinstatement did not end on 17 December. In fact, the process would only start on that date. Through the three phases of that process, compliance would be robustly assessed. Of course, WADA would need to verify each and every one of the reinstatement conditions. Verify meant verify, not simply accepting anyone's word for it. WADA was not naive. WADA knew that trust in Russia and in its anti-doping system was extremely low. And, of course, there was a reason for that. When one looked at the past, Russia had committed the most awful crime against clean sport. Therefore, WADA would not take documents at face value and would conduct any necessary follow up. That might involve further questions, interviews, site visits or in-person audits. Lastly, the WADA compliance monitoring programme had identified a critical non-conformity in the Russian system. The 2021 World Anti-Doping Code had not been fully integrated into Russian law. That would go through the process in the normal way. The rules were clear that, while those further non-conformities were pending, RUSADA could not be reinstated. Moreover, if Russia did not address the problem, it would result in another set of serious consequences being imposed on it.

DECISION

RUSADA CAS update noted.

- **7.2 Possible consequences due to voluntary withdrawal of funding**

MR SIEVEKING said that, since the previous meeting of the Foundation Board, a working group had been set up to discuss the important question. He wished to thank the participants, Michael Vesper and Hannah Grossenbacher on the sport movement side, and Alexandre Husting, representing One Voice, for their proactive participation in that meeting. He recalled that voluntary non-payment was effective non-payment by a government, but not payment that was outside its control. It was something deliberate. So, bankruptcy or force majeure or war or any other similar issue would not fall within the scope of that discussion. None of the consequences discussed would have any effect on athletes. Athletes would not be

affected in any fashion by voluntary non-payment by their governments. The working group discussions had been fruitful and there was consensus on a number of consequences. First, on financial consequences, there was consensus on the payment of interest and some form of administrative costs. Another consequence on which consensus had been reached was that NADOs should use their best efforts to procure payment by the government of their country in the event of such payment not being made in a timely fashion. In relation to sporting events, there were two consequences on which there was consensus. Government representatives from the non-paying country could be excluded from participation at sporting events such as world championships or Olympic Games. The second agreed consequences on the sport movement side included exclusion from submitting a bid. Therefore, a government that was not paying its contribution to WADA, while the payment was still outstanding, would be excluded from submitting a bid for any major event. Also, it should apply to WADA events in the sense that non-paying countries could not host any WADA events. There was also a consequence that government representatives from the non-paying country should not sit and could not sit on boards or committees of any signatory to the Code unless they had been appointed to that position or elected in their personal capacity. Those were the agreed consequences for the time being. It was already a good way forward. However, given the threat of withdrawal, which could really jeopardise WADA's activity and its ability to lead the fight against doping and was a major risk and by extension a major risk also for the entire anti-doping community, it was felt that the agreed consequences might not be sufficient to achieve the objective. He believed that there could be additional consequences, for example, an increased contribution in addition to interest and administrative costs. It was also considered that there should be consequences for NADO representatives of the country in question regarding participation in WADA activities and, in the event of non-payment by a government, the NADO representative of that country should be prevented from sitting on WADA boards or committees and also prevented from any participation in certain WADA events such as the symposium, the world conference or independent observer missions at major events. There had been clear resistance from the public authorities during the discussion on the last two proposals.

He could update the members on the proposed procedure to follow in the event of non-payment. That had been discussed in detail for the first time at the previous meeting on 1 November. In the event of non-payment, it would then be up to the government to demonstrate that the non-payment had not been voluntary and, in the event of disagreement, it would be ultimately the WADA Executive Committee that would decide if WADA's management did not accept the government position with an appeal to the CAS against any Executive Committee decision.

He did not think any further meeting of the discussion group was necessary at that stage. The next step was to draw up a proposal and to table that proposal to the Executive Committee in May 2023 for discussion and guidance with the objective of having a proposal for adoption by the Foundation Board in November 2023. It was necessary to involve the Foundation Board, as it would involve Code amendments, requiring the consultation and approval of the Foundation Board. It was also likely that the Code would have to be amended for the full potential because, if there were consequences on NADOs or on the sport movement, obviously that would also have to be included in the second part of the World Anti-Doping Code.

MS WELLS welcomed the updated information from the written report provided to the members. On behalf of the One Voice platform, she requested holding a meeting of the stakeholders early in the new year to further explore how to take the matter forward, particularly before drafting anything. For her, consensus was always the preferred option when it came to dealing with things like consequences, and the public authorities remained committed to working towards an outcome with a view to having that finalised by November as suggested.

THE CHAIRMAN added that he was really determined to adopt the document allowing WADA to address the risk of voluntary withdrawal of funding. He hoped for a constructive approach from the stakeholders in order to be able to adopt the document at the meeting in November the following year.

DECISION

Update on possible consequences due to voluntary withdrawal of funding noted.

8. Other reports

- 8.1 Institute of National Anti-Doping Organisations (iNADO)

THE CHAIRMAN invited Mr Nick Paterson, Chairman of the Governing Board of iNADO, to present the report on behalf of his organisation.

MR PATERSON welcomed the opportunity to present an update from iNADO. That time the previous year, he had given a presentation to the Foundation Board for the first time at 2:30 a.m. from his room in New Zealand to a meeting in Paris. It had been quite an interesting experience, but he was really pleased to be back that day to give the members an update on what he had been doing. iNADO had first been considered 11 years previously; that month it was 10 years old and had celebrated its anniversary. It had been set up to advocate for NADOs to maintain continual improvement amongst members. It had been through a big period of change, Covid especially, but actually since that time in terms of personnel and approach. In June that year, the members had got together as a board, which he chaired, and it was the first time the members had been together at all, not just through the Covid period, but most of them were new and had not got together properly in that time, and had spent three days in Bonn looking at the organisation. Before that meeting, they had followed a process that WADA had followed recently as well in terms of feedback from stakeholders, feedback from members. They had gone to the WADA Athlete Committee, the ITA, to the WADA management and the NADO/RADO team to seek feedback on performance. The questions put to each of them had been near on identical: what had iNADO done well, what would they like to see more of and what would success look like for iNADO in the future? And, within that, how would it fit into the new ecosystem of anti-doping as it had become? There had been a lot of feedback. The new strategy had been summarised in the following way: the purpose for iNADO was working towards excellence. The aim was to raise the bar. iNADO harnessed the goodwill and deep expertise of thousands of experts around the world for the benefit of members and the member community. There was no larger community of experts than within the NADOs currently and right across the anti-doping spectrum. The mission was global. It was for members current and future. He knew that there was work to do in that space, but everybody benefited when every athlete was clean and if everybody was working together for the same goal. For him, excellence was a work in progress. WADA set minimum, high standards, which everybody had to meet. For iNADO and its members, the aim was for the members to be better than that and really go for best practice. And iNADO wanted to support its members in order to do that. However, he recognised that members were all in different places on that journey and would require different levels of support at different times, and iNADO wanted to bring the memberships together to support one another to be better. All of that would be underpinned by six guiding principles for the future of anti-doping which had been talked about back in June of that year, and would be brought back to the table later on in the following year. To do all of that, the focus would be on three areas. He apologised for the complexities of the slide, but taking the three bits in green, the aim was to build a supporting community, one that supported and helped, that moved resources, people, time and certainly intellectual property. It might involve more mature NADOs helping less mature NADOs. It might be when one NADO had a problem, a technical problem in a specific area, it would reach out to all the other NADOs in the network and get a response and thereby they would help one other and pull one another up. It was peer-to-peer support. Looking at recent examples of what had been seen coming out of iNADO in the past three to six months, and he hoped that members around the world in their feedback to the WADA Foundation Board were seeing a change in approach from iNADO, there were multiple channels of online discussion on technical aspects relating to sample collection, really detailed operational aspects. iNADO was trying to support WADA's NADO/RADO team. With the new NADO Expert Advisory Group, iNADO had invited the director of the NADO/RADO team to come and talk by webinar to its members. A second member had then been called, introducing the candidates standing in the election so they could represent themselves to the members and actually tell them a bit about themselves as well. The aim was really to support the system in which iNADO operated and the system that

was led by WADA. iNADO was trying to take a more active role in matching supply and demand for those NADOs needing help. So, if a NADO was declared non-compliant, WADA, he knew, provided support to get them to compliance, hopefully, but iNADO was looking at NADOs that were compliant but not as good as they could be, and so wanted to apply resources to them, help them lift their game and help them improve. The aim was to put the resource where it was most needed. Finally, on RADOs, iNADO had had RADOs as half-members historically, but they were currently full members of iNADO and the aim was to really find a way to get that RADO network supported and supported with resources. He wanted to show the RADOs that there was genuine benefit to what they could do with iNADO and what it could do with them. That was really work in progress for the coming year. Anti-doping, as everybody knew, was a team game. Everybody was on the same side and, if they could all improve, everybody benefitted. iNADO had explicitly set out in its latest strategy that it had to work with the ITA and WADA together as partners, collaborators and change agents so, between them, they could identify opportunities for change, pain points in the system, pool resources and get the best outcomes. It was worth noting the ITA in that conversation, and he knew that he would be followed shortly by Ms Fournayron. For NADO members and iNADO, the ITA had not always been a natural person for iNADO to go to, to ask for support or discussion. But that had changed. In the same way that iNADO represented its NADOs, he knew that the ITA was increasingly representing IFs and the ITA was as committed to collaborating and working together as iNADO was. He therefore welcomed those discussions and there had been some really fruitful discussions certainly in the past few months about what that might look like. In terms of improving practice everywhere, when good ideas were formed, iNADO wanted to share those ideas and make sure everybody benefitted from them. The best example was perhaps related to the athletes. iNADO had recently gone to its members and asked who was harnessing the athlete voice in the most appropriate and best manner and then produced a report, which it had given back to its members. And the idea currently was, having told members there were different ways of doing it, to require them to do it. WADA did not require anybody to have an athlete commission necessarily, or to harness the athlete voice. It was not part of the rules. iNADO could compel or rather require its members and say that best practice said that they had to harness the athlete voice, there were different mechanisms for doing so, ask what it could do to help but insist that something needed to be put in place. That was what his organisation was trying to do, lift the game of iNADO's members and support the work that was going on. iNADO had reported on its members to athletes. It wanted to be data-driven and look at what data was coming out of its members. He knew that there was work going on in the same area within WADA. What were the budgets and how were they spent? Who was carrying out how many tests, sample collections compared to how many athletes in the testing pools or anything else? So actually, again, the aim was to compare member to member to lift what was done.

The final piece on there and the bottom one was speaking up for NADOs and RADOs globally. That had always been a founding part of iNADO's creation and strategy, which was advocating for the NADOs and RADOs, advocating collecting the voice and representing to WADA when it thought that the system needed some change and working with WADA to put that change in place. Looking at two recent examples, both of them very operational, one was regarding ADAMS. A group of NADO testing managers had been brought together, plus one from the ITA and members from the WADA team to actually see what could be done in terms of addressing and ironing out pain points existing in ADAMS and how to work together to make them better. So that was ongoing and had been successful. The second one was smaller, but perhaps also important. Members had asked in June about what was being done in the system to make sure samples collected were processed by the laboratory and that results were reported in a timely fashion. The Beijing independent observer team had also noted the same recommendation. iNADO, listening to its members, had taken that to WADA and the WADA team had welcomed the questions and said that WADA was already looking at the problem. Between them, the organisations had been able to go back to members to say that questions had been raised, there was an answer, they knew what was happening and everyone got greater confidence in the system. Between them, the organisations complemented one another and the systems got stronger as a result. That was way that they should be working, advocating for change and support.

What was next for iNADO? A start had been made. The new strategy had been in place since June. It was early days. There was a lot done, but he knew that there was more to do. He thought that diversity was essential in anti-doping. The current governing board of iNADO had eight NADO representatives from four

regions. The board represented 61 members from all regions and all sizes and levels of development. But it was not quite there in terms of gender diversity. It was not quite there with all regions represented. There had never been a mandate as a board, a self-given mandate to actually enforce that sort of diversity, and iNADO was about to start doing so. The second half of that was actually who it represented and who its members were. There were holes in the map, if he could put it that way. Latin America, its NADOs, its RADO, and African members as well, by way of example. So the idea was to get out and see how to support all the other areas of the world. But that would be in 2023.

The final thing he wanted to mention was the NADO Expert Advisory Group, and it had been discussed already that day. It was a great development. That body would have two more members. The NADO voice would be represented there for the first time, which was fantastic. However, it did lead to questions, including about what iNADO's role would be in relation to the EAG, what the EAG's role would be in relation to iNADO and how they would work together. He thought that the EAG and iNADO would need to work that out. If he were to speculate about the future and look in terms of NADOs' operational independence, which was always a hot topic, he would imagine that the EAG might be advising WADA on what was possible in a NADO, what was appropriate, what could work, and what might not work both in the NADOs and the region, actually looking at solutions. WADA standards or internal teams would then work out what could be compelled and what would have to be required and new standards on operational independence rather than the current guidelines. And then iNADO would step in with a resource to help spread that around the world and spread that among members and assist people in making the change in their own countries. Because, again, there were different levels of resources, different levels of capability, but the organisations were going to be in a position in which they would be able to help one other raise the game together.

In closing, he thanked the members of the Foundation Board very much for the opportunity to update them that day and the opportunity to speak. As iNADO refocused its approach, he welcomed the support and interest from WADA and the ITA, the Athlete Committee and everybody there as they all worked to make the anti-doping sector better each year. The anti-doping ecosystem was complex, but he felt iNADO had a clear role and mandate and it had the capability to work hard and support, making things better.

Before standing down, on behalf of iNADO, he felt that he should recognise Ben Sanford and everything he had done for iNADO. Another Kiwi, Mr Sandford had sat through numerous late-night meetings, he had attended iNADO board meetings as an observer to help iNADO improve its work and contributed to its programme, workshops, etc. He thanked Mr Sandford very much for his help. iNADO would miss him, but would try and get him involved nonetheless in the future. He thanked the members again for the opportunity again to speak and update them on iNADO's work and looked forward to returning in 12 months' time, at which point he would have a longer list of achievements and the members would see and know for themselves what iNADO had been up to.

THE CHAIRMAN thanked Mr Paterson for his very comprehensive report and all of his positive words. He could not agree more with him that only through collaboration would the various anti-doping bodies be able to achieve their mission.

DECISION

iNADO update noted.

- **8.2 International Testing Agency (ITA)**

MS FOURNEYRON thanked the members of the Foundation Board for allowing her as chairman of the board of the ITA to report to them about the main activities that her organisation had provided over the past 12 months. In their files, they would find a detailed report, and she would be happy to answer any questions about the ITA or its activities. The foundation board of the ITA, which included a WADA observer, had a supervisory role that was completely separate from the operational activities of the ITA, which were under the sole responsibility of its director general, Mr Benjamin Cohen. The ITA had existed for four years operationally, and it was in a very busy Olympic cycle with two Olympic Games within one year and that during a pandemic. More recently, it had been busy at the World Games in Birmingham. It continued to

introduce innovations. It worked very closely with the NADOs, and she wished to thank JADA, CHINADA and USADA in particular. The report of the independent observers of WADA had been very positive and it also showed that the ITA had provided excellent services to athletes unstintingly. In addition to the improvement of pre-Games activities before Tokyo and Beijing, the strategy adopted was an excellent one and the ITA had continued to work on intensifying and developing the training of anti-doping personnel, DCOs, escorts, honing skills in IT and helping the NOCs in the area of education, intelligence and investigation. For the first time, at the Olympic Games in Beijing, there had been a task force set up for investigation and information with more than 40 organisations participating. That was a lot of experience and know-how that had been accumulated and which would be of excellent use for the future major games for which the ITA had been mandated, for example, the European Games in Krakow, Poland in 2023, the Asian Games in Guangzhou in China and, of course, the Paris 2024 Olympic Games.

On compliance, over the past 12 months, the regulatory compliance unit of the ITA had been very committed to managing procedures and requests from WADA linked to Code compliance. Thanks to that process, the agency had been able to fill certain gaps, in particular in the area of data confidentiality. Also, within the framework of that, she had seen that concrete advantages and progress had been achieved for WADA in the application of the Code. In fact, partners who had delegated to the ITA the entirety of their programme, including risk analysis, controls, planning, testing, management of results and storage of samples, education, TUEs and blood passport had had three-and-a-half times fewer corrective actions imposed than those who had only delegated the work partially to the ITA.

On intelligence and investigations and education, she would briefly refer to investigation and information. Since the investigation of failings and cover-ups at the International Weightlifting Federation in 2021, major sanctions had been imposed by the ITA and accepted by the courts and confirmed by leaders in the area. In that context, she wished to underline the very good cooperation and the complementarity between the Intelligence and Investigations Department of WADA and the ITA. Since last meeting, more than 50 cases had been investigated. 198 potential cases had been transmitted by WADA to the ITA for examination. 30 cases had been considered as anti-doping rule violations and were going to be sanctioned. That meticulous work would continue case by case.

Since the International Standard for Education had come into force and sport events had come back to more activities since the epidemic, the education department of the ITA had seen great growth and a lot of demand also on the part of its partners. The ITA had finalised 25 education plans for IFs. The ITA had continued to supply a whole series of education webinars in six languages for more than 9,000 participants that year and, in 2022, specific education programmes had been prepared on the sidelines of 60 international sports events. To make sure that the work of the ITA and WADA would be complementary and in order to avoid any duplication, the operational teams of both organisations had set up a cooperation framework allowing them to work in full synergy with clear responsibilities for maximum impact.

Like her organisation, she was firmly convinced that doping could be beaten only in cooperation with all the partners in the sport ecosystem. That was why she sought partnerships with the actors and players who were concerned about efficiency, information, information exchange, know-how, innovation and improvements in operations. Even though the Code was not applied in the same way everywhere, it was necessary to continue to make the necessary efforts in order to carry out the fight against doping in all four corners of the world. The ITA had already concluded 29 agreements with national and regional organisations and with universities in the fight against doping. There were also special activities with IFs, and that cooperation would continue to be the DNA of the ITA. It was currently already preparing its strategy for the next four years and would continue to work tirelessly to contribute to WADA's mission for doping-free sport for all athletes. She congratulated the President and Vice-President of WADA on their re-election and all their work reflecting their passion for clean sport. Her thoughts were with them and the entire team in that difficult year of mourning following the loss of a colleague who had been very dear to everybody. She wished them all the best.

THE CHAIRMAN thanked Ms Fourneyron very much for her very comprehensive report and really great work and engagement. He also thanked her for her positive words and for mentioning WADA's colleague, Fred Donzé.

MR LAPPARTIENT spoke on behalf of a number of IFs and the Olympic Movement to congratulate Ms Fourneyron and her team at the ITA for the excellent and great quality work that they did. The ITA had been a very original idea and showed how very relevant it was after only a few years of existence. In all the programmes set up for the Olympic Games and in the fact that more and more IFs, including large ones, had joined the movement, the ITA had proven and shown that, if an organisation delegated only a part or hardly any of its anti-doping programme to the ITA, it would be less compliant and need more corrective measures. Obviously, when an organisation had to do everything all on its own in isolation, if it was a small federation, it was extremely difficult, and that was why it was necessary to pool resources and strength to fight doping. It was not just the administration and the management, but all other aspects as well, because networking resulted in greater strength.

There had been a lot of investment by the ITA in artificial intelligence, but also in human intelligence and grey matter. That was also very important. Analyses and samples, of course, were part of the normal fight against doping. However, investigation and cooperation with police forces all over the world were also important tools. There was also a question of economies of scale. If the ITA could do it for all of the sports, then obviously it could make savings. The ITA team had also managed to set up partnerships with all sorts of actors, and that had been very effective. He congratulated Ms Fourneyron on behalf of the IFs for everything that she had been able to do in such a short time. He could only appeal to those that had not joined the ITA yet to do so as quickly as possible, because united they would be strong and the more there were, the more united and the stronger they would be.

DECISION

ITA update noted.

- **8.3 United Nations Educational, Scientific and Cultural Organization (UNESCO)**

THE CHAIRMAN said that Dr Maria Grazia Cellini, Director of Social Policies and Chief of the Executive Office at UNESCO's Social and Human Science Sector, would address the Foundation Board virtually.

DR CELLINI congratulated the President and Vice-President on their re-election. More than a year had elapsed since the eighth session of the conference of parties, and she was delighted to share with the members an overview of the most salient and strategic advancements made in relation to the convention. One key progress was related to the strengthening of capacities of states parties, in particular those facing challenges and difficulties in implementing the convention. The capacity enhancement was based on strategic tools such as the operational guidelines and the framework for strengthening the implementation of the convention unanimously adopted by the COP the previous year. Financial and technical support were also provided through the anti-doping fund, whose functioning and priorities were continuously improved in cooperation with the approval committee. Concretely, that year, ten countries had seen their initiatives supported by the fund for tangible, sustainable results, orientated towards improved implementation of states parties' obligations and requirements stemming from the convention. Moreover, 17 non-compliant states parties and territories had been provided with tailor-made assistance through the application of the operational guidelines. It was important to emphasise that the majority of those countries were either small island developing states or least developed countries. A structural reorganisation of the social and human sciences sector had been endorsed by UNESCO's executive board in October that year, with the convention being the core of the newly created section for the elimination of doping in sport. That structural change would increase the visibility of the convention and contribute to strengthening the capacity to deliver on expectations from stakeholders. In the same vein, the COP decision and agreement to improve and increase the level of human resources within the convention secretariat had been translated into appointments of new positions dedicated to the monitoring of implementation of the convention. While that was indeed an important step ahead, the matter of human resources of the secretariat had only been partially addressed

due to financial gaps. Resource mobilisation efforts were being multiplied in conjunction with the COP bureau and the fund's approval committee to ensure that the targets set by the COP could be met. Since Mr Ramos had assumed the leadership of the social and human sciences sector over two years previously, ownership by governments of their role in the protection and promotion of sport as common universal heritage had been constantly reinforced with respect to the convention, but also regarding the flagship initiative, Fit for Life. Synergies were also being developed within UNESCO's body dealing with sport, notably the COP 8 bureau and the Intergovernmental Committee for Physical Education and Sport, CIGEPS, including joint work and mutual representation. Indeed, the implementation of Fit for Life and the announcement of the convention's impact as international public law in the field of sport integrity would be the two core teams of MINEPS VII, the seventh International Conference of Ministers and Senior Officials responsible for Physical Education and Sport. That would take place in Baku, Azerbaijan, from 14 to 17 March in 2023. She hoped that members of the Foundation Board would join UNESCO in Baku and seize the opportunity of that unique platform to advance together on joint objectives.

The main goal of the work conducted under the convention was to ensure that states parties were well equipped and capacitated to fulfil their obligations. That required the harmonisation of policies and pooling of efforts by states parties. Of course, it also required convergence with the domestic measures required by the World Anti-Doping Code. The legal obligations for states parties were laid down in the convention. It was only through the convention that the Code could be best applied. In other words, the convention ensured the effectiveness of the Code and states parties committed to the principle of the Code. Hence, as mentioned during the COP 8, the convention provided the nexus for the Code to acquire its legal weight so that the states could apply it in their legislation or policies. Moreover, those states parties were not signatories to the Code. They were part of WADA's decision-making bodies. At the same time, in most cases, states parties were indirectly or directly supporting Code signatories through the funding allocated to national anti-doping organisations.

She recalled that the conference of parties gathering the public authorities in 191 countries was the sovereign body of the convention. As such, the COP assumed the full responsibility of its implementation. COP membership also remained under its full responsibility and accountability. That aspect could not be handled outside the key COP prerogative. She invited the Foundation Board to consider both UNESCO's and the COP's roles. Specifically, the governing bodies of WADA and of the convention needed to be engaged in a natural manner and collaborate based on their mandates and in the frameworks of the convention and of the Code. For example, that was already applied during the COP where WADA had a *primus inter pares* role. Similarly, the COP's highest representative should have calibrated input into the Foundation Board. Institutional cooperation also needed to be reinforced with regard to the two annexes of the convention, notably prior to the adoption of amendments by WADA's Executive Committee and with respect to the timelines for communicating those to UNESCO. The challenge had already been raised on several occasions, as the members were aware. However, it was important to recall that key issue, given the legal impact and consequences it had on states parties and their ability to implement the changes within the given time-frame. She believed that the executive secretary of the convention, her colleague, Mr Marcelin Dally, had certainly raised the matter bilaterally with WADA's representatives. She looked forward to the follow-up to that exchange and hoped it would lead to productive and positive outcomes.

In closing, she seized the opportunity to also share with the members some updates and glimpses regarding the convention agenda for 2023, a COP year. She expected to continue optimising recent achievements, in particular focusing on the improvement and refinement of the convention monitoring system through the revision of the AD Logic questionnaire and the technical upgrade of the system, as well as enhancing the support provided to non-compliant states parties, notably small island developing states and least-developed countries, through customised assistance, both in terms of expertise and funding. Additional assets that formed the core of the deliverables for COP 9 included the finalisation of the model strategic framework, which would significantly help states parties in the design or review of legislation and policies, the review of the regional split of WADA's funding by governments, as well as the follow-up to the reflections around traditional pharmacopoeia and sport values initiated during the Covid-19 pandemic. All that work benefitted from the active commitment and participation of states parties through dedicated task

forces and engagement in consultation that had become an appreciated practice, bringing added value and reinforcing the participatory and inclusive approach at the centre of UNESCO's activities. Without further ado, she thanked the members for the opportunity and looked forward to continuing to work together for the protection of global sport values, ethics and integrity.

MS KRUPKA took advantage of the fact that UNESCO was on the agenda, and raised a question about the presence of Minister Oleg Matytsin in the COP 8 bureau. Her position was that Minister Oleg Matytsin should step down or be removed from continuing his function because of the war in Ukraine started by the Russian Federation. She understood that that could be perceived as a political decision, but strongly believed that UNESCO, as an organisation that stood for the promotion of democratic and sport values, should react. To that day, the secretariat of COP 8 had decided not to take any action, which was unacceptable and damaging for the anti-doping community bearing in mind the fact that the Russian Federation continued its aggression in Ukraine and was responsible for war crimes committed on Ukrainian soil. The decision had not been taken by UNESCO even after official requests formulated by several of UNESCO's members, one of which had been the Polish Government. In her opinion, UNESCO should show its commitment regarding the matter. There were also good examples of how to react in such situations. She referred to the Council of Europe, which had taken very radical measures against the Russian Federation and its representatives in Council of Europe bodies. The Council of Europe was an international organisation that had done what should have been done.

DR AYEW AFRIYE said that he had four brief questions. The African region was concerned that adequate communication was not being received. Regarding the ministers mandated to deal with the anti-doping file, what was UNESCO doing to ensure that they were properly briefed and informed on that important process? His second question was whether UNESCO could provide assurances that the working group continued to focus on the overall global share split. The African region had a process to determine the regional share split, which it regarded as very important. The region would like to continue to determine its own internal process in that regard and would like to receive the assurance from UNESCO that the process embarked upon and agreed at the conference of parties would not take responsibility for determining the regional processes. And, finally, could UNESCO please ensure that states parties received updates regularly and that regional representatives serving on the working group reported on developments from time to time as deemed necessary?

DR CELLINI addressed the first question received and reminded the members that decisions as to whom to include or exclude were not made by the UNESCO secretariat but by member states. That was something that member states had to decide. That was the answer to the first question. As to communication, how that happened and how UNESCO ensured that that happened, normally, there were designated official channels. That meant basically permanent delegations, national commissions and also national focal points. If there were specific instances in which those mechanisms had failed to deliver on communication, she would be very grateful to be notified so as to check what had happened and try to also devise how best to communicate.

She thought that the second question was about the regional split only. UNESCO did not interfere in the WADA budget.

The third question was about who decided. Of course, each region would decide on its own matters. Regarding regular communication, indeed, that was something UNESCO had been working on and would work even more on in the future, because engaging and actively taking members on board was a key feature and a key need in order to deliver on the ambition and the ambitious objectives set.

MR DALLY stated that, before formally answering the various questions that had been asked, he wished to reiterate what Dr Cellini had said and congratulate the President and Vice-President on their re-election. UNESCO was prepared to continue working together with the WADA team. He insisted on the term 'working together' because it was joint work. The convention had come into being thanks to cooperation with WADA, and it was only normal that the work carried out be done jointly. Several questions had been asked. First of

all, on governance, as the members knew, it was up to the COP to designate its elected members. The designation process was clear and based on the provisions of the convention and a mechanism adopted by the conference of parties. It was not up to the secretariat, as might have been thought. It was not a question of governance. It was not a question of prerogatives of member states being undermined. Through those mechanisms, any party wishing to see changes in the elections established at the COP was sovereign and could call on those mechanisms. The responsibility of public authorities would indeed be called upon. The secretariat would just provide logistical support. He wanted that point to be viewed in that light.

As to the question put by the representative of Africa, for several years, UNESCO had raised the issue of communication and whether it was the responsibility of the secretariat or the states themselves. There were various channels of communication: the permanent delegations, the national commissions and subsidiary bodies under the aegis of the convention. He was talking about national compliance platforms, which were basically mechanisms that had been set up to facilitate the cooperation on the various levels set out in the convention. There was a second aspect concerning the substance of the matter. There had been talk of substance. Of course, UNESCO had representatives within the approvals committee. They communicated regularly with the various regions. That was one of the possibilities that might be explored in order to decide what to work on in terms of representatives during the work of the various entities. Of course, it was not up to UNESCO to say how the committee was going to work in terms of issues. The agenda was clearly established by the COP through the resolutions adopted, and that was where there was the link. The members could thus understand the real impact of the fund and the implementation of resolutions and the impact that that might have on structural or operational capabilities. When it came to improving communication, he believed it was useful to view that within the context of the COP. UNESCO, as an organisation, had its own channels of communication with the states parties and member states, and perhaps a means could be found to ensure that such communication directly reached the stakeholders at national level. Communication through the various channels often did not reach ministers, public authorities or those who were responsible for national implementation of the convention. There, he thought that it was necessary to explore the various ways and means of improving those channels of communication.

THE CHAIRMAN thanked Mr Dally very much for his comprehensive response.

MS KRUPKA asked why the request to make a decision about the presence of Minister Oleg Matytsin had not been escalated by the secretariat of the COP 8 to the member states. She would like to know the answer.

MS CELLINI responded that the issue was not a matter for the COP secretariat. That was why the matter had not been escalated.

MR DALLY clarified that the secretariat's role was only one of facilitation towards stakeholders. Regarding the query, that was to be addressed within the framework of the COP. It was not the secretariat's role to interfere in a political matter.

DECISION

UNESCO update noted.

9. Standing committee reports

- 9.1 Athlete Committee

MR SANDFORD informed the members that they had his report and earlier reports. Having come out of Covid-19, it had been great to be able to start meeting again in person, as that meeting also showed. The Athlete Committee had also met for the first time in a couple of years in June that year at the same time as the WADA symposium in Lausanne. A number of committee members had been involved in the symposium and there had also been an athlete session the day after the symposium, attended by about 60 athletes, both online and in person. The members had heard earlier about the human rights impact assessment and the agreed framework and the fact that there was an expert in place. It was fantastic to see that coming to

fruition after the WADA Athlete Committee had written a letter to WADA a couple of years previously. He therefore congratulated the members on getting to that point and was sure the Athlete Committee, and the future Athlete Council, would be heavily involved in the process. The members had already been updated on the ombuds and having the ombuds was going to be of enormous benefit to athletes. He was thoroughly looking forward to having that person in place, having the office set up and having the ombuds able to start work hopefully early the following year.

There had been a number of discussions that day on the transition from the current Athlete Committee to the Athlete Council. There had been an Athlete Committee meeting the previous week and the committee was in the process of planning the transition and making sure that it would be a smooth transition from the Athlete Committee to the Athlete Council.

Lastly, athlete engagement had, again, because of Covid, switched from being virtual and from holding a lot of webinars. The webinars continued, but there had also been in-person meetings that year and a number of major events and the committee had been able to have outreach programmes and partner with various athlete bodies and anti-doping organisations to deliver those programmes. It had been great to see athletes and events happening in person and to be back out there talking to athletes.

That summarised his report. He would be happy to take questions on it; however, after the questions or before the questions, he would like to make a few final remarks as well.

That was his last Foundation Board meeting. His term as the chairman of WADA's Athlete Committee was coming to an end at the end of that year. As his athlete career had finished a number of years ago, so too did his athlete representative career. He had been representing athletes and various organisations for the past 16 years, and since 2012 had been a member of the WADA Athlete Committee, which was coming up to 10 years, and for the past three years he had had the enormous honour of being the chairperson of the WADA Athlete Committee. It had been an incredible honour and a huge amount of work had gone on behind the scenes to get to where WADA was that day. Sport, as the President had said that day, had incredible power. It was the stuff of dreams. It was the stuff of aspirations and it was where people witnessed the unbelievable. It was WADA's role to make sure that the unbelievable was believable. Athletes bore the burden of all of the anti-doping rules and the responsibilities that were placed on them. The consequences on athletes when they got things wrong were enormous. They were career-ending and life-changing. It was vital that WADA not just recognise that, but that the members understand that they were all better off the more athletes were involved in anti-doping, the more athletes were involved in creating the rules, the more they were involved in developing policy and the more that they were involved in governance. There might be disagreement about the details, but together they all needed to be on the same journey towards safer, fairer and cleaner sport. He truly believed that that was done by involving athletes.

He wished to say a number of thank yous. He needed to try and not cry. Stacy Spletzer was the flair and the heart of the Athlete Committee. His time on the Athlete Committee had started when he was an athlete and had transitioned to not being an athlete. He had finished competing in 2014. That transition from being an athlete to not being an athlete was difficult. He wished to thank WADA and especially Stacy for the amount of opportunities and the amount of engagements and outreach missions she had put him on because it had kept him busy in a difficult part of his life. Stu Kemp had been involved in the Athlete Committee for a number of years and, without Stu pushing the agenda and making sure that they got things done, WADA would not be where it was that day with the human rights impact assessment and the ombuds project. Everybody stood on the shoulders of giants and there had been a number of comments made about Fred Donzé that day. He also wished to add to those, because he had been involved for a number of years with the Athlete Committee and his passion for anti-doping, the time that he had committed to anti-doping and to the Athlete Committee had been enormous and he was sorely missed. He also wished to thank the athletes of the world. He had been in that role for 10 years, and involved in athlete representation for 16 years. There was no one athlete voice. The members did their very best to try and represent athletes as best they could around those tables. But it was through the thousands of discussions and the enormous amount of e-mails that they were able to turn up at those meetings and do their very best to represent that very diverse range of athletes. He really wanted to thank the athletes for the faith that they had given him,

the faith that they had put into the WADA Athlete Committee, and he hoped the faith that they would put into the WADA Athlete Council. He also wished to thank the WADA Athlete Committee. There had been an incredible amount of amazing people and amazing athletes he had got to know over the past ten years who had been involved. They had been passionate, they had been dedicated, and they had wanted better sport, safer sport and cleaner sport for all. He repeated that the work of the Athlete Committee had changed enormously over the time that he had been involved in it. In 2012, when he had started, it had been radically different from where it currently was, and it was with some pride that he thought he could leave the space and know that the committee was currently functioning in a way in which it was undertaking its own projects and had its own work stream instead of just maybe rubber stamping a few things that came through from the management. It had changed a lot. He wished to thank the previous members of the WADA Athlete Committee and also the previous chairman, because there had been very difficult times over the past ten years and they had been difficult to navigate. But the committee was where it was because of those difficult times. He thanked the President, the Vice-President and the Director General for their leadership and support, especially over the past three years. It had been invaluable. To the members of the Foundation Board and the Executive Committee, he thanked them again for their support as well and for supporting the committee in the projects that it was undertaking. The Athlete Committee did not undertake the projects lightly. The members truly believed that they were going to benefit athletes and anti-doping. Lastly, he wished to thank the WADA staff, who had been absolutely incredible, were so knowledgeable and had never ceased to open their door and involve him and other members of the Athlete Committee in discussions. He really hoped that that would continue with the new Athlete Council. He urged the members to carry on listening to athletes. Athletes wanted to be involved and the more they were involved, the better the outcomes would be. His hope was that he was leaving the Athlete Committee, WADA athlete representation and anti-doping in a better place than when he had found it. He would let the members and the athletes of the world be the judge of that.

MS WELLS expressed the unanimous wish of One Voice for her to recognise the outstanding contribution of Mr Sandford as he left WADA. She wanted particularly to acknowledge how he had personally ensured the success of the implementation of the governance reforms, which had left WADA with the creation of the new Athlete Council and the establishment of the ombuds pilot programme. The members could hear how passionate he was about the cause and he would certainly be missed when he was gone. She had had the pleasure of knowing Mr Sandford only for a couple of months, but she was advised that he had always been approachable, instructive and taken every opportunity to lift athletes up. She thanked Mr Sandford very much for his service. He would be missed.

MR KAYANGE EMONYI thanked Mr Sandford for his involvement and work over the past 10 years in athlete representation. It had not been easy, and especially the past few years as chairman and navigating through some tough times, but Mr Sandford had been at the centre of really raising issues and feedback from athletes and being able to push them to fruition. Being able to capture the views and opinions of different athletes from different backgrounds had been one of his strengths, just putting it all in one voice for the benefit of integrity in sport. The athletes really appreciated that. Mr Sandford had left the Athlete Council on a good path in a better place. It would only get better and he had a feeling that WADA would be seeing him around soon. He wished him all the best.

MS YANG said that she had not prepared anything, but Mr Sandford's speech had really touched her. She understood how he was feeling. It was amazing what he had done over the past three years. He was the example that doing the right thing in the right way made everything happen and he left a legacy for the athletes. She congratulated him and looked forward to seeing him soon somewhere.

MR BAUM added on behalf of the Americas region his thanks to Mr Sandford for many years of dedicated service, and particularly the past two years for the governance reform process and working so hard to ensure the successful transition to the Athlete Council, which was so important to everybody. The region would miss him and thanked him for his service.

MS TERHO echoed what had been said by the previous speakers. She knew that the time that Mr Sandford had been the chairman had been very different because of Covid, but he had kept things going forward and made sure that things were brought to the committee. She could only imagine how much work that had required and could not have asked for a better chairman from the athletes' side. She wished to say a big thank you for that and hoped to get some consulting from Mr Sandford when starting with the new council, since he had a lot of valuable knowledge. She thanked Mr Sandford as a committee member and on behalf of the athletes for bringing their opinions forward.

THE CHAIRMAN thanked the members for their comments. He thanked Mr Sandford for his enormous efforts in support of WADA and clean sport and, in particular, for his unwavering commitment to representing all athletes from around the world. Mr Sandford had begun serving as a volunteer on the Athlete Committee in 2013 and had become its chairman in 2020. Since that time, he had gone above and beyond. In addition to participating in multiple independent observer programmes, being a part of the World Anti-Doping Code drafting team and representing athlete views as part of WADA's Strategic Testing Expert Advisory Group, Mr Sandford had led WADA's efforts to engage other athlete groups to advance clean sport messages and enhance athlete support for WADA worldwide. Mr Sandford had participated in meetings on an almost weekly basis in the middle of the night from New Zealand, which was a testament of his commitment. Mr Sandford finished his Athlete Committee term with much to be proud of. He had led several initiatives that left athletes with a better anti-doping system than the one that had been in place when he had joined in 2013. To name just a few of his achievements, Mr Sandford had been instrumental in introducing the Athletes' Anti-Doping Rights Act, which sought to ensure that athletes were aware of their rights in the global anti-doping system, Mr Sandford and the Athlete Committee had been the catalysts for WADA's human rights impact assessment, which would further ensure that athletes' rights were protected along with the right to fair competition, and he had played an integral role in the development of the new athlete ombuds. Beyond all that, Mr Sandford had also been at the forefront of all the athlete-centred elements of WADA's governance reforms, perhaps most importantly, of course, the creation of WADA's Athlete Council, which would represent, support and promote the voices of athletes on anti-doping matters and be the avenue for athletes to assume important seats within WADA's governing bodies. Again, he extended his personal thanks to Mr Sandford for his commitment and wished him the very best for the future, although he felt quite certain that anti-doping would continue to benefit from his involvement in some form or fashion for many years to come.

DECISION

Athlete Committee update noted.

- **9.2 Compliance Review Committee**

MR GOURDJI stated that the paper before the members provided a summary of the main activities undertaken by the Compliance Review Committee since May 2022. The Compliance Review Committee had been quite busy since the previous report to the Foundation Board. There had been one hybrid meeting the previous August as well as a one-day meeting in camera by the Compliance Review Committee, and then the members had met again for a four-day meeting in October. He would briefly summarise the compliance activities. At each meeting, the Compliance Review Committee got the latest updates on Russia, and he would not get into that. The members had heard quite a lot of detail from Mr Wenzel, but he reassured them that the Compliance Review Committee continued to carefully consider progress made against the reinstatement conditions and advised the WADA management on data and evidence required for ongoing review and assessment. The Compliance Review Committee would not make any recommendations to the Executive Committee without any of the progress being validated before coming forward. At each meeting, the members continued to review the compliance cases regarding the Ukraine NADO. The Compliance Review Committee was quite encouraged to see the collaboration and the acts of solidarity from a number of anti-doping organisations in ensuring that Ukrainian athletes continued to be subject to a robust anti-doping programme. Since the previous report, there had been four cases of non-compliance and they were detailed in the report. The Compliance Review Committee was always updated on the latest developments on concerns regarding non-compliant signatories that were listed in the report. With regard to standards, at each meeting, the Compliance Review Committee received and got updates following the stakeholder

consultation on the proposed revisions of the standards and was kept updated on the latest revisions approach for revisions to the standard that were currently being considered for 2023. The Compliance Review Committee continuously provided guidance and oversight on WADA's compliance programme with satisfaction, and had been participating in and advising on the development of a compliance risk management system, which was maturing quite nicely. The committee had also been receiving updates on WADA's progress in achieving its 2022 annual plan, which was coming to an end. Finally, it had also endorsed the Compliance Task Force proposed signatory audit plan for 2023 which contained 10 audits, and provided feedback on WADA's management audit selection process, which it found to be robust.

MR BAUM noted that CADE wanted to intervene on two compliance matters. First, he wanted to provide a brief update on Puerto Rico. The Americas region was pleased to report that Puerto Rico had made progress towards getting into full compliance with the WADA Code. The previous week, the Puerto Rican Senate had approved the required legislative amendments. That week, the amendments had been approved by the House of Representatives. The final bill had been sent to the governor and it was expected that he would sign the legislation into law shortly. The Americas region appreciated the work of Puerto Rico's national director of sports and the Puerto Rican Olympic Committee to drive that legislation through the state legislative body after delays caused in large part by the devastating impact of the hurricane. It was encouraging and proper that Puerto Rico had made important progress in updating its laws. The Americas region would like to take that opportunity to make the larger point that it did not believe it was appropriate for a NADO to face consequences for delays in legislative action by governments. As had been previously discussed, enacting legislative changes could be a slow and difficult process. Even if they received financial support from governments, NADOs were generally not formally part of governments and not responsible for their legislative actions. He believed that the approach to delays in enacting legislation should be reviewed and revised to better insulate NADOs from collateral consequences. The Americas region wished to request an analysis by the most appropriate body at WADA to consider options to address and mitigate that concern.

THE DIRECTOR GENERAL referred to the question of the link between the legislation and the NADOs. The rules were the rules, and applied to everybody equally. Any change to the approach meant a change in the rules, so that was something that would be discussed further. The impression that the time that was given for the changes was limited did not reflect the reality because, before any letter was sent to an ADO in a situation like that, many steps took place in advance and therefore the deadlines were relatively long. The management would be happy, as requested by Mr Baum, to prepare something for the next meeting, just to show how the timeline worked and how the situation worked and have a discussion with all the facts on the table.

MR GOURDJI noted that the Compliance Review Committee received the status from WADA on the number of signatories whose laws and regulations needed updates. The members needed to recognise that rules were promulgated and structured quite differently around the world. Some states had various tiers on their rules, from laws to standards, orders, presidential decrees and ministerial decrees, all different levels of approving authority, so some could approve easier than others. Having said all that, and to the point on mitigation, it was important for all signatories to coordinate their draft at an early stage with WADA which would ensure that the proposed draft was in line before it advanced too far in the promulgation process. The Compliance Review Committee had asked WADA to put in place mitigating measures to help out signatories. Awareness training workshops had been set up to work with signatories and WADA was reporting to the Compliance Review Committee on the progress being made in that particular area. There had been significant progress made in that area to help work with the signatories. He thought that that was good mitigation that had been put in place.

DECISION

Compliance Review Committee update noted.

- **9.3 Education Committee**

MS KANOUTÉ thanked the members for giving her the opportunity to provide some key highlights on some of the projects the Education Department had been involved with and that the Education Committee

had been very happy to support. For the committee work supporting the Education Department, the members focused on the majority of athletes. It was always great to remind themselves that the majority of athletes trained and competed clean and wanted to remain so. The role of the committee was really to keep with that principle, which was fundamental to its efforts, remembering that athletes started in sport clean. The main work of the committee was to support the WADA Education Department with advice and expertise. The committee had overseen the development of new programmes, for example, it had been active in the redevelopment and testing of the new ADeL platform, which to date had overseen 393,000 course completions, including 77,000 completions by international-level athletes. More recently, some of the committee members had also been very active in the establishment of the Global Learning and Development Framework, which provided role-specific training for anti-doping practitioners. Committee members had also participated in and supported the Social Science Research Expert Group to ensure that there was an effective connection between the two groups. To continue with social science research, the members would also hopefully remember that the first ever social science research strategy had been launched following the endorsement from and approval of the Executive Committee at the September meeting in 2020. It had six core aims that could be seen on the slides. The committee was really keen to see the progress reported against such strategies, highlighting progress made over the past two years of implementation. She would be happy to keep the members updated on that. She wished to highlight three key achievements with regard to social science research for 2022. One, the highest amount of funding had been awarded for social science to date. Two, the highest number of social science applications ever had been received over the years. And three, as one of the goals of the new strategy had been to open funding for more global researchers, she highlighted that 35% of research funding had gone to non-European regions. There would be a small plea from her on behalf of the education community to also highlight that scientific research was crucial to anti-doping efforts. Social science research also helped understand why athletes stayed clean and what made them vulnerable to doping, and that was also valued.

One key highlight that she wanted to share, obviously, was the 2022 Global Education Conference that had taken place in Sydney, Australia, in September. She first wished to take the opportunity to really thank Minister Wells and Sporting Integrity Australia for being amazing hosts for that event. There had been a record attendance of over 300 participants and she was grateful to those in the room who had participated in the session and also encouraged colleagues to take part in the conference. It had been a valuable experience for all and the team continued to evolve education and celebrate a new era with a clear direction since the conference. In line with the conference theme, the conference outcomes clearly highlighted the mood and thoughts and direction of the community, in particular, the key message that WADA had to educate athletes from the playground to the podium and not wait until they hit the world stage. With a record number of over 200 participants attending, collaboration was key. With the resources and tools made available by WADA and others, there was currently no excuse for no anti-doping education. Anti-doping education was a fundamental component of all anti-doping programmes to ensure greater balance. In addition, a key principle was that the entourage of athletes needed to be educated as much as the athletes needed to be. Lastly, there had been a clear shift at the conference in relation to education's true purpose. Education had to focus on the development of clean sport behaviours, the actions that athletes needed to operate within the anti-doping system and to reduce the risk of inadvertent doping. That was a critical area. The education community, together with the Social Science Research Advisory Group, would continue to progress with WADA's Education Department to build up to the 2024 Global Education Conference, which would take place in Paris. She invited all of the members to join her.

DR AYEW AFRIYE welcomed the comprehensive report. He congratulated Ms Kanouté and the Education Department on a very successful global education symposium in Sydney. The reports received seemed to suggest that, as a region, a lot had been learned, and it was currently ready to consider how to implement the outcomes at home. In that regard, he advised the members that the Africa office, in partnership with the South African NADO, was busy planning for an African education workshop, to be held in February the following year. What was unique about the workshop was that the intention was not to consider existing initiatives or programmes, but to consider how the region, through innovative and dynamic ways, might use unique regional customs, traditions, cultures and values in engaging athletes and others to sensitise, educate and empower them. He looked forward to the involvement of the Education Committee

and Education Department, and looked forward to seeing the members in Johannesburg. Similarly, it would be useful and extremely important to have the regional athlete council members also present. Their views, stories and expectations would add immense value to the programme.

MS KANOUTÉ responded to the kind words from Africa and congratulated the continent on organising such an event with regard to education. She was an African athlete who had been competing and arrived at the Olympic Games with no prior education, so could only encourage such initiatives. Also on behalf of the Education Committee, led by Ms Hudson, who had been doing tremendous work, she emphasised that the WADA Education Department obviously would be assisting and enabling with all means necessary to support the continent for that event, and athletes and athlete committee members, including members from the WADA Athlete Council, would also support regionally.

DECISION

Education Committee update noted.

- **9.4 Finance and Administration Committee**

Report dealt with under the item on finance.

- **9.5 Health, Medical and Research Committee**

PROFESSOR ENGBRETSSEN noted that the report had been sent around, so everybody had the details. He just wanted to highlight a couple of things. One was that he had been in the committee for a long time and, when he had started out, there had actually been 6.5 million dollars for funding research. That year, WADA was handing out two million US dollars for 18 projects, so it did not really look good. However, looking at the coming years, in 2023, 2024 and 2025, WADA would have more than four million US dollars for research funding, which was actually very good, and he was very grateful for that. That would allow WADA to be a little bit more proactive. There would be a dynamic way of calling for applications, meaning that WADA would receive applications on a monthly basis, the whole year round, which would make it much more convenient and easier and quicker for researchers applying for funds from WADA. That would also allow WADA to go wider. That year, WADA had had 46 applications, which was not very much. Most of the applications had come from the WADA laboratories and only about one-third had come from institutes or universities outside the laboratories. WADA needed, in anti-doping research, people from outside coming, helping and participating both in finances and also in the science. He hoped that increasing the budget, almost doubling it for the coming years, would enable WADA also to get more results for everyone in the fight against doping. Dr Rabin was obviously instrumental in working on that. He thanked Dr Rabin for everything he had done to increase the funds for research in the coming years.

DECISION

Health, Medical and Research Committee update noted.

10. Other business/future meetings

THE CHAIRMAN asked the members if they wished to raise any other issues before concluding the meeting. It seemed that he could conclude that day's meeting. In accordance with the governance reforms, the following year there would be one Foundation Board meeting to be held in November 2023. He would confirm with the members in due course exactly when and where WADA planned to hold the meeting. He wished to thank all of the members for their participation and engagement and the WADA staff for planning and supporting the conduct of that hybrid meeting. He also thanked the interpreters for their hard work. He wished everybody a safe journey back home. It was always an honour for him to chair that meeting, and he thanked the members again for their decisions regarding his and Ms Yang's future.

DECISION

Executive Committee – 9 May 2023, Montreal, Canada,
TBC;
Executive Committee – September 2023, TBC;
Executive Committee – 16 November 2023, Montreal,
TBC;
Foundation Board – 17 November 2023, Montreal, TBC.

The meeting adjourned at 14.50 GMT+2.

FOR APPROVAL

MR WITOLD BAŃKA
PRESIDENT AND CHAIRMAN OF WADA

MR OLIVIER NIGGLI
DIRECTOR GENERAL AND RECORDING SECRETARY