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# Independent Ethics Board Biannual Report

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# 1. Background

In November 2021, the Foundation Board approved the WADA Code of Ethics (Code of Ethics). In May 2022, it appointed the inaugural members of the Independent Ethics Board (Ethics Board), the body in charge of implementing the Code of Ethics.

Pursuant to Article 2.6 of the Regulations of the Ethics Board (Annex A to the Code of Ethics), the Ethics Board will report periodically on its activities to the Executive Committee and Foundation Board. The Chair will present virtually at the Executive Committee meeting on 9 May 2023 and provides the following written report, which will also be made available to the Foundation Board.

On 18 November 2022, the Chair of the Ethics Board presented in person their first report to the Foundation Board. The next report will be presented to the Executive Committee and the Foundation Board in November 2023.

# 2. Composition and Activities

## 2.1 Composition of the Independent Ethics Board

The members of the inaugural Ethics Board were approved by the WADA Foundation Board in May 2022, following the recommendation of the WADA Nominations Committee. The composition is as follows:

Name	Position	Country	Term End
HARTLEV, Mette	Chair, Independent member	Denmark	May 2025
ANG'AWA, Mary	Vice-Chair, Independent member	Kenya	May 2025
BORRY, Pascal	Independent member	Belgium	May 2025
HUTCHINSON, Phil	Independent member	UK	May 2026
LABELLE, Regina	Member nominated by the Public Authorities	USA	May 2025
PERNA, Sal	Independent member	Australia	May 2024
PREZELJ, Rožle	Independent member	Slovenia	May 2024
THEISEN, Marc	Member nominated by the Olympic Movement	Luxembourg	May 2025
TUIKETEI, Ana	Independent member	Fiji	May 2026

## 2.2 Meetings

The Ethics Board has held five meetings since its last report to the Foundation Board in November 2022, including one in-person meeting in Lausanne, Switzerland on 13 March 2023 followed by their participation to WADA's Annual Symposium on 14-15 March.

### List of meetings

- Meeting #6 – 20 December 2022 – 1.5 hours (virtual)
- Meeting #7 – 11 January 2023 – 1 hour (virtual)
- Meeting #8 – 14 February 2023 – 1.5 hours (virtual)
- Meeting #9 – 13 March 2023 – Lausanne, Switzerland – full day
- Additional ad-hoc meeting – 14 March 2023 – Lausanne, Switzerland – 1.5 hours
- Meeting #10 – 11 April 2023 – 1.5 hours (virtual)

In addition, the following four discussions were held between the Ethics Board members and:

- WADA Director for Education – 22 November 2022 – 1 hour (virtual)
- WADA Chief Technology Officer – 13 March 2023 – 1 hour (in person, Lausanne, Switzerland)
- Athletes' Anti-Doping Ombuds – 13 March 2023 – 0.5 hour (in person, Lausanne, Switzerland)
- WADA Ethics Expert Advisory Group – 13 March 2023 – 0.5 hour (in person, Lausanne, Switzerland)

### In-person meetings

While recognizing the need to minimize travels and expenses, the Ethics Board notes the importance of in-person meetings to allow for direct discussions and productive exchanges, which are of crucial importance especially at the time when this new body is being established.

The meeting in Lausanne, Switzerland proved to be very productive and had to be extended with an ad-hoc meeting the following day at the SwissTech Convention Center, where WADA's Annual Symposium was held, to close important discussions.

Considering the above and the Ethics Board's ongoing implementation phase, the Chair has requested WADA Management to seek additional budget for a second in-person meeting in 2023 to be held over two days on 15 and 16 November in Montreal, Canada. The Ethics Board would then attend the Foundation Board meeting on 17 November 2023 in person.

## 2.3 Activities

Meetings held to date since the last Ethics Board report have been essentially focused on two priorities that were already identified in the November 2022 report:

- The recruitment and appointment of the Ethics Officer, whose main task is to analyze and receive all complaints, denunciations, allegations, or suspicions of breach of the Code of Ethics or its implementing provisions referred to them. Please refer to Section 3 below for more information on the Ethics Officer.

- The internal and external set up of the Ethics Board, including establishment of a dedicated website and a reporting platform, development of an education plan and global review of the Code of Ethics. Please refer to Sections 4 to 7 below for more details on these matters.

Three subcommittees were established within the Ethics Board to conduct technical and operational work in smaller settings: 1. Communications & Education; 2. Stakeholder Relations; and 3. Legal / Interpretation of the Code of Ethics.

### 3. Ethics Officer

The search for an Ethics Officer was initiated in [August 2022](#) and attracted 20 eligible candidates, eight of which were interviewed by the Ethics Officer Selection Panel, composed of members of the Ethics Board and the Nominations Committee. After reviewing and vetting a shortlist of candidates, the Panel submitted its recommendation report on two finalist candidates. At its January meeting, the Ethics Board confirmed Mr. Gautier Aubert as the successful candidate, whose appointment was also recommended by the Nominations Committee. The Ethics Board is thankful to the Nominations Committee, its Chair, Ms. Diane Smith-Gander, and another independent member Ms. Regine Buettner for the efficient cooperation established between the two bodies throughout the entire process.

Following the selection of the Ethics Officer, a service agreement was drafted and reviewed by WADA's internal and external legal counsels as well as by the Ethics Board members. The contract was signed by Mr. Gautier Aubert in March prior to attending WADA's Annual Symposium, during which he was introduced in the Ethics Best Practices session orchestrated by the Ethics Board. Mr. Aubert also attended the afternoon session of the Ethics Board in-person meeting on 13 March to meet the members and discuss the reporting platform requirements.

As an independent contractor, Mr. Aubert will perform his services for an initial term of three years, with scope for a further two three-year terms at the discretion of the Ethics Board. He will act independently of WADA and will report directly to the Ethics Board Chair. Mr. Aubert is a Swiss attorney at law and founding partner of law firm Aubert-Hug in Le Landeron, Switzerland. He has broad experience in the world of sports and sports law as well as in ethics matters. A public [announcement](#) on the Ethics Officer was made by WADA on 30 March 2023, which also served the purpose of informing WADA staff and members on the foreseen reporting infrastructure.

The Ethics Officer is already operational, and one matter is currently under initial review.

### 4. Independent Ethics Board Website

With the collaboration of WADA's Communications Department, the Ethics Board has established its own dedicated 'microsite', which is hosted and managed by WADA but is separated from WADA's main website. On this [website](#), users will find detailed information on the Ethics Board, the Ethics Officer and the Code of Ethics, and from there, they will have access to the reporting platform. At the time of writing this report, minimal information is provided on the website as the Ethics Board continues to prepare, review, and finalize the content to be added to the website. It is expected to be completed by the end of the second quarter of 2023. The Ethics Officer will be invited to provide feedback on the website content.

In parallel to this website, the Ethics Board [webpage](#) on WADA's website remains in effect and includes a link to the dedicated website.

## 5. Ethics Reporting Platform

Following the appointment of the Ethics Officer, the Ethics Board and Mr. Aubert agreed on the inaugural reporting system for complaints lodged under the Code of Ethics. This system will be provided by EQS Integrity Line, which is the service provider of WADA's [Speak Up](#) platform. The Ethics Officer will work closely with WADA's Information Technology Department to set-up this new independent and confidential reporting platform. It is expected to become operational in May 2023 and will be directly and solely managed by the Ethics Officer. In the meantime, anyone who wishes to report information or lodge a complaint under the Code of Ethics can do so by contacting the Ethics Officer by email at [Ethics.Officer@wada-ama.org](mailto:Ethics.Officer@wada-ama.org).

## 6. Education Plan and Presentation at WADA's Annual Symposium

Following their meeting with WADA's Education Director in November 2022, the Ethics Board Subcommittee on Communications & Education started developing content for their website, which was identified as a key tool to raise awareness on the Code of Ethics. Other important steps in the first phase of the proposed education plan includes the creation of a training session for WADA staff and Management (in the form of a Brunch & Learn session with WADA's Legal Department collaboration) and of a resource document for members serving on WADA bodies.

In addition, the interactive session on Ethics Best Practices at WADA's Annual Symposium served as an introduction of the Ethics Board to the anti-doping community and formed an integral part of their education plan. The Ethics Board presentation at the Symposium was successful and attracted approximately a hundred participants. The session started with a brief presentation of the Ethics Board members and role, the Ethics Officer and the Code of Ethics, before turning into a workshop where members of the Ethics Board moderated discussions at round tables. Each member then shared useful take-aways from these discussions and the Chair ended the session by providing an update on the Ethics Board website and upcoming reporting platform.

## 7. WADA Code of Ethics

The Ethics Board Subcommittee on Interpretation of the Code of Ethics has worked on a review of the [Code of Ethics](#) in the past months and has identified possible improvements to the text in addition to changes required as a consequence of the 2022 governance reforms, in particular the necessary updates to the independence criteria and the Executive Committee's required majority to decide on reconsideration measures. The Ethics Board will meet with WADA's external legal counsel who drafted the Code of Ethics to better understand the intent behind certain provisions. Thereafter, the Ethics Board will submit a proposed revised version of the Code of Ethics to the Foundation Board for approval, which submission will occur in the context of the broader revision of the WADA Statutes and Governance Regulations.