



**Minutes of the WADA Foundation Board Meeting
20 November 2006
Montreal, Canada**

The meeting began at 9.00 a.m.

1. Welcome, Roll Call and Observers

THE CHAIRMAN welcomed everybody to the second Foundation Board meeting for 2006; it was a pleasure to see everybody in Montreal. As he looked around the table, he saw a number of familiar faces, but also some that were new. He invited everybody to introduce themselves. The following members attended the meeting:

Mr Richard Pound, President and Chairman of WADA; Mr Peter Schonning, representing Mr Brian Mikkelsen, Minister of Culture and Sport, Denmark, and Vice-Chairman of WADA; Sir Phil Craven, President of the IPC; Dr Patrick Schamasch, IOC Medical Director, representing Dr Robin Mitchell, IOC Member; Mr Willi Kaltschmitt Lujan, IOC Member; Mr Christophe de Kepper, Chief of Staff, IOC, representing Mr Patrick Chamunda, IOC Member; Professor Eduardo de Rose, President of the PASO Medical Commission; Mr Richard Young, representing ANOC; Mr Andrew Ryan, Director of ASOIF, representing Mr Tamas Ajan, IOC Member; Mr Anders Besseberg, President of the International Biathlon Union; Professor Arne Ljungqvist, IOC Member and Chairman of the WADA Health, Medical and Research Committee; Mr Jean-François Lamour, Minister for Youth and Sports, France; Ms Rania Elwani, Member of the IOC Athletes' Commission; Dr Christoph Bergner, Vice Minister of the Interior, Germany; Ms Tanja Saarela, Ministry of Education, Finland; Ms Maud de Boer-Buquicchio, Deputy Secretary General, Council of Europe, representing Mr Terry Davis, Secretary General, Council of Europe; Mr Bala Bawa Ka'oje, Minister of Sports and Social Development, Nigeria; Mr Ali Rezgui, Chef de Cabinet, representing Mr Yahia Guidoum, Minister of Youth and Sports, Algeria; Mr Lionel Weekes, Permanent Secretary, Division of Youth Affairs and Sports, representing Mr Anthony Wood, Minister of Education, Youth Affairs and Sports, Barbados; Professor Claudio Morresi, President of CONSUDE; Mr Ramlan Abdul Aziz, Director General, National Sports Council, Malaysia, representing Ms Datuk Azalina Othman Said, Minister of Youth and Sports, Malaysia; Mr Kamal Al-Hadidi, Director, National Toxic Centre, Jordan; Mr Duan Shijie, Vice Minister, State Sport General Administration, China; Mr Trevor Mallard, Minister for Sport and Recreation, New Zealand, representing Professor David Gerrard, Chairman, New Zealand Sports Drug Agency; Mr Noboru Nishisaka, Deputy Director, Sports and Youth Bureau, representing Mr Toshiaki Endo, Senior Vice Minister of Education, Culture, Sports, Science and Technology, Japan; Mr Vyacheslav Fetisov, Chairman of the WADA Athlete Committee and the State Committee of the Russian Federation for Physical Culture and Sport; Mr Scott Burns, Deputy Director of the ONDCP; Sir Craig Reddie, IOC Member; Mr Makhenkesi Arnold Stofile, Minister of Sport and Recreation, South Africa; Mr James Cameron, Chief General Manager, Arts and Sport Division, Department of Communications, Technology and the Arts, representing Senator Rod Kemp, Minister for the Arts and Sport, Australia; Mr Gian Franco Kasper, IOC Member and President of FIS; Mr Mustapha Larfaoui, IOC Member and President of FINA; Hon. Michael Chong, Minister of Sport, Canada; Mr Howman, WADA Director General; Mr Andersen, Standards and Harmonisation Director, WADA; Mr Moser, Director of the European Regional Office; Mr Swigelaar, Director of the African Regional Office; Mr Hayashi, Director of the Asian/Oceanian Regional Office; Mr Torres Villegas, Director of

the Latin American Regional Office; Ms Hunter, Communications Director, WADA; Dr Garnier, WADA Medical Director, European Regional Office; Dr Rabin, Science Director, WADA; Ms Carter, Education Director, WADA; and Mr Niggli, Finance and Legal Director, WADA.

Mr Francesco Ricci Bitti had sent his apologies; he had been delayed in China due to airline difficulties.

The following observers signed the roll call: Elizabeth Ferris, Dmitry Tugarin, Juha Viertola, Paul Marriott-Lloyd, Mpumi Sibila, Yoko Tanabe, Stephane Diagana, Rosa Mota, Michael Gottlieb, Timo Haukilahti, Daniel Jacobovich, Sirpa Hartojoki, Akinvumi Amao, Olufemi George, Zhang Jian, Shi Kang Chen, Yuan Hong, Naomi Yokohama, Shin Asakawa, Yoshiyaka Oochi, Mikio Hibino, Vuyo Nghona, Klaus Pöhle, Yong-Seung Kim, Sojeong Park, Olivier de Hon, Peter de Klerk, Stanislas Frossard, Joseph De Pencier, Joe Van Ryn, Larisa Galadza, Sue Neill, Jude Ellis, Neil Murrell, Jean-François Vilotte, and Magali Andrier.

2. Minutes of the Foundation Board meeting on 14 May 2006 in Montreal

THE CHAIRMAN asked whether the members had any comments regarding the minutes of the Foundation Board meeting on 14 May 2006 in Montreal. Unless any comments or corrections were made by noon that day, he would assume that the minutes had been considered approved as circulated.

DECISION

Minutes of the meeting of the Foundation Board on 14 May 2006 approved and duly signed.

3. Director General's Report

THE DIRECTOR GENERAL commenced his report by informing the members of the decisions taken by the Executive Committee the previous day.

The first decision was a repeat of a policy that had been enunciated on several occasions but in response to some recent correspondence from IFs: WADA is not merely a service organisation for the IFs; it is a monitor and watchdog for the World Anti-Doping Code and fulfills that role as directed by the Foundation Board and the Executive Committee.

The second element related to investment policy, and the Finance and Administration Committee had put an investment policy paper before the Executive Committee that had been accepted and approved. It was a conservative policy, and Mr Reedie would speak to it further if anybody required more information.

WADA had a new legal domicile as a result of shifting offices in Lausanne. WADA's records had to be amended, so the new office address was now the legal domicile for WADA in Switzerland.

The Executive Committee, during the period from September to the previous day's meeting, had approved through a circulatory vote the accreditation of a new laboratory in Salt Lake City. There were now 34 WADA-accredited laboratories. The Executive Committee had also reaccredited the other 33 laboratories as a result of the normal annual audit process.

The Executive Committee had received a report from a specially mandated committee asked to report on costs in relation to the fight against doping in sport and, having received that report, had referred it to the management for appropriate use in its committee work.

Finally, a number of social science research projects had been approved in full.

Those were the items from the previous day's meeting that had received decisions.

In relation to his report, the members had his written reports for September and November; he did not intend to repeat them, but would highlight a couple of features for the members' interest.

As far as the UNESCO Convention was concerned, Mr Marriott-Lloyd was present and would report on that later on in the meeting.

In relation to FIFA, the FIFA rules had been changed as a result of the CAS Advisory Opinion received in April. WADA had met with FIFA management and was now content with the way in which the rules read. One outstanding matter, which was being attended to, was the issue of the IF having the right to appeal NF decisions. This required an amendment to the FIFA Statutes, which would be done at the FIFA Congress in May 2007.

The CAS had altered its rules to ensure that the lawyers who appeared before that body in doping cases did not also appear as arbitrators. That removed an issue WADA had been talking to the CAS about for some time and was a welcome change to the way in which CAS would conduct its business.

WADA had had a very fruitful meeting with Interpol in early October, and had drafted a memorandum of understanding, which it would sign with Interpol. WADA respected the business of Interpol, which operated in a very similar way to WADA, in that it was heavily reliant on national agencies taking part in its activities. He took this opportunity to encourage all of the public authorities to ensure that their enforcement agencies had the appropriate link with Interpol. That would certainly help WADA in the way it felt information could be shared around the world, and it tied in with some of the results from the symposium on investigation in Colorado Springs early the previous week. He would be making a full presentation on that shortly.

There had been much interest in the investigation in Spain known as Operation Puerto. WADA was being informed by the Spanish authorities as to the progress of the investigation. It was presently stalled as a result of a judicial decision that precluded the Spanish authorities from sharing the evidence from the investigation with the UCI for the sake of sporting sanction processes. WADA was continuing to discuss matters with Spain, and had realised that it was not a decision for the sports minister, but rather a decision of a judicial officer acting under the Spanish law. WADA was hopeful that it would reach a situation where its relationship with Spain and the judicial authorities was such that the information could be made available as soon as possible.

Over the past weeks, WADA had had several meetings with representatives of the major leagues in the USA. WADA was progressing relationships with them, and was hopeful that, as time went by, they would see that the sense of the Code and the List would be respected by their players, because the players' associations were the strength behind the resistance at present. He would report further on this at the meeting in May.

With regard to statistics, WADA published annually the statistics that it received from the accredited laboratories, showing the number of samples analysed and the results thereof. All of the anti-doping organisations, including the IFs and the NADOs, had a responsibility under Article 14 of the Code to report to WADA as to the results in their results management processes. WADA was encouraging all the ADOs to do that so that, when WADA's statistics were published in 2007, they could show the process to the end as committed by the IFs and the other results management processes. He asked the Foundation Board members to ensure that their members and other bodies for which they were responsible provided this report, which would be very helpful in progressing the annual statistics.

MR BESSEBERG said that it was important that the figures reported by WADA were exactly the same as those being reported by the IFs. There was some confusion, particularly among journalists, as to why the IFs were not reporting the same number of positive cases as adverse analytical findings reported by WADA. Everybody around the

table knew that the reason was the TUEs. He appreciated that WADA was taking an initiative, but the WADA report had to be the same as the IF report. It was essential to avoid confusion and suspicion.

PROFESSOR LJUNGOVIST said that he had raised on behalf of the IOC concern related to the investigation under way in Spain which the Director General had mentioned. He was grateful to the public authorities for helping sport in identifying doping cheats; on the other hand, with so many public authorities around the table, it was worth mentioning the dilemma for sport in some situations, whereby those kinds of investigation dragged on for a long time, meaning that people highly suspected of having committed a doping offence could go on competing. After all, one of the main objectives should be to ensure that all those athletes who did not take drugs need not compete against drug-takers. Unfortunately, when investigations dragged on for a long time, this goal could not be achieved.

There was a similar situation with respect to the winter IFs; an investigation was ongoing in Italy following the Turin Olympic Games. Public authorities in Italy were doing what they could and he was grateful for that, but winter was approaching and no conclusion had been reached by the Italian authorities, and he was afraid that there would be athletes competing during the winter season who should possibly not be eligible. He raised the issue to make the public authorities aware of the problem faced by international sport. He was grateful for any assistance that WADA could offer to speed up the procedures.

THE DIRECTOR GENERAL replied to Mr Besseberg to help with the confusion about statistics: the laboratories received information from the doping control officers that contained the name of the sport. In many countries, the name of the sport might not be a sport run by an IF. For example, triathlon was a sport, but not all the international events were run by the ITU. The figures WADA had come from the DCO reports and not from the IFs. WADA needed to make sure that that was plainly understood. Another example was the use of the word football, which could relate to several different sports: "real" football, Australian football, the national football league in the USA, rugby, and rugby league, so the terminology used by the DCOs was very important for WADA, and WADA was trying to encourage the NADOs and the IFs to be very descriptive when filing their doping control forms. WADA would do its best to ensure that the picture was painted in the right way the following year, provided the IFs gave the information to WADA.

To Professor Ljungqvist, he would reply in the form of a presentation he was about to present to the Foundation Board that came from a symposium convened by WADA in partnership with USADA and the USOC in Colorado the previous week. The intention of the meeting had been to advance the very issues raised by Professor Ljungqvist so that everybody understood the way in which investigations could be conducted by countries to help the sporting movement.

The traditional model in relation to the fight against doping in sport centred on the athlete, with testing, research and education. As a result of this traditional model, there had been several advances over the past few years: WADA had been very successful in detecting Darbepoietin in Salt Lake City in 2002 and advancing the fight in relation to EPO detection, it had made improvements in detection methods, and there was now a considerable amount of money for carrying out research. WADA was very patient with its research projects. The research projects were lengthy and members should recall that it sometimes took four or five years to complete the projects, in the same way it took time for the investigations to be completed. One of the problems that WADA had was that, with some of the banned substances, WADA was still a little bit behind the cheats. WADA knew, for example, that hGH was used almost with impunity by a number of athletes.

There were other aspects to be added to the model. Currently, the athlete was surrounded by a number of immediate influences, including coaches, trainers, educators, parents, doctors, team mates, administrators, agents and sponsors, all of whom might

put the wrong sort of pressure or tension on an athlete. In addition, there was a series of societal influences, and the ongoing problem of the underground manufacture of banned substances and counterfeit substances. There was also the continuing production of products that were produced for the right medical and health reasons, but these included products produced for veterinary purposes, which were also making their way into sport. The Internet played a significant role, and it was very easy to purchase banned substances on the Internet. Added to this, there was the trafficking component and the organised crime link. Several of the organised crime syndicates made more money trafficking steroids and hGH than they did by trafficking the "traditional" drugs. That was the new picture.

Looking at the traditional method, the bullet points on the screen represented Code violations as a result of sample collection. Then there was a whole series of additional violations that could not be found as a result of normal sample collection, and it went as far as involving the entourage. It was necessary to look at how to get evidence in relation to these potential violations, as it would not come from the traditional method or model; it could come only through investigations. Looking at more recent history to see some of the major breakthroughs in the fight against doping in sport, they all came from investigations conducted by government agencies. Everybody would remember the Festina raid in 1998, a police operation in France; the Australian customs seizure of products brought in by the Chinese swimming team in 1998; the BALCO inquiry, which had been the result of an inland revenue investigation conducted by a very bright investigator; the Cofedis affair, another example in France of a police operation; Operation Gear Grinder in 2005, the result of the work of the US Drug Enforcement Agency; the Turin inquiry; and Operation Puerto in Spain. The significant component was the same in each of these major breakthroughs, in that they had all been conducted by governmental agencies. None of these agencies had any link with the sports ministers or departments in these countries; they all operated under the laws of the country, which gave them the power to conduct investigation. The sports movement was reliant upon these agencies sharing that information so that it could proceed without relying on sample collection.

At Colorado Springs, there had been discussion about how to go forward with this combination of techniques. It was necessary to continue with sample collection, but some of the resources involved in sample collection needed to be looked at with a higher quality process, which included improved analyses by the laboratories; more intelligent testing, which meant target testing based on intelligence received by the anti-doping organisations so that the people who were liable to be tested, or were subject to the temptation of cheating, were tested properly; longitudinal follow-up, which Dr Garnier would mention in his report later that day, including the athlete passport; and significant research. An additional way forward was the proper use of forensic science in the way that the cases that came before tribunals were conducted, and WADA was developing that with some of its colleagues in the Lausanne laboratory. Then there were the investigations. For the investigations to be undertaken by government agencies, there had to be regulations in force, allowing the agencies to conduct these investigations. That then enabled the agencies to take steps and obtain evidence. WADA needed to build relationships with those agencies so that they trusted WADA and understood its job and how it could share information as a result of particular roles.

WADA would hold another symposium and would start devising models of best practice. There was a very good example in Australia, where the new Australian anti-doping agency had the power to conduct investigations itself. It also had the power to share information with some of the other governmental agencies that were in a position to gather evidence. He thought that the result of the Australian experience could be promoted in such a way that it could be used by other NADOs in an appropriate way.

WADA would also look at ways and means to help governments introduce statutes giving the right powers to the anti-doping organisation or the link between the anti-doping organisation and other governmental agencies. That was a snapshot of what

WADA thought might be an appropriate way forward. He would be in a position to report more thoroughly at the meeting in May 2007.

THE CHAIRMAN said that the representatives of some of the sports organisations present should know that WADA, as an international agency, had specifically requested opportunities to meet with the Spanish sports authorities and judiciary to see (without interfering in any ongoing matter) whether there were ways to accelerate the divulgence of information. It was important that the public authorities understood that the sports movement had to respond much quicker than the normal judicial process.

WADA had also been in touch with the Italian authorities just to impress upon them that seizures had been made in February that year in Turin; it was now ten months later, and some of these athletes would be in competition again. That was not a satisfactory schedule for the sports movement.

The combination of what the Director General had been talking about, the possibility of putting forward some models for consideration, was an enormous priority for WADA now. It was no longer the case that individual athletes were taking substances or using methods more or less on their own; these were highly organised, sophisticated international schemes, which would require the effective cooperation between the sports authorities and the public authorities. If there was a priority that WADA was facing right then, that was it, and he hoped that everybody connected with the public authorities could start giving some thought to what might be possible in the future.

MR REEDIE asked the Chairman to continue those efforts as a matter of urgency. The report given showed the way ahead, but there was a particular problem with the issues in Spain and Italy, and it was sport that would be embarrassed if this could not be solved. If there were athletes competing who were under some sort of review, sport needed to complete that review as quickly as possible so that the correct authorities in the sports movement could deal with it. It was easy to ask WADA to work harder, but he encouraged WADA to do just that.

THE CHAIRMAN replied that WADA would do so.

MS DE BOER-BUQUICCHIO confirmed that, for the Council of Europe, the issue of the availability of substances was an important issue, and the matter had been discussed at a meeting in Paris, organised by the Council of Europe together with Interpol. The circulation of information between the various authorities, law enforcement agencies and Interpol was very important and should be encouraged. The problem was that there were gaps in the legislation of member states and there was a need to step this up as a high priority for law enforcement agencies. The Council of Europe was committed to working on this. The circulation of information and intelligence should not be one way, going only from governments to anti-doping agencies, but should also go in the other direction, where anti-doping organisations had suspicions in relation to an athlete or an athlete's entourage, to launch inquiries by law enforcement investigation agencies.

The Council of Europe envisaged at a European level a protocol on the trafficking of doping substances, which would be an additional protocol to the UNESCO Convention, and hoped to do this in an efficient way by working closely between the Council of Europe, Interpol and WADA. This example could be shared and perhaps followed by other regions.

THE DIRECTOR GENERAL thanked the Council of Europe for the proposal; he would put it forward at the next symposium, to be held in the UK. Currently, there were no regulations relating to banned substances and agencies had no power to take steps. It might be that the April symposium would provide a significant way forward.

THE CHAIRMAN noted that this was not simply a national problem; it was an intercontinental problem. WADA had to make sure that there was some kind of harmonisation around the world. There were some very inventive people out there on the supply side of what was going on.

DECISION

Report by the Director General noted.

4. Legal

4.1 Legal Update

MR NIGGLI said that he would make some comments on his report.

In relation to ADAMS, members would be given a full presentation on the technical aspects later that day. On the legal side of ADAMS, a number of questions had been asked in the past and, on 31 August, there had been a full session with the Council of Europe Advisory Group on Legal Issues, at which a full presentation of the legal situation of ADAMS had been made. The question asked and the answer provided had been attached to the members' documents in writing for their information. The situation was clear and the roles and responsibilities of all the players in ADAMS were well defined. He was convinced that ADAMS fully respected the Council of Europe Convention on Data Protection and EU Directive 95/46. He hoped that the Council of Europe Group on Data Protection would, in December, provide a report on ADAMS to confirm the position.

With regard to FIFA, he informed members that, until FIFA changed its rules to have right of appeal on NF decisions, WADA was monitoring what was going on and had already exercised its right of appeal to the CAS on two occasions. The first hearing in relation to a national Portuguese decision would take place on 11 December. This case, however, would be dealt with under the former FIFA rules, which might lead to a number of legal issues.

In relation to the Eder case, there had been a decision from the CAS to maintain the one-year sanction against the appeal by the athlete. That decision was partly satisfactory, although WADA had been seeking a stronger sanction.

In relation to the Lagatt case, this had been dealt with by the German civil court, and the decision issued in early September was very good for WADA and the IAAF. The claim by the athlete had been dismissed entirely, and the athlete had decided not to appeal, so the case was now over, and WADA was now seeking some costs. WADA intended to publish the entire decision on its website as soon as it was translated, as it was in German.

One decision from the ITF and confirmed by the CAS concerned a minor, which was quite interesting and unusual, as the minor had been trying to evade the doping regulations by claiming that his parents had not approved such regulations prior to him entering the competition, and the CAS had decided that the simple fact of participating was an acceptance of the rules, even for a minor.

Case 19 in the document had been particularly discussed the previous day by the Executive Committee. The sanction was based on the former FIFA rules, which was why it was a six-month sanction, and the issue was that the decision included a paragraph that had tried to make some specific comments relating to football, distinguishing one sport from another, and the Executive Committee had felt strongly that this was inappropriate in the CAS decision and was against the principle of harmonisation. The Executive Committee had therefore asked the WADA management to send a letter to the CAS on its behalf highlighting this matter.

THE CHAIRMAN observed that these were good summaries and showed a fairly consistent pattern. WADA was starting to build up some jurisprudence that, in the long run, would cut down on the number of pointless appeals brought to the CAS or other disciplinary bodies.

MS DE BOER-BUQUICCHIO expressed her satisfaction with the efforts made to ensure compliance with data protection standards and confirmed that the Council of Europe

Group on Data Protection would provide a formal legal opinion on compliance by the end of December.

DECISION

Legal update noted.

4.2 Constitutional Amendments – Foundation Board Membership

MR NIGGLI said that the modification of the WADA Constitution was the result of the work conducted since the previous meeting. A working group had been formed following the May meeting and had discussed the way forward in terms of modification. The group's proposals had been tabled at the Executive Committee meeting in September, and endorsed by the Executive Committee. The recommendation had since been implemented in wording that would form part of the Constitution, and this was the document before the members. Basically, this led to a modification of Article 6, and would take away any limitation to the number of terms that members of the Foundation Board could serve, and a modification of Article 7, which would clearly indicate that the chair and vice chair could be chosen outside the Foundation Board, that there was a principle of rotation between public authorities and sports authorities, provided there were suitable candidates for the position, and that the number of terms for the chair was in principle limited to two times three years, provided again that there was a suitable candidate to fit the job. This vote on a change of constitution required a two-thirds majority; he suggested appointing Joseph de Pencier and Michael Gottlieb as the two scrutineers.

THE CHAIRMAN asked whether the members were content to have the two people identified by Mr Niggli as scrutineers.

MR NIGGLI asked the Foundation Board to vote on this amendment by hand.

THE CHAIRMAN noted that all of the members were in favour of the proposed amendments to the WADA Statutes.

DECISION

Proposed modifications to the WADA Statutes approved unanimously.

4.3 Modification to Swiss Register of Commerce

MR NIGGLI asked the Foundation Board to vote on the modification to the Swiss Register of Commerce. Since Mr Walker was no longer a Foundation Board member, the proposal was to delete his collective signature from the register and replace it with the signature of the vice chair, to be elected shortly.

THE CHAIRMAN asked if everybody was in favour of the proposed modification.

DECISION

Proposed modification to the Swiss Register of Commerce approved unanimously.

5. Operations/Management

5.1 Election of WADA Vice Chair

THE DIRECTOR GENERAL said that the members had been advised of the process for the election of WADA's vice chair. One nomination had been received, for the Minister for Sport in France, Mr Lamour, and a vote was required.

THE CHAIRMAN asked all those in favour to raise their hands.

MR LAMOUR thanked everybody for their trust in him and Mr Mikkelsen for the work done to date. He would continue to coordinate the public authorities' work so as to strengthen WADA's activities.

MS SAARELA congratulated Mr Lamour on behalf of the public authorities and wished him every success in his role. She extended her warmest thanks to Mr Mikkelsen for his very active and productive input in his capacity as vice chair. Ever since the institution of WADA, the public authorities had seen that anti-doping work was not possible without the Olympic Movement; nor was it effective without the input of member state governments. Speaking on behalf of the public authorities, she expressed deepest gratitude to Mr Pound and the Olympic Movement for their excellent cooperation with representatives of the public authorities. The WADA Statutes had been amended to enable them to step up their anti-doping cooperation, also by administrative means. She also mentioned that the parity principle, which had been a resource for WADA from the outset, had proved that cooperation between public authorities and the Olympic Movement worked. The amended statutes would further consolidate the cooperation.

DECISION

Proposal to elect Mr Lamour as WADA Vice Chair approved.

5.2 Appointment of Executive Committee 2007

THE DIRECTOR GENERAL referred the members to the papers in their files concerning those members of the Executive Committee proposed for 2007. The membership included the chairman and vice chairman, and then five representatives from the Olympic Movement and five from the public authorities. A decision from the Foundation Board was necessary in order to appoint the Executive Committee on an annual basis, and he asked for a decision accordingly.

THE CHAIRMAN asked if the members agreed with the proposal made.

DECISION

Proposed Executive Committee appointment approved unanimously.

5.3 Foundation Board Memberships

THE DIRECTOR GENERAL referred the members to the document in their files. This was to be noted. Members would see the way in which terms expired and where there were new members for 2007.

DECISION

Foundation Board memberships noted.

5.4 Standing Committee Memberships 2007

THE DIRECTOR GENERAL said that the standing committee memberships had been finalised and the relevant documents would be distributed during the lunch break and tabled after lunch.

DECISION

Proposed standing committee memberships for 2007 approved.

5.5 World Conference on Doping in Sport 2007

THE DIRECTOR GENERAL said that arrangements for the World Conference on Doping in Sport in Madrid were proceeding in a satisfactory manner. Some logistical issues had been dealt with, meaning that the numbers that WADA would have in the main meeting room would be between 750 and 800 people. WADA would therefore be distributing

over the coming weeks an invitation to attend with a certain number of accompanying delegates. For some delegates, there would be a possibility to have two accompanying people; for others, there would be a possibility to have only one accompanying person. However, there would be a breakout room, which would accommodate others who wished to attend.

A draft agenda was in the members' papers and would allow for full discussion of the proposed Code revision but also a full discussion of WADA activities, chaired by the respective working committee chairs, to indicate what had been done over the past years and what WADA would do, and it would give delegates an opportunity to ask questions because, in the Code review process thus far, many comments had been made that did not relate to the Code itself but related to some of WADA's activities. This would therefore provide a useful opportunity for people to discuss these issues, and an agenda had been prepared along those lines. He would develop that agenda so that, when the Foundation Board assembled in May, it would be finalised.

In the ensuing months, members would receive further details of the logistics involved. He would be happy to receive feedback and suggestions as to what members might appreciate in relation to the World Conference on Doping in Sport in Madrid.

DECISION

World Conference on Doping in Sport in Madrid
update noted.

5.6 Strategic Plan - Performance Indicators

THE DIRECTOR GENERAL said that the Performance Indicators and the previous year's results were in the members' files for information. If anybody wished to raise an issue in relation to those, he would be pleased to answer them.

DECISION

Strategic Plan and Performance Indicators
update noted.

6. Finance

6.1 Finance Update

MR REEDIE said that the finance update was relatively short, dealing primarily with contributions and showing the minutes of the Finance and Administration Committee meeting held in Lausanne on 12 August, during which the 2007 budget had been dealt with in the main.

DECISION

Finance update noted.

6.2 Government/IOC Contributions Update

MR NIGGLI reported that about 93% of the contributions had been received to date. The timing of payments had been excellent that year, and WADA was thankful to the governments for making the payments earlier. By the end of June, WADA had received 9.5 million dollars out of 11 million dollars, which was the best ever. He also thanked the IOC, which was diligently matching every payment received. He informed the members that Argentina had paid its contribution some weeks ago, and Mexico had paid a few days ago (for that year and the previous year), which was very good news, as it brought the percentage for 2005 to above 95%, which was the same level as 2004. As far as 2006 was concerned, he expected Brazil to pay before end of year.

The main issue remaining concerned Latin America. Venezuela had clearly indicated that it would not pay the contribution. WADA would still work with the Latin American

region, but that was very unfortunate. In Europe, only two countries were missing and, in Asia, the initial contributors had paid and WADA was trying to encourage others to come on board. It was a positive report, and he was thankful to all the contributors.

DECISION

Government/IOC contributions update noted.

6.3 2006 Quarterly Accounts

MR REEDIE said that, when WADA had been established, the governments had asked WADA to make the accounting as open and transparent as possible. The accounts to 30 September showed substantial cash holdings in US dollars and how WADA had taken its contribution income. They also showed how WADA had dealt with its expenditure on a quarter-by-quarter basis and on a year-to-date basis. There was also an *actual expenditure against budget* column, in order to see how closely the financial outcome of any given year related to the budget put in place. The most significant page was page 16 of 16, which showed where WADA was on an actual against budget basis. This was three-quarters of the way through the calendar year. In almost every case, expenditure was slightly lower than the 75% figure.

He also wished to deal with the statement he had made about holding large amounts of US dollars in banks. Members should not be confused and think that WADA had that amount of money available to spend instantly. As at the end of September, the accounts showed about 29.8 million US dollars. Against that figure, it was necessary to take into account just over 4 million dollars, which was the capital of the foundation and which had to be kept separately under Swiss legislation. WADA had made a provision for exchange rate differences, as contributions were made by governments and the IOC in US dollars, but WADA met a large proportion of its expenses in Canadian dollars. The relationship between the two sometimes worked in WADA's favour but, at the moment, this was not the case. The necessary funding had been included for the 2007 budget from current cash resources. To run the agency from 1 October to 31 December that year involved about 5.5 million dollars; WADA had over 11.3 million dollars committed to scientific research and about 57,000 dollars committed to social research. Taking all of that into account, the actual free funds came to about 5.5 million dollars and it cost roughly 1.8 million dollars per month to run the agency. So, when looking at a balance sheet that said that WADA had 29 million dollars in the bank, members might think that there were no problems; in fact, there were no problems, but WADA was simply not as affluent as those figures might indicate.

DECISION

2006 quarterly accounts noted.

6.4 Budget 2007

MR REEDIE said that the budget for 2007 had been dealt with by the Executive Committee in September and again the previous day. At the end of the presentation, on behalf of the Executive Committee, he would formally propose that the Foundation Board adopt the budget. Looking through it on a page-by-page basis, there were a couple of items he wished to highlight. This was the view of the Finance and Administration Committee on likely costs for 2007.

On page 3, looking at *Legal and Finance*, the Finance and Administration Committee had increased the provision for litigation to 550,000 dollars and also had an additional 50,000 dollars for ad hoc legal work. Members could tell by the size of the reports from the Legal Department at each Foundation Board meeting that this was an ever greater source of activity and, on occasions, WADA had to appear in courts where it simply could not do this itself, so it had to retain legal advice in different parts of the world, which cost money.

Under *Executive Office*, there were two figures: WADA had provided 250,000 dollars for the World Conference on Doping in Sport in Madrid in 2007 and had maintained the figure for Independent Observers for that programme at 250,000 dollars. That was a little bit of a wish list, because the whole process of independent observation was under review. It was about the same figure as had been spent in 2006, excluding the Turin Olympic Games and Paralympic Games exercise, which of course would not recur in 2007.

On page 5, *Information Technology*, the figure for the ADAMS project was 1.9 million dollars. The Finance and Administration Committee thought that that was a splendid outcome and was delighted with the work done by the management to keep control over a project which, if not properly controlled, was a bottomless pit as far as finance was concerned. His information was that this system was increasingly being adopted throughout the world, and WADA wanted everybody in the anti-doping area to adopt it but, to control it all, for that kind of money, this represented extremely good value for money.

In relation to *Health, Medical and Research*, there was a figure for meetings of the List Committee. This figure could be reduced, and he encouraged the chairman of the List Committee to see how cleverly he could coincide his meetings, because the more things that were done at the one time, the lower the airfares, etc.

In relation to the question of insurance for laboratories, WADA was in the fortunate position of being able to have an insurance policy that covered its accredited laboratories. There were numerous laboratories that simply could not buy that cover in the worldwide marketplace; WADA could do it for them and charged a modest contribution for its efforts and, as more bought in, the cost of insurance was reduced.

In relation to *Ethics and Education*, this was the biggest increase in expenditure that year. WADA should provide and fund a level of the education activities and the Executive Committee had agreed the previous day to a substantial contribution to the research programmes.

On page 9, *Standards and Harmonisation, Programme Development* referred to the splendid work done in relation to the development of the RADOs. For those smaller countries around the world that could be brought together in a small regional group, WADA could help set up the anti-doping organisation for them and then they took it over, funded it and ran it themselves. This had been a very worthwhile thing for WADA to do. The Finance and Administration Committee thought that the costs of doing that the following year would be 600,000 dollars.

On page 10, under *Operational Costs*, the office insurance and liability insurance was a little higher, by about 6%, because he was afraid that WADA could not recover the general sales tax in Canada. He thought that it represented a pretty good effort by Mr Howman and the management team that all of WADA's operational costs were about 6% of the total budget.

Before finishing, he asked the members to look at a paper entitled *Projected Cash Flow*. The Finance and Administration Committee had had a guess at the funds in bank and contributions that might be expected, to give a net figure after commitments at the end of the year, and it showed a figure of just over 9 million dollars. WADA had been benefiting for some time from its success at collecting government contributions, for those countries that had not paid for some time and had paid for previous years, and that had then been matched dollar for dollar by the IOC. The Finance and Administration Committee thought that that process was coming to an end. WADA could not rely on this rather unbudgeted source of income. The Finance and Administration Committee asked members to start to think about using some of those unallocated cash funds to meet deficits year by year. Clearly, if WADA did that, effectively, there would be no more free cash by the early part of 2009. The Finance and Administration Committee did not think that that was a happy situation, and thought that WADA needed to have a proper reserve. He was not yet entirely sure about what that reserve should be. For the World

Conference on Doping in Sport in Madrid, the Finance and Administration Committee would try to set this out over a five- or six-year plan in the hope that the Olympic Movement and the governments would understand the necessary contributions that would have to be made to run WADA properly. Everything was an allocation of scarce resources. This was particularly true on the governmental side. Governments kept asking the Finance and Administration Committee not to come with sudden large rises in contributions and, if WADA gave sufficient advance notice, such rises would be easier to handle. The members should also be aware that this was equally true of the sports movement side, as the Olympic Movement funded the IOC, the IFs and all the NOCs and put major sums of money into the host cities of Olympic Games. The IOC had a fund allocation issue itself. Using this as a starting figure, the Finance and Administration Committee would try, in November 2007, to put a table together that would allow people to plan their finances in advance.

If there were no questions on the budget, he would be very happy to propose formally that the Foundation Board approve it.

THE CHAIRMAN asked if there were any comments or questions.

MS SAARELA said that the draft budget for 2007 seemed to have been prepared with care and the proposed 3% increase was well founded. However, the real increase would be 6%, and that former budgetary fund not spent would be allocated to the 2007 budget, in a cash flow process. She had a question: she understood that the budget had been done correctly in technical terms, but wondered what happened when this reserve had been used up, which was estimated for 2010. Did the current cash flow mean that the contributions of the public authorities and the Olympic Movement would increase unexpectedly and excessively in one go? She would caution against such a situation. WADA should do its financial planning in a way that ensured well-founded increases in contributions and enabled stakeholders to plan their budgets at least five years in advance so that the activities of WADA could be safeguarded in a cost-effective way.

MR REEDIE thanked the minister for her question. The answer was that the Foundation Board would have to decide. If WADA eliminated its total cash resources, members would have a choice of doing one of two things. The Foundation Board would either suggest that contributions go up to fund the level of activity or agree that activity would be reduced to meet the level of contributions. He had a personal view of what he would prefer the Foundation Board to do, but that did not matter, as it would be a decision for the Foundation Board.

He particularly wanted, at the World Conference on Doping in Sport in Madrid, to try to plan ahead. He could see little opportunity for very substantial additional funding. He would deal with a marginal increase in how WADA handled its capital to maybe produce a little bit more income. There were not many countries in the world that did not contribute. The possibility of commercial sponsorship outside had been discussed, but that was a difficult thing to do in a worldwide agency. He therefore suspected that the core income would have to come from WADA's two main stakeholders, the public authorities and the Olympic Movement. He was very well aware that the last thing WADA needed to do was get this wrong.

The Finance and Administration Committee would try to put together a planned and reasoned programme that would indicate over a number of years what the increases in contributions were most likely to be. That would be a matter for debate in November 2007 in Madrid.

MS DE BOER-BUQUICCHIO thanked Mr Reddie for the explanation in response to Ms Saarela's question. There had also been concern elsewhere about the standing cost of ADAMS, and she now noted that the Finance and Administration Committee aimed to plan ahead with regard to future expenditure. She would like to ask WADA whether it would be possible to have a summary of the development of the ADAMS budget from the outset, and also the future expected cost, as the sum was likely to increase.

MR REEDIE replied that he was sure that WADA could produce exactly what Ms de Boer-Buquicchio was looking for, but it would take a day or two to produce this. It was the Finance and Administration Committee's very firm belief that, when WADA had started the ADAMS project and the development of a web-based system, WADA had faced the likelihood of very large expenditure indeed, and the management had found a way round that issue, and he thought that WADA had had good value for money. He would have to give information regarding what WADA had based its original decisions on, to give some idea of what the Finance and Administration Committee had thought that the costs were likely to be, and then provide the actual cost that WADA had been faced with by dealing with it, principally by using consultants and doing it in-house.

MR NIGGLI added that the breakdown of the costs was in the members' documents and WADA was looking into being able to forecast better. At the beginning, the Finance and Administration Committee had decided that it would rather be prudent and see how development was going. He also wished to point out something and answer the question asked by the Minister from Finland. The budget increase was not 6%, but 3% overall.

THE CHAIRMAN asked the Foundation Board to consider the 2007 budget.

There was something that all stakeholders should understand: there were increasing expectations about what WADA should be doing. That was inevitably going to lead to a need for more resources, so everybody should be thinking about that and it was a matter of quantifying it. He was sure that a five-year forward-looking plan could be put together, but it was not going to get any cheaper.

MR REEDIE said that the Executive Committee had approved that, on a one-year trial basis, WADA would place some deposit funds with a private bank in Lausanne, well-known to WADA and researched, in the hope that WADA could marginally increase the rate of return on the substantial cash holdings that it had, always remembering that the WADA Statutes did not allow WADA to do anything that risked any of the capital. In this modern world of finance, it was possible to buy products that gave a guarantee, and, if the managers were right, WADA would do better than it would have done by keeping the money in the bank. Basically, that was what was being done. A whole series of investments was being planned that would record and deal with WADA's need for cash on a daily basis and on a three-monthly basis. There were scientific projects that lasted over four years. Therefore, an instant access cash account might not be the best way of handling that money.

He apologised, he thought that PricewaterhouseCoopers had to be reappointed formally as WADA's auditors for 2007. They were of substantial help to WADA, and he was happy to make that proposal.

THE CHAIRMAN asked all those members who were in favour of reappointing PricewaterhouseCoopers as WADA's auditors for the 2007 fiscal year to raise their hands.

THE DIRECTOR GENERAL thought that, for the information of all of the Foundation Board members, from a management point of view, they should understand that WADA worked with a capped level of staff; in other words, WADA had not had an increase in staff numbers for a couple of years, and the expectations of WADA staff had been increasing almost daily. WADA had continued to work on that basis. It was not like a burgeoning bureaucracy where there were more and more people employed. The level of staff had been kept constant for the past two years.

DECISIONS

1. Budget 2007 approved.
2. Proposal to reappoint PricewaterhouseCoopers as WADA's auditors for the 2007 fiscal year approved.

7. World Anti-Doping Code

7.1 Code Review Update

THE CHAIRMAN said that WADA was in the process, after just over three years' experience with the World Anti-Doping Code, of coordinating a review of the Code, with a view to proposing whatever changes were considered appropriate at the time of the third World Conference on Doping in Sport in Madrid in 2007.

MR ANDERSEN said that he wanted to recap some of the processes related to the Code. WADA had invited more than 1,500 recipients to comment on the current Code, including stakeholders, signatories and interested parties. WADA had received some 70 submissions from stakeholders and signatories. The Code Review Team had had four meetings and had reviewed each of the submissions article by article and sentence by sentence, resulting in the version that the members had before them. The team had presented key areas, such as sanctions, the List criteria, etc. to the Executive Committee, in order to get guidance from the Executive Committee as to where to head as a team. Based on these directions, the team was submitting Code version 0.6 to the members of the Foundation Board for their consideration and further direction.

The team had met with various stakeholders, including the Association of National Anti-Doping Agencies, the International Anti-Doping Arrangement, and the IAAF at its symposium in Lausanne in September and October, as well as stakeholders in Africa, the Council of Europe and stakeholders in South America. The team would, over the next few weeks, meet with representatives of the IOC, the IPC, winter and summer IFs, ASOIF, NOC umbrella organisations, NADOs and governments.

The team would continue with these consultation meetings over the following year's consultation periods. A few changes had been made to the current Code, and he asked Mr Young to take the Foundation Board through the highlights of those changes.

MR YOUNG said that WADA had been living with the Code for three years and he was happy to say that the consensus was that the Code had worked quite well. There had been dozens of CAS and other tribunal decisions, all of which had found that the Code worked as a legally enforceable instrument. That said, as any document that regulated behaviour and set objectives, it had turned out that there were many ways in which it could be refined and fine-tuned, and so, as members looked through draft 0.6, they would see many changes. Most of those changes were pretty obvious and he would not expect them to cause controversy. He would focus on those changes where the team was particularly interested in receiving stakeholder feedback and where it had received divided opinions already in the review process.

The first area that had been a source of great discussion prior to the adoption of the Code three years previously and continued to be a source of great discussion was the issue of sanctions. Members would recall that the central purpose of the Code had been harmonisation and sanctions had probably been the area of greatest disharmony pre-Code. WADA had therefore been very tight on what exceptions could be made to the standard sanctions. Under the current Code, the standard sanction for a first violation involving a positive test was two years, and there was no opportunity to increase that and the opportunities to decrease that were really quite limited. The athlete either showed no significant fault, which meant that he or she had taken every reasonable step to avoid the violation, or showed no fault, and the CAS decisions interpreting those provisions had been reasonably consistent with what the team would have expected when drafting the Code. There was another provision in the Code dealing with specified substances: cannabis, glucocorticosteroids, alcohol, beta blockers, and ephedrine, for example, where the standard sanction was one year; it could not go up, and it could go all the way down to a warning if the athlete could demonstrate no intent to enhance performance. That was the status quo. He showed the members a representation of what was in the draft document before them.

With respect to prohibited methods, steroids and hormones (such as hGH and EPO), as far as going down was concerned, there was no change to the rule, but there was an opportunity for the sanction to go up to four years based on aggravating circumstances. The factors that would lead to aggravating circumstances were that, first, when the athlete or the other person was confronted with the violation, he or she continued to deny it; second, that there was an opportunity that the anti-doping organisation could establish, which was hard, that there had been an intent to enhance performance; and third, that this was not a run of the mill positive test, for example, it either involved multiple substances, use on multiple occasions, or a pattern or conspiracy, such as the BALCO case and some of the situations mentioned by the Director General that morning. There was no change under those circumstances; where there might be a change was with respect to the other substances, for example, masking agents, diuretics and the like, where there would not be an opportunity for the athlete to demonstrate, as with specified substances, that there had been no intent to enhance performance. The question was whether that sanction could go down to zero or a lesser number, such as three months or six months.

As to other things to do with sanctions, there was inconsistent application of the start date. The team had clarified when sanctions would start, which was the date of the hearing. There were a lot of issues involving people competing while they were suspended in other leagues, for example, the national hockey league, or practising with national teams. It was made clear that an athlete could not do that and, if an athlete did do that, his or her sanction would start all over again. In response to a CAS decision in the Puerta case, the team had made clear, through a chart, what the range of sanctions was for multiple violations.

As Mr Howman had mentioned, an important tool in the anti-doping movement would be investigations, and would continue to be investigations with more emphasis. There was already a provision in the Code about substantial assistance where, when an athlete or another person provided substantial assistance leading to the finding of a doping violation, the sanction could be reduced by half. The team had expanded that to special situations where a substance that had previously not been detectable was uncovered, or where multiple violations were uncovered, and the issue was how much more a sanction could be reduced in such a special situation.

The team had also added a number of provisions to the Code that encouraged athletes to admit their doping violations as opposed to putting the anti-doping authorities through endless trials of throwing a defence against the wall and hoping it would stick because there was nothing to lose.

With regard to investigations, members would note that, in the section of the Code that dealt with the rights and responsibilities of stakeholders, there were provisions that said that, when there was a case of doping, it was the obligation of stakeholders to follow up to see whether athlete support personnel or other people had been involved. If members looked at the government section, there were provisions that talked about governments and their agencies sharing information relevant to anti-doping organisations with the sporting movement. There was also a provision that had previously said that the sporting movement "may" report criminal violations to governments; it now said that they "shall" report criminal violations to governments. Then, there were various evidentiary provisions that dealt with establishing doping, for example, when the athlete had been convicted of a crime related to doping or, for example, the athlete refused to appear at a hearing.

There were also various provisions that had to do with the use of scientific evidence not to establish a positive test but to establish a longitudinal profile which, in turn, could be used as evidence of doping.

All of the Code was mandatory but, within that mandatory concept, there were areas in which flexibility had been allowed. There were several areas where the team was considering reducing that flexibility. One of the important ones had to do with

provisional suspensions. Currently, the Code said that provisional suspensions before a hearing were optional. Some IFs would suspend an athlete on the A. Some IFs would not suspend the athlete until after the hearing. As drafted, in the case of an A confirmed for a B, provisional suspension was automatic, and it was made optional after the A or for other anti-doping rule violations. Considerable discussion had taken place at the Executive Committee the previous day to either cause the B test to happen more quickly, or to make provisional suspension mandatory after the A.

TUEs had been an administrative problem in several respects. The first problem was that there had been confusion between IFs and national bodies and who should grant TUEs. The amendments to the Code made it crystal clear that, with respect to an international athlete, it was the IF that granted the TUE. With respect to international competitions, it was the IF that granted the TUE for the competitions it so designated, but the problem was resolved by requiring the IFs to publish who they considered to be international athletes and which competitions would require an international TUE. It did not preclude existing arrangements whereby an IF might choose to recognise in its rules national TUEs. There was an additional provision where national federations had the right to test at IF events, either with the consent of the NF or WADA; that was made reciprocal so that IFs had the right to test at NF events.

In response to Mr Chong's comments, members would see that the role of education had been emphasised throughout the Code.

There was an existing Article 22 on the role of governments. That had been revised substantially to incorporate the UNESCO Convention. As an important enforcement tool, there had always been the issue of compliance with the Code as a condition to participate in bidding to host the Olympic Games, etc. The team had added a provision that said that, if a country was going to make a bid to host Olympic Games or world championships or other international events, then it had to have ratified the UNESCO Convention. That was a worthwhile objective. Obviously, there would be issues in terms of timing and phase-in, particularly with already scheduled international events.

As to implementation dates, as drafted, there was no absolute implementation date for governments to ratify the UNESCO Convention. With respect to the sports movement and other signatories, such as the NADOs, etc., the implementation date would be the first day of the Olympic Games in Beijing in 2008. That was obviously aggressive; the team had put that there to see what feedback it received in terms of the practicalities of implementation. There were many other issues in the Code on which he sought feedback. He would be happy to answer questions or take additional comments at that time, but the collaborative process was ongoing.

PROFESSOR DE ROSE said that he was concerned about the quality of the doping control kits used all over the world. In America, there were at least four countries that produced their own kits, and these did not respect the Code. His request, if possible, was to at least force the people producing these kits to observe the ISO standards for the production of kits, because it would be difficult in some developing countries to have the proper kits.

MS ELWANI summarised what the athletes would like to see. She knew that the Executive Committee had taken note the previous day. Athletes would always want to see stronger sanctions. Of course, protecting innocent athletes with a false positive was important, but it was necessary to make sure that the reasons were there. Simply admitting that they had doped was an incentive to not go for the four-year sanction but to keep the two-year sanction. Going down all the way to zero was too lenient, so there should be a minimum penalty for everybody, even if these people had doped accidentally. Every athlete competed and took care of his or her body, so she thought that it was the athletes' responsibility to make sure that nothing accidentally entered their systems.

As to athletes reporting other incidents to get a more lenient sanction, WADA had to make sure that the criteria for what kind of information they could report was known,

because the issue of athletes spying on each other was not ethical. It was easy for an athlete to say anything about a competitor to ruin his or her reputation. It was necessary to have criteria. Also, there should be criteria for the kind of support material that had to be provided.

As mentioned the previous day, it had been clarified that the results of an athlete caught doping would be annulled whether or not that athlete received a reduced sanction, and that was beneficial to know.

PROFESSOR LJUNGOVIST thanked Mr Young for his presentation, in which he had incorporated most of the aspects raised the previous day.

When it came to the length of a penalty or a suspension following an anti-doping violation, many aspects needed to be taken into account, one of which was the period during which an athlete might benefit from the taking of doping substances. When it came to stimulants, for instance, there was a very temporary effect, lasting hours or days; when it came to serious substances, such as EPO, the effect lasted for a limited period of time, possibly months; however, what was interesting in relation to the standard penalty of two years for anabolic steroids, for example, which were the substances for which most athletes were being caught, was that there was now solid scientific evidence that showed that people who had been on a steroid regime would benefit from performance enhancement that went far beyond two years. That needed to be taken into account when the penalty for anabolic steroids was being evaluated during the Code review process. This was brand new scientific information in which he had been interested for a long period of time. It came as no surprise to him, although there had been no scientific proof that the intake of anabolic steroids would have performance enhancing effects for longer than two years, even if the athlete had stopped taking them.

MR YOUNG said to Professor de Rose that, with respect to the quality of kits, in connection with the amendments to the Code, there would be modifications to the different international standards, including the International Standard for Testing, and it would be completely appropriate to make changes in the International Standard for Testing to make sure that the quality of kits was appropriate, whether by reference to ISO standards or other technical standards. It was perhaps not a good idea to designate a particular kit, but it was certainly appropriate to designate quality control.

He had heard Ms Elwani loud and clear the previous day and it was important to note that, with respect to people who were really cheating, what the amendments to the Code proposed was to give the possibility to increase the sanction from two to four years. The only situations where additional flexibility was contemplated were situations when the person was stupid rather than a cheat. That did not mean reducing the sanction to zero. The same thing applied with respect to people who helped with investigations. That was a balance. Giving information for purposes of investigation was very important, but not letting off athletes who had doped was also very important.

To Professor Ljungqvist, the studies on steroids were significant in a couple of ways. They helped justify a four-year period of ineligibility, as he knew that there would be some countries where there was a lot of pressure from judicial authorities on that point; but, if it could be demonstrated that people were receiving the benefit well after the two years, that was important. It was also important in that it justified the distinction the draft made between steroids and hormones and everything else, so the possibility of having a sanction in cases when one had just been careless as opposed to having attempted to dope was very different to taking steroids, even if one had been careless.

THE CHAIRMAN said that this was the first of three phases. He hoped that all of the stakeholders represented would make sure that their groups were aware of the process and that they participated in it. The Code had been generally very well received and it was possible, as a matter of practice, to interpret it. WADA was trying to improve it based on experience. The greater the participation in that exercise, the better the World Conference on Doping in Sport in Madrid and the better the product that would come

from it. Everybody should be aware of the fact that the process was going on and that it was important to participate.

DECISION

Code review update noted.

7.2 Code Implementation Status Report

MR ANDERSEN thanked the members for the important and necessary feedback on the Code. The team would review each and every comment.

In terms of Code implementation, the chart on the screen showed that the summer IFs had completed the implementation process, as had the winter IFs and IOC-recognised IFs.

In terms of Major Games, NOCs and NADOs, the picture was somewhat different. There had not been full implementation of the Code by these organisations, and he would return to this issue later on.

Article 23.4 of the Code stipulated that WADA was responsible for monitoring each of the signatories on the status of Code compliance. Code compliance monitoring was required to be carried out every second year. WADA was now two years from the 2004 Olympic Games, which was why he was presenting the report to the Foundation Board.

On 10 August that year, the team had sent out a web-based questionnaire to all the signatories. Reminders had been sent out in September, and 1 October had been the deadline for reporting back to WADA on the implementation status and compliance. The team had also sent out a reminder on 13 October to all of the signatories. As he had reported to the members previously, this was a web-based system, and was easy to use. Some had reported that it was not very easy to use, although others had reported that it was very easy to use. The comments would be reviewed and if necessary the questionnaire would be revised accordingly.

Each signatory had received a letter from WADA, and there were 28 questions in the web-based questionnaire. The team would report when the questions had been answered. He gave an example of the questionnaire. Question 12 asked whether signatories applied the current enforced WADA Prohibited List. There were five possible answers, each of which was weighted differently. Another question asked whether signatories performed out-of-competition testing. The answers would provide a good view of the status of the signatories and whether or not they performed out-of-competition testing, which they were obliged to do under the Code. Finally, another question asked whether signatories publicly reported anti-doping rule violations within 20 days. There were five different possible responses.

This was an ongoing process, and more and more signatories were answering the questionnaire. Of the 575 signatories, 160 signatories had responded and 83 were fully compliant. Of these 575 signatories, 364 represented organisations not directly involved in anti-doping activities on a daily basis. Certain things had been done in order to help and promote implementation of the Code. Model rules had been developed in a variety of areas, guidelines had been drafted, RADOs were currently being developed, and WADA had proposed the development of IFADO, consisting of anti-doping organisations for smaller IFs with limited resources.

WADA saw that more emphasis had to be placed on Code implementation by each of the signatories. This was important, as not everything could be done from the WADA headquarters. As members would see from the results, 83 were fully compliant with the Code; he proposed that the process be continued over the next couple of years to see that governments and sports were moving together hand in hand. The team asked the Foundation Board to decide that the 2006 Code compliance process be considered an implementation review with the outcome of facilitating and assisting all signatories to achieve Code compliance and that the first Code compliance review be completed at the

end of 2008 to engage governments and the sports movement in the Code compliance process at the same time.

THE CHAIRMAN asked if the members were disposed to make the decisions that were requested. What was currently going on was to be considered an implementation review rather than an official Code compliance review, then official Code compliance would be conducted at the end of 2008. Those representing the NOCs and the NADOs should try and make it clear that there had not been an overwhelming uptake on the implementation side and there would be consequences one of these days if that was not done.

PROFESSOR DE ROSE asked which of the NOCs were compliant with the Code so that ANOC might take action in relation to those that were not compliant.

THE CHAIRMAN replied that Mr Andersen would give that information to Professor de Rose.

DECISIONS

1. Proposal to consider the 2006 Code compliance process an implementation review, with official Code compliance to be completed at the end of 2008, approved.
2. Code implementation status report noted.

7.3 Vrijman Report to UCI

This item was discussed by the Foundation Board in camera.

DECISION

Vrijman report to UCI discussed in camera.

8. Department/Area Reports

8.1 Science

– 8.1.1 Health, Medical and Research Committee Chair Report

PROFESSOR LJUNGOVIST said that there was an extensive report in the members' files. He would briefly highlight some issues. The Health, Medical and Research Committee worked round the year, either through meetings of the Health, Medical and Research Committee or its sub-committees. As a result, the Health, Medical and Research Committee had documented some of its achievements in the report, one of which was the Prohibited List, which was supposed to be made official at the end of September each year. The List for 2007 had been made official at the end of September 2006, and would be officially implemented as of 1 January 2007.

One problem highlighted by the working group that looked into costs was the TUE procedure, which was quite costly. There would be a seminar or meeting with all chairpersons of the committees in Bonn in three weeks' time to review the TUE system with the aim of improving it and making it more cost effective.

As reported by the Director General earlier, a 34th laboratory had been accredited in Salt Lake City.

A substantial part of the WADA budget was allocated to research, and many people had asked what had come out of the research projects funded to date. It had taken quite some time to get into full swing with the research activities due to a lack of WADA funding over the first few years. Although the project had begun in 2001 and 2002, it had taken some years until the full budget had been obtained, enabling WADA to get

fully under way. As the Chairman had pointed out, research was not an activity where a question was asked on Monday and the answer came on Tuesday. It took some years. He was proud to say that the report he had asked Dr Rabin to give clearly showed that WADA had achieved a lot and many projects had already been successfully concluded with important information, and results that had already had an effect on the doping control and analytical procedures and some new methods had been worked out.

One outstanding problem was to identify those who manipulated their blood parameters in order to increase their oxygen transport capacity to improve their endurance. That matter had been elaborated at recent symposia organised by various stakeholders, particularly USADA and the IAAF, and a project was under way to profile top athletes by studying their blood parameters over a long period of time in order to be able to tell when and how and why a blood parameter deviated from the norm and would possibly indicate blood manipulation. Dr Garnier would guide the members through that project.

Those were the most important points he wished to highlight. He asked Dr Rabin and Dr Garnier to make their presentations.

DECISION

Health, Medical and Research Committee chair report noted.

– **8.1.2 Athlete Passport/Blood Parameters**

DR RABIN said that significant resources had been spent on research and he was pleased to report on some of the key outcomes of the programme.

The programme had begun in 2001 and, under the authority of the Health, Medical and Research Committee, there had been several priority research areas identified, some of which had evolved over time. For example, the theme of endogenous and exogenous anabolic steroids had been implemented right at the beginning and, three years later, based on the information gathered through the research teams, it had no longer been necessary to keep this area as a theme, and other themes were coming on board, such as genetic physiologic and environmental factors related to doping. Things were evolving based on recent knowledge in the area. Six years into the programme, WADA had received 291 applications from the five continents and involving researchers from 32 nationalities. 155 research teams had been represented in those applications, about two thirds of which came from outside the traditional anti-doping area. So, the majority of teams were not directly associated to anti-doping activities, which was important because it brought new knowledge and ideas to anti-doping science.

To date, WADA had committed 25 million dollars to research, almost 14 million of which had already been spent, and almost 5 million of which covered completed projects. WADA had started by committing a fairly high level of its budget in 2001 (22% of the budget), and had then suffered severe hypoglycaemia in 2002 and mild hypoglycaemia in 2003, but was now back to a significant investment in 2006. According to the international standards, anywhere between 20 and 25% or above was certainly considered as significant investment into research, which was the case for WADA.

Out of the close to 300 projects received by WADA, about 120 had been supported, which was a success rate of 40%, considered to be quite high compared to many international organisations.

He wished to highlight some of the key results that illustrated the breadth of activities in the research programme: having new methods developed to detect new substances, or developing tools for the laboratories to have better analysis of substances and create more harmonisation in laboratory reports and analyses, and generating new information to improve significantly, based on the metabolism of the drugs or the application of new methods. This was the case for anabolic steroids. Blood doping was also a very active area, not only because of blood transfusions, and WADA had worked in collaboration with

other stakeholders, in this case USADA, to develop the homologous blood transfusion method. WADA had also worked on the development and implementation of HBOC detection. WADA continued to improve on existing methods. The EPO method was pivotal in the anti-doping programme, and WADA was working on new approaches to try and extend the window of detection of the current method or bring new, cutting-edge science into anti-doping detection.

WADA also worked very actively on the athlete passport, and Dr Garnier would speak more about this shortly. There was currently a test for hGH based on the differential immunoassay. WADA was currently in the production phase of the antibodies, and he hoped that a test would be ready shortly, with the possibility to provide this test to all the anti-doping laboratories, which had not been the case to date. WADA was also working on the complementary approach based on the markers, which would expand the window of detection, and he hoped to be able to combine the two approaches to have very efficient coverage of hGH abuse. There were different hypotheses in science and, for hGH abuse, the Ghrelin hormone had been thought to be an hGH marker and potentially indicate hGH abuse. Based on WADA research, it had been discovered that this marker was not a valid marker for hGH.

In other areas, the detection of insulin was well advanced, and was something WADA was actively discussing with the laboratory that had been involved to review the validation of the method and future implementation. The detection of dextrans was another complex issue, but WADA had advanced quite significantly in relation to this area, as well as a few other new substances, such as the alpha reductase inhibitors. WADA was also working on inhaled salbutamol and some substances already on the List, for which additional information was gathered to refine the wording of the Prohibited List. This work was very active under the research programme.

The publication of results was important for an organisation such as WADA. WADA had a provision in its contracts with the research teams to push them to publish research results and acknowledge WADA's support. There were currently more than 80 publications or presentations referring to WADA as the main sponsor of the research teams. It was probably a fraction of everything that was reported, as it took time for research to be published in peer review journals. The information was being collected to be made available to stakeholders.

Key conclusions based on the WADA research programme were that it was a truly international programme, involving the five continents. The number of applications had increased since the beginning, and WADA was promoting the research project programme in different publications. The coverage rate was almost 40%, showing that WADA could support some very good projects within the programme, and he thought it was certainly related to the fact that WADA could dedicate the amount of money initially intended by WADA. It was important to make the outcome of the research available to the scientific community, allowing WADA to build anti-doping science and enabling new teams to build on this science.

DR GARNIER said that the Athlete Passport project was not a new idea, and he referred to the initial idea proposed by Mr Koss. The initial idea had been to register only urine test results. Since then, WADA had broadened the concept to monitor different blood and urine parameters. Mr Howman had explained the limits of the traditional anti-doping approach, and the Athlete Passport could be a useful tool in terms of going beyond the limits.

During the Olympic Games in Turin, the FIS had declared a number of skiers as "no starts" as a result of abnormal blood parameters, leading to some confusion among the public. Following these events, WADA had taken the initiative to call all IFs involved in blood testing to evaluate the current situation and determine a harmonised approach. The main outcomes were that there had been a general agreement to consider the process as part of the anti-doping process itself and put an end to the hypocrisy of the current system. It had also been decided that the different protocols used should be

harmonised (parameters, thresholds and decisions), and that there was a need for results to be registered and monitored on a longitudinal basis, requiring an individual database for each athlete. WADA had been mandated to achieve this goal and coordinate the different actions and developments to come.

In September and October 2006, two symposia had been held in Lausanne, at which experts and participants had confirmed their interest in blood monitoring, noting the benefit of biological/medical longitudinal follow-up. The issues identified had included relevant parameters, criteria for decision, and the appropriate level of action (medical, no start, or a doping sanction).

The WADA strategy was to continue to coordinate meetings and the work of different experts to identify the most discriminatory parameters to be monitored (initially in relation to haematology). WADA would study the technical feasibility for the establishment of a tool allowing an individual database for the Athlete Passport, and aimed to identify the best mathematical models of treatment of applicable data to support a decision. Finally, WADA aimed to take this new approach into account as a possibility for the future in reviewing the Code to give it a ruling framework and legal base.

WADA was already engaged in supporting two different projects, a multi-sport pilot project in France (Athlete for Transparency programme), which would then be extended to an international level (Switzerland, Italy and Germany), to measure the technical feasibility of the tool. Joint work had begun between the LAD and the University of Lausanne to test different mathematical models of treatment of monitored data.

In the future, it would be necessary to follow up the work carried out by experts and the conclusions in order to update the concept. WADA would organise cooperation between the various organisations engaged in the field to ensure harmonisation of the Athlete Passport.

THE CHAIRMAN noted that a lot of interesting and fascinating work was being done.

MS DE BOER-BUQUICCHIO referred to the 2007 Prohibited List. She echoed a concern expressed by the Council of Europe Monitoring Group on the Anti-Doping Convention in relation to the revised List. This was a general concern consisting of a request to WADA to present the rationale behind the changes being introduced, and she would leave it entirely to WADA to consider how that could best be done. There was obviously a need for further explanation. The Monitoring Group had stressed the importance of the transparency and accountability of the decision-making process on the List from the experts to the political decision-makers. Another request that also came from the Monitoring Group consisted of a request to WADA to provide statistical information from laboratories and anti-doping organisations on the relevance of the T/E ratio for discussion on the 2008 List.

MR MALLARD had noticed that, for the projects approved in 2001 and 2002, both were already about 30% over budget, and his question was whether that was a trend that was continuing for later projects and where WADA might expect to end up if that were the case.

MS NEILL asked about the relationship between the Athlete Passport and ADAMS, and whether it would be possible to mesh those two projects together.

PROFESSOR LJUNGOVIST replied that, with respect to the request for an explanation of the rationale behind any changes to the List, he believed that this had been done in the form of the explanatory notes that accompanied the new List.

With respect to the T/E ratio, it was an ongoing discussion. There were very split opinions as to whether the 4 or 6 level should be in place. He did not wish to go into the science, but the T/E ratio was a screening ratio, as it served as a basis for conducting further investigations into a particular case and, should the ratio be above 6, further investigations were conducted. That had been reduced to 4 some years previously,

based on a feeling that people went undetected because the level was too high. After an evaluation of two years with the T/E ratio at 4, based on a cost-benefit analysis, it had been found that it would possibly be reasonable to go back to 6, which had not been accepted by other parties within WADA, and a majority decision had been taken to stick with the 4 ratio for the time being. There were certainly differences of opinion, which was normal in the scientific community. This was continuously being revisited, and he thought that a reasonable explanation as to why WADA had stayed with the 4 ratio had been given.

He referred the question about the budget to Mr Reddie, and the question about the Athlete Passport to Dr Garnier.

MR REEDIE asked Mr Niggli to respond to the question about the budget.

MR NIGGLI said that, in 2001 and 2002, there had been more money committed than there had been in the budget, because it had been decided to account only for the first year of the projects, which went over a number of years. This had been compensated in 2003 and 2004 to make everything square. Since 2005, everything had come to the amount projected.

DR GARNIER said that he had not had time to go into detail in his presentation, but the synergy with the current database, ADAMS, was part of the feasibility study he had mentioned and those carrying it out had to coordinate this with ADAMS. It had been the initial objective that the Athlete Passport form part of ADAMS.

DECISION

Athlete Passport/blood parameters update noted.

8.2 Education

– 8.2.1 Ethics and Education Committee Chair Report

MR CHONG reported on the Ethics and Education Committee. Since his last report to the Foundation Board in May, the WADA Education Department had reached every region in the world with initiatives such as the education symposia. It had developed tool kits and shared best practices, and was embarking on some new and innovative initiatives to further anti-doping education. He congratulated Ms Carter and her team for the work that they had done in this regard. The last committee meeting had been held on 19 and 20 October, at which a number of issues had been discussed, such as the review of the World Anti-Doping Code. A number of initiatives that Ms Carter and her group had been undertaking had been heard, and the Ethics and Education Committee had taken the opportunity to come up with a number of new ideas in the area of anti-doping education.

He encouraged members to go to the WADA website to see the numerous tools available for their stakeholders and constituencies that they could use to enhance or develop their anti-doping education programmes.

A key initiative that continued to be a priority for WADA was the education symposia. These symposia were central to building capacity, partnership and mentoring opportunities in developing regions and countries. In 2006, education symposia had taken place in Athens, Greece, in May, and Kuala Lumpur, Malaysia, in August.

WADA was also developing a travelling seminar modelled on the education symposia programme. The seminars were intended to be more accessible to regions that were not able to host or participate in education symposia. WADA was currently piloting this innovative concept and was working to develop guidelines so that WADA expertise could be transferred to stakeholders and regionally based experts.

WADA was also working to develop its partnerships further with the Council of Europe, UNESCO and Olympic Solidarity, so that tools could be developed and networks established around the globe in order to make anti-doping education accessible.

With respect to Article 18, the Ethics and Education Committee formally recommended that this article be adopted and be mandatory for all signatories to the Code, while recognising that they planned, implemented and monitored information and education programmes within their budgetary means. This would make the education provision of the Code consistent with the UNESCO International Convention against Doping in Sport and at the same time recognise the various capacities of the member states to undertake education programmes within their budgetary means. Making this article mandatory would encourage all signatories to the Code to invest in anti-doping education, which was vital to the long term strategy to eradicate doping in sport.

MS CARTER thanked Mr Chong, who had been kind enough to give an outline of the various activities and programmes. If members wanted any additional details regarding what was being done, they would find these in their folders under section 8.2.

She had been given this opportunity to speak about the broad goals that the Education Department was adopting for its education activities, namely the development of positive values for preventative reasons and the focus on reaching stakeholders as widely as possible.

To lead in to why WADA wanted to develop positive values for prevention reasons, she asked the members to consider what education was, why WADA should be educating for clean sport, and why WADA should focus on value development. It was taken for granted that everybody knew what education involved; however, when it came to distinguishing education from information, the lines became blurred, perhaps because it was easier or because people simply felt more comfortable imparting information. At WADA, they were working on an education vision that reflected a statement made by Dean William Inge, an early 20th century educator and professor at Cambridge University, whose vision was that "the aim of education is the knowledge not of fact, but of value". This was a vision that focused on prevention rather than intervention. The goal of the Education Department was to assist stakeholders in implementing education programmes that not only provided information, but also instilled values, so as to influence behaviour and promote fair play and, therefore, clean sport.

The Education Department was also trying to focus on groups that extended beyond the usual elite athlete focus group and encompassed all of the athlete's entourage: coaches, medical personnel, sport staff, parents, teachers, as well as children before they even became involved in sport, particularly at the elite level.

She had considered what was meant by education; therefore, she also wished to consider why WADA should be educating for clean sport. Clean sport not only contributed to overall fitness and wellbeing, it also promoted responsible behaviour, observance of rules, discipline, respect of self and others, strength of character, tolerance and team spirit, which were all key values to be prized in any contributing member of society.

Sport was a microcosm of society; values that became entrenched and accepted by society at large would permeate sport and, at the same time, both the positive and negative aspects of sport would come to impact on society. Cheating (in any field of human endeavour) contributed to the deterioration of the moral fabric of society at large and cheating in the form of doping also compromised physical wellbeing and health. Safeguarding clean sport, in the spirit of prevention, was a way of working towards safeguarding the moral fabric and wellbeing of society at large.

In educating for clean sport, why, then, focus on value development? It was clear that many people, even when they were equipped with all of the necessary factual information, still chose to engage in such behaviour. As an example, one should think only of anti-smoking campaigns and that all the available information concerning the drastic effects on health of smoking had had little effect when it came to stopping smokers from smoking. In the same way, somebody with all the necessary factual information about doping might nonetheless decide to dope. Somebody who decided not to cheat or dope would often make this decision based on a strong value system. That

strong value system provided a reason to say no, whether to cheating or any form of doping, and to stick to that decision. As such, it was felt that an education programme that aimed at value development was a prevention programme.

As had been seen, although athletes might have relevant information and knew that doping was against the rules and that they would be tested, some would still choose to take the risk. Why was that? Why did an otherwise law-abiding citizen turn into a cheat when competing in sport? What were the fundamental differences between athletes who chose to compete clean and those who chose to resort to doping?

The WADA Social Science Research Grant Programme had been set up to enable WADA to design its education programmes using an evidence-based approach to doping prevention. Hopefully, the results of social science research would make it possible to understand the causes of doping and the processes by which individuals broke anti-doping rules.

Social science also enabled WADA to monitor the efficiency of education efforts for clean sport. Research results could be used to provide reassurance that preventative education programmes were achieving the intended tentative results in terms of targeting the individuals who were most vulnerable, controlling or alleviating to the extent possible some of the most important risk factors, and emphasising the development of a strong doping-free culture by promoting the factors that prevented individuals from engaging in doping behaviour. As years of trial and error had proven in public health and social policy, an ounce of prevention was worth a pound of cure.

The Social Science Research Grant Programme had been established specifically to back WADA's preventative education approach with sound, scientific, evidence-based knowledge. The programme was still young; the current status of the programmes was as follows:

Under the 2005 programme, 12 applications had been received and around 61,000 US dollars had been awarded for the funding of three projects.

For the 2006 programme, 12 applications had been received, and WADA had awarded around 81,000 US dollars for the funding of four projects.

With respect to these two programmes, one final report had been received and she expected all the remaining reports before the end of the first quarter of 2007. Once WADA had had a chance to review the reports, she hoped that they would inform all of the WADA education activities going forward.

In response to the 2007 call for applications, WADA had received 29 applications, which was more than double the number of applications received for both the 2005 and 2006 programmes. Just the previous day, the Executive Committee had agreed to fund six projects for an amount of 178,000 US dollars.

The second key aspect that was driving education activities was the goal of reaching stakeholders as widely as possible, which the Education Department was striving to do by developing a variety of tools. Mr Chong had already mentioned some of these, but she wished to speak further on a couple more. These tools were intended to enable WADA to fulfil one of its education mandates, which was to act as a best practices clearinghouse and support the worldwide development of education programmes, whilst at the same time promoting local ownership and customisation of programmes.

She had already touched on the Social Science Research Grant Programme. Other tools included the Digital Library, which was a web-based global clearinghouse of currently available information and education anti-doping materials created by stakeholders, which had first been introduced to the members in April. The stakeholders provided copies of their own materials and WADA advertised the existence of these materials to other stakeholders by posting an image that identified the material and classified it according to language (there were currently materials in 17 different languages), and according to the relevant organisation (e.g. a sport federation) and

region (36 countries had made materials available to WADA) and provided the contact information of the provider of these materials so that a stakeholder seeking to obtain a copy might do so and use it in support of its own education programmes and avoid duplication.

Since its inception, the Digital Library site had registered a monthly average of around 630 hits. She trusted that this meant that it was experiencing some success among the stakeholders. The contents had been growing as a result of regular contact with stakeholders and partners. She invited members to consult the Digital Library, and especially to ensure that the materials that they had developed were represented. She recalled that WADA could act and fulfil its mandate as a global clearinghouse only if members let WADA know what they already had and provided WADA with copies.

WADA had also developed recently a set of tool kits to serve the needs of stakeholders for anti-doping information materials and activities. The tools within these kits had been designed to be adapted and customised by stakeholders to suit local conditions and target audiences. The kits would be made available in different formats: print-based in binders, electronically on CD-ROM, and electronically from the WADA website. WADA currently had three tool kits that had either been developed or were being developed: the Teacher, Coach and Programme Officer Tool Kits. The Education Department was currently working with Dr Garnier on a tool kit for healthcare practitioners and with Mr Andersen for on a tool kit for doping control officers.

The Teacher Tool Kit was basically a series of lesson plans that targeted primary and secondary school children, and included the Play True card game. The activities and materials were designed ideally to be incorporated within school curricula.

The Coaches Took Kit was designed based on the "train the trainer" model; it was a resource for facilitators to provide anti-doping education for elite coaches. The Education Department was currently working on a Community Coach Tool Kit to complement the Elite Coach Tool Kit.

The Programme Officer Tool Kit incorporated a series of resources that targeted individuals who were interested in establishing an anti-doping education programme at an organisational level.

As Mr Chong had mentioned, the education symposia constituted another key activity in education. WADA hosted education symposia in key regions of the world to raise understanding about anti-doping efforts, disseminate general anti-doping information and offer guidance and practical tools for initiating or enhancing doping prevention programmes in regions throughout the world. The outcome sought from these symposia was an understanding of how to establish and implement short and long-term anti-doping education programme plans using as a basis the Model Guidelines for Core Information and Education Programmes to Prevent Doping in Sport developed in collaboration with the Council of Europe.

The format of the symposia, which were run over two days and in workshop style, had been designed specifically to achieve these objectives and outcomes. The symposia included presentations by experts, presentations on existing education programmes in the host region, and breakout group discussions

To provide support and ensure follow-up, WADA had set up a mentorship programme, whereby representatives of countries with established anti-doping programmes served as sounding boards and advisors for symposium participants seeking guidance in initiating and developing their own education programmes. The Education Symposium Programme had started in February 2005, with a first symposium held in Montevideo. This had been followed by symposia in Moscow, Macao, Cairo and then, in 2006, in Athens and Malaysia. To date, the symposia had reached 173 participants representing 68 countries.

Two major challenges that WADA had faced with its Education Symposium Programme included how to follow up and sustain momentum after the symposium and

how to make sure that the right people were in attendance so that the education activities were subsequently organised within the countries represented at the symposia.

The answer to how to follow up with participants had come in the form of developing the WADA eForum. First used in relation to the Athens symposium, the eForum was a web-based tool, similar to a message board, that enabled participants to share documents and ideas and gain support from other symposium participants as they set up their own anti-doping education programmes. It was monitored primarily by the symposium mentor, and also provided WADA with an opportunity to follow the progress of the countries. Participants from Malaysia had been trained in the use of the eForum and, in collaboration with the WADA departments, even though the eForum had been piloted for the education symposia, it was now being used by the Department of Standards and Harmonisation and would also be used as a communication tool for RADOs. The IT Department was also using the eForum for its ADAMS Expert User Advisory Group.

On the issue of participation at the symposia, because multinational symposia were hosted with a limited number of invitations per country or region, attendees were often high-level sports administration or government representatives. It was important to engage these individuals, as they were often decision-makers in a country and region and because, without this support, it became very difficult to get anti-doping education programmes off the ground. This being said, the people responsible for the day-to-day implementation of education programmes were not usually present at the symposia. Furthermore, not all countries had the financial and logistical means to host an education symposium in its traditional format. In order to increase access to the information that was provided at the symposia, as well as to increase participation by those responsible for implementing education activities, WADA had developed the Travelling Seminar format. While similar to the larger education symposia format, the Travelling Seminar brought together participants from one country, with an even greater focus on developing short- and long-term anti-doping education plans. The format had been piloted in Nicaragua and Colombia in September. Participants had included representatives from universities, NOCs, NPCs, NGOs and sports federations, all working towards the common goal of establishing a strong anti-doping education programme. She was pleased to report that the Travelling Seminar in Nicaragua had been very well attended by people who were keen to work on the ground and had resulted in the development of an annual plan for education.

Because a number of countries had already planned and implemented education programmes in accordance with the Model Guidelines, the current plan was to develop, again in collaboration with the Council of Europe, a second set of guidelines in support of more advanced programmes, with a view to establishing a third level for a formal programme recognition standard.

At the Education Symposium in Malaysia in August, another face had been added to the traditional format: school visits, engaging local youth in local classrooms in values-development activities, which addressed values such as fair play and respect for self and others. The new Travelling Seminar format also incorporated these school visits, which would serve as springboards for establishing preventative youth education programmes in the host community as well as in neighbouring communities.

Because research showed that values were established early in childhood, and that it was a strong value system (as opposed to information) that helped an individual decide against engaging in risky behaviour, and because prevention was ultimately the better way, WADA wished to continue to reach out to its stakeholders with activities for the early influence of behaviours in youth, as well as working on values development for all members of an athlete's direct and indirect entourage.

She invited the members to keep the Education Department informed of all that they were doing in their respective countries for education for clean sport, and to be in touch

with the department to let the members of staff know how they could help with the members' preventative education programmes.

She thanked her education team, Jennifer Ebermann, Debra Galeano, Jen Sclater and Marie-Claude Asselin, for their energy, creativity and hard work and their belief in educating for clean sport, and she thanked the members for their attention, and looked forward to working with them in communicating and instilling the values of clean sport.

MR CRAVEN was pleased that the differentiation had been made with regard to facts and values, as facts lodged mainly in the brain and values lodged mainly in heart. That was key to sport, and he complimented Mr Chong and Ms Carter on that.

MR NISHISAKA said that he had been pleased to hear the report. It was extremely important to educate children. Japan intended to place an emphasis on educating young people, informing them not only about the negative effects of doping, but also about fair play and the values of sport. He thought that the education activities being carried out were excellent. Catching cheats was important, but preventative education was highly significant. He hoped that WADA would enhance its activities and effectiveness in the field of anti-doping education; Japan certainly intended to work with that objective in mind.

DR SCHAMASCH was pleased that WADA had made contact with Olympic Solidarity and the IOC Medical Commission so that anti-doping education activities would be as harmonised as possible, and he looked forward to receiving the module being developed by Dr Garnier so that it could be used as quickly as possible.

MR AZIZ thanked WADA for working with his colleagues at the symposium in Kuala Lumpur. It was gratifying to note the range of tool kits, especially those for teachers, which went hand in hand with the education programmes, because he believed that changing people's values did not involve only imparting facts and knowledge.

MR KA'OJE thanked the Education Department for the good work done in terms of developing the education curriculum for primary and secondary schools. As one of the speakers had stated, most of the members were anxious to receive the final report on the curriculum that was being developed so as to work together with the education ministries to make sure that this curriculum was put to use in the various countries in order to work towards eliminating or reducing as much as possible the problems of doping in sporting activities all over the world. He knew that preventative education at that level of human development was definitely the bedrock of effective anti-doping programmes and thought that the Ethics and Education Committee and the Education Department should be commended for what they were doing. Everybody was anxiously waiting to receive the report in order to begin implementation in the various countries.

With regard to the issue of symposia, which had been held in a number of areas, he had also seen from the programme that there were likely to be other symposia in 2007. He made a plea that these symposia, which would greatly assist those in Africa, also be considered so that perhaps the following year there would be symposia in Africa, particularly West Africa and, if possible, Nigeria, as the Nigerian Government was always ready to support WADA and its activities, since his government believed that the work of WADA was very important. This was why a number of programmes might be brought to Nigeria, so that the government would also see that WADA was reciprocating the gesture that the government was making.

MS CARTER reassured Mr Ka'oje that, if at all possible, the Education Department would like to take its Travelling Seminar the following year to Francophone and Anglophone Africa.

THE CHAIRMAN said that the Education Department was trying to develop a new and more global approach that would allow for prevention rather than intervention. Ethics and education had always been one of the main focuses of WADA. Doping would not be stopped on a worldwide basis by catching and sanctioning a few cheats; it was necessary to create a new mindset.

Secondly, the Education Department was trying to find more effective ways of reaching as many stakeholders as possible. There were some very creative ways in which this was being done. It was obvious that there was quite a lot of good educational material already in existence so, if anybody was aware of any additional educational modules, programmes and materials, it would be terrific if these could be made available to WADA. The fight against doping in sport would be ongoing; the ideal solution would be through education and, if WADA could get to the point where 99.9% of athletes and their entourage did not dope because it was the wrong thing to do and also potentially dangerous, and persuade them that WADA would catch the 0.1% who would cheat, as that was part of human nature, then WADA could be pretty confident that it had won the war against doping in sport. However, WADA was a long way from that point, and the answer would be education. He thanked Ms Carter for her comprehensive report; he encouraged her to carry on the good work.

DECISION

Ethics and Education Committee report noted.

8.3 Communications

MS HUNTER reported on the objectives of the Communications Department. There were three primary objectives, the first of which was to build awareness about WADA and the fight against doping and the World Anti-Doping Code. In addition, the Communications Department worked to provide information and tried to identify ways and means to disseminate information that was critical about the fight against doping.

Essentially, WADA was a young agency and it was important to establish the WADA brand. The department worked to develop clear, concise messages that effectively conveyed the mission and priorities of WADA.

With the relative youth of WADA, it had been important to codify some of the very basic messages. Also, with the expansion of WADA's work to regions worldwide through the regional offices and the RADO programme, it had been important to harmonise those communications as well. The need and challenge for clarity was all the more imperative given the broad range of cultures and languages with which WADA worked.

2006 had been a very important year for WADA to crystallise its corporate messages and package them in a way that would be quickly and easily understood. The department had focused on developing clear messages about WADA and the global fight against doping. These messages also had to be very accessible, meaning that one did not have to be an expert in anti-doping to be able to understand what they meant, and they also had to be memorable, meaning that the department relied on different varieties of conveying these messages, whether through visual images, video or print media. She showed the members several visual examples of how the department had tried to demonstrate this. The department had found that, once people had a highly simplified view of the World Anti-Doping Programme and once they had grasped the basics, it was much easier to get into the specifics.

In May, the department had introduced the "Levelling the Playing Field" DVD; WADA was using audiovisual material to remind people that WADA was about the athletes and the purpose of the video was to inspire support for clean athletes and their right to a level playing field. The video was available in English, French and Spanish, and WADA would be distributing it on a wide scale to the stakeholders earlier the following year.

In 2006, the department had developed some print material to help describe what WADA did. The first agency brochure, encapsulating the key messages and mission of WADA, had been developed. The department had also developed some leaflets, as a result of the need for regional offices to be able to explain to their stakeholders regionally, using images from regional events and the languages of the region to go into more depth about the basics of anti-doping and the evolution of the Code.

With regard to publications, the *Play True* magazine came out three times a year. The most recent publication, entitled *A Guide to the Code*, was to help support the work of the Code Project Team when working with stakeholders and talking about the Code and potential changes. This was to make sure that people understood the basics of the current Code. The *2007 List* was also available, now in three languages, and stakeholders would be provided with that in early 2007.

Media relations was another important aspect of the Communications Department. Mr Donzé was the Media Relations Manager, and was active on a daily basis. Although WADA did its best to communicate basic messages to the media regarding its activities, a lot of the media questions were very specific, so the department had launched a new Q&A media resource, which went into more depth with regard to particular issues.

There had been a lot of media outreach in 2006, with press conferences at the Olympic Games and the Paralympic Games in Turin, a press conference in Moscow following the Athlete Committee meeting the previous spring, one in Beijing, when Mr Pound had been visiting the sport and government authorities in October, and Mr Howman had participated in a press conference in Buenos Aires two weeks previously at the South American Games. In December, Mr Donzé would be in Doha with a booth at the media centre and would interact with the media for several days during that event. On 24 January 2007, WADA would be hosting an all-day media symposium in Lausanne, inviting media in order to talk about the progress of the fight against doping and the current challenges. Mr Pound and Dr Rogge would be participating in the symposium. The following day, a communications round table would be hosted for communications directors and media managers from the IFs.

Members would be familiar with the Athlete Outreach programme. WADA took the programme on the road to major events throughout the year. 2006 had been a very important year for WADA. The programme had been taken to the Olympic Games, the Paralympic Games, the Commonwealth Games, the Central American and Caribbean Games, and the Asian Games. In conjunction with the Outreach programme, there was the Outreach model. The organisations on the screen had adopted the Outreach model, which was based on the experience and expertise developed by Ms Spletzer over several years. The model was essentially a turnkey programme for IFs and NADOs to be able to use and implement Outreach programmes in their own events.

She congratulated Ms Spletzer for her hard work. Ms Spletzer had received some recognition from the Mentor Foundation, whose president was Her Majesty the Queen of Sweden. The Mentor Foundation was an international non-governmental organisation for developing, evaluating and disseminating best practices in drug prevention programmes. WADA's Outreach model had been recognised as a best practice in drug prevention programmes. This was a significant endorsement of the effectiveness of the programme. With that, WADA would continue to intensify its efforts working with stakeholders to develop more Outreach models throughout the world.

MR KALTSCHMITT said that, trying to have his country sign the UNESCO Convention, he had found out that people knew nothing about WADA, and it might be that a letter could be sent to a special list of important government officials in the various countries, especially in his region, explaining what WADA was, and talking a little bit about the convention and how it would be ratified.

MR KA'OJE spoke about knowledge of WADA in other countries, particularly in Africa. Not many people in Africa actually knew that there was anything going on with respect to what WADA was doing, so he would like to suggest that WADA make use of some of the offices represented by the Foundation Board members to get some of this information out to those people who should know about it, rather than relying on the regional offices, which had not been providing information on WADA. The countries had mostly received information directly from the WADA headquarters, so it would be important to consider utilising the countries' own vehicles to help disseminate information about the activities.

MR AZIZ said that he fully realised the role the media played as a partner in disseminating information and knowledge, and he wondered if something might be done in the light of frustrating attempts to get the media to convey the right message, as they were very much given to confusion and, perhaps in their haste and keenness to get information to the public, their respect for confidentiality was compromised. He felt that perhaps there should be some attempt by the Communications Department to engage media people all over the world through a workshop or symposium.

THE CHAIRMAN expanded on two things. One was the recent visit to China he had made with Ms Hunter; it was listed under *Media Relations* in the report, and there had certainly been some element of media relations involved, but there had been a substantive purpose in making the visit; certainly as far as he was concerned, it had been one of the most important official visits he had ever made on behalf of WADA. He had had a chance to meet the Chinese NOC, the anti-doping committee, the laboratory director and senior staff, the sports ministry and the minister himself (and he was delighted that the Vice Minister was attending the Foundation Board for the first time), as well as BOCOG, all for the substantive purpose of saying that WADA wanted to help China, which was a big and important country, in the fight against doping in sport. He was satisfied that all the authorities were very much aware of the problem and were trying to find some way to solve it, while recognising that China was a big and complicated country. It looked to him as though the laboratory was well set up and well directed; the organising committee, BOCOG, was very much aware that one of the important measures of the success of the Olympic Games in 2008 would be how China dealt with the domestic doping problem, in the sense of what was going on in China and also the fact that the source of a number of the drugs that were being used was easily identified as China (it clearly was not the only source but it was a source). WADA would keep in regular contact with China up to and after the Olympic Games, so WADA had made that offer and would follow up on it and, if there were any ideas or suggestions that members or stakeholders had for WADA in the exercise of the constant reinforcement of the efforts being made, WADA would be happy to take them on board.

The other point to which he was happy to speak briefly related to the Outreach at the 2008 Olympic Games and, for the first time in the Olympic Games, the IOC and the Coordination Commission had worked with the organising committee to make sure that WADA would have a good location. Those who had visited the facilities in Turin and Salt Lake City would recall that WADA had not had a good location. The IOC had come to understand more and more what a powerful programme this was. If WADA could get its stand between the athletes and when they got their meals, WADA would receive a lot more attention. The Outreach booth had been upgraded to a prime location for the Olympic Games in Beijing.

MS HUNTER appreciated the comments made and would do her utmost to try to convey information to the governments and stakeholders. All of the materials were available on the WADA website and, if there was any need to make a presentation about anti-doping, there were presentations available that the department would be happy to customise in order to facilitate that process.

Regarding engaging media, the department was trying to take advantage of all the opportunities that did occur to host media information gatherings and meetings, so the point was duly noted.

DECISION

Communications Department update noted.

– **8.3.1 Athlete Committee Chair Report**

MR FETISOV said that he was grateful to be involved in the work of WADA; the athletes were increasingly involved, and it had been a great idea to bring the athletes to the table.

The committee would be meeting the following day in Montreal, and the members of the Code Project Team would be presenting the first draft of the Code to the Athlete Committee to gain feedback and additional suggestions for changes. The athletes had been very active during the consultation process, particularly with regard to the length of sanctions, and supported tougher sanctions for doping cheats.

He thanked Ms Elwani for her participation and assistance in Athlete Committee matters, particularly with regard to IOC Athlete Commission and WADA Athlete Committee cooperation.

THE CHAIRMAN said that the Athlete Committee was a relatively new committee; it had been considered important to have such a committee as part of WADA. It had done some very good work thus far. The committee had a meeting the following day, and Mr Fetisov had invited another participant. WADA did share Mr Fetisov's view regarding athlete members, particularly on the Foundation Board; Ms Elwani had been terrific but, when one came right down to it, the whole organisation had been designed to make the environment in which athletes competed doping-free. WADA had incorporated athletes as an integral part of the Foundation Board, equal in all respects with all of the other members of the sport movement. It was important that the athletes participated in this, and he hoped that Mr Fetisov would take back to the Chair of the IOC Athlete Commission WADA's desire to encourage him to pick members who would attend and participate. The dates of the WADA meetings were well known, usually one year in advance. With the greatest of respect, WADA needed the athletes to take the benefit of what was being offered to them.

MR FETISOV referred to the issue of gender policy; the Athlete Committee comprised four men and nine women. The members got right to the point and he thought that WADA should listen to what they had to say.

DECISION

Athlete Committee Chair report noted.

8.4 Standards and Harmonisation

– 8.4.1 Out-of-Competition Testing Update

MR ANDERSEN said that WADA would reach the goal of conducting 3,000 tests for 2006. Up until late the previous week, 2,318 urine tests had been conducted, along with over 150 blood tests. The tests that had been conducted had been done based on extensive research into when, where and who to test, referred to previously as intelligent testing, based on scientific information on trends and information from the IFs. WADA had conducted sample collection in cooperation with 16 NADOs and a private company in Sweden called IDTM. Seven of the seven Winter IFs and 27 of the 28 summer IFs had been included in the programme, as had seven of the 29 recognised IFs.

WADA had tested athletes of 96 different nationalities in 62 countries, and this was important; WADA had been focusing its testing on countries in which there was limited or no sample collection. The testing had been targeted, and WADA had been trying to be unpredictable, which was a condition for conducting intelligent out-of-competition testing.

Looking at results management and the adverse analytical findings, there had been close to 50 adverse analytical findings, separated into the various categories on the List. Additional information was that there had been many alerts from various laboratories on suspicious EPO results, which had led to follow-up testing. These did not officially constitute adverse analytical findings, but WADA had been given reports in order to follow up on testing.

For the following year, WADA had the same goal of 3,000 intelligent tests. There was close cooperation with the IFs, and WADA was continuing with its targeted approach and tests in countries in which there was limited testing. WADA had started to discuss with

the IOC the follow-up on pre-Games testing prior to the Olympic Games in Beijing in 2008.

DECISION

Out-of-competition testing update noted.

– 8.4.2 Anti-Doping Programme Development

MR KOEHLER said that, according to the Code, all countries were required to have a NADO; in the absence of a NADO, the NOC was responsible. The UNESCO International Convention against Doping in Sport stated very clearly that all governments should support the development of a national anti-doping programme, including testing and education.

There were 84 NADOs registered with WADA, 66 NADOs that had accepted the Code, 35 that had implemented rules and sent them to WADA, and 33 that were currently active with comprehensive programmes, doing both testing and education. This was one of the reasons WADA had developed the programme: to assist those countries that needed help developing their anti-doping programmes.

The flags of the world on the screen represented the established NADOs. In 2005, the world had looked a little more complete. In 2006, additional countries had been brought in and, in 2007, WADA hoped that more flags would represent more countries. With the 33 established NADOs, and, by the end of 2007 across 15 RADOs, WADA would have engaged 156 countries in anti-doping work. A brief summary was provided in the papers. Those RADOs that WADA had developed with countries included Central America; WADA was now working with South America; it had developed a RADO in the Caribbean, in Africa Zone V in East Africa, Southern Africa, and now Zones II and III in French Africa, in the Gulf States in Yemen and, just recently, in Central Asia, WADA had developed a RADO with a host office in Iran.

WADA had also developed RADOs in South East Asia and in Oceania. In 2007, WADA planned to work with countries from Eastern Europe, West Asia, South Asia, the Indian Ocean and Central Africa.

He wished to highlight the work and the importance of the regional offices in relation to the RADO development. WADA relied heavily on the regional offices for day-to-day operations and to provide guidance to the RADOs.

A survey by the Council of Europe in 2004 had shown that 37 NADOs were spending approximately 75 million dollars on anti-doping. In 2007, WADA intended to assist countries by facilitating a process with a 600,000-dollar budget. The average cost of running a RADO was 150,000 dollars. Looking at the 15 RADOs, WADA was looking at about 2.8 million dollars to engage 123 countries. WADA was starting to get testing going, starting to see education happening. More work was still needed, and this was a beginning for those countries, but at least it was a start; the process had started and people were being engaged.

For the development, WADA was looking at support from governments to promote anti-doping, the implementation of anti-doping rules, the establishment of committees, DCO training, testing, information and education, as well as Outreach programmes. This was occurring in those regions that had been developed. WADA was unable to accomplish what it had without its partners. Every RADO had NOCs and governments engaged.

The same concept had been taken away from the RADOs to see how WADA could assist the IFs. The IOC, GAISF, ASOIF and AWOIF had been brought together in August 2005 and a needs assessment questionnaire had been sent out to find out the picture of the IFs. The reality was that help was needed. Since that date, there had been two meetings, to which all the IFs had been invited. On 29 August, a pilot project had been established with seven IFs to start moving forward to establish IFADO. To date, WADA

had developed the terms of reference, a budget, secured offices in the House of Sport, which the City of Lausanne was providing for two years, and a member of staff would be hired. At the next project team meeting on 23 November, in addition to the pilot project team, ASOIF would be represented.

MR SCHONNING said that this programme was one of the best and most important programmes WADA had. In the world map, it seemed that, after the future establishment of RADOs, the only white area would be Greenland; in anti-doping terms, it was not white, but yellow, as it was covered by the Danish NADO.

MR STOFILE said a word of appreciation for the report, but also wanted to warn that one should not be overly depressed by the imbalances shown. Looking at the statistics of where the NADOs were and where the RADOs were, one began to understand sport as the microcosm of society. Those imbalances were reflective of where one came from. Very few of the countries on the African continent had been independent for more than 40 years, which made it difficult to focus on matters of leisure; the governments were looking at issues such as housing, water, roads and electricity. He thanked WADA for understanding the request made the previous year that, rather than focusing on the NADOs, RADOs should be looked at. He was appreciative of this understanding, and pleased with the work done by the regional office to mobilise the support from the local governments and organisations. Africa would get there, maybe not in one go, but it would get there with the same objective.

MR KALTSCHMITT thanked Mr Koehler for the fine report. He thought that the continental associations were very well organised. How were they involved in supporting the RADOs of every association or regional games, as that was where most of the countries got together? It would be helpful if these organisations were involved.

MR WEEKES said that it was not often that public servants got saluted, but he publicly saluted Messrs Koehler and May for the excellent work they had been doing in the Caribbean area; the RADO was well under way and the countries were moving towards the establishment of anti-doping procedures.

MR KOEHLER told Mr Kaltschmitt that WADA was trying to engage all of the continental associations. Any recommendations on how to move forward would be welcome.

THE CHAIRMAN said that it was easy to sit back and look at the map being filled in; it had not been as easy to accomplish as it may have appeared from the after-the-fact presentation, and he congratulated Mr Koehler and his team.

DECISION

Anti-doping programme development update noted.

8.5 Regional Offices

– 8.5.1 Cape Town

MR SWIGELAAR said that he was happy to report to the Foundation Board on progress made in Africa in 2006 and what he wanted to implement in 2007.

In terms of funding, contribution had been high in 2006 and, in 2007, he intended to improve on that.

With regard to the UNESCO Convention, Africa had five ratifications already and had been informed of a further five from the region that had gone through the internal processes. These were Algeria, Tunisia, Namibia, Mali and South Africa.

Mr Koehler had already indicated that there were three existing RADOs that were operational, and a further two were envisaged for the following year. The regional office

would be involved in the further development of those RADOs as well as facilitating the establishment of new ones. In short, it could be seen that Africa was indeed progressing.

In terms of ADAMS, the office was busy advocating its importance and, in 2003, would look at the training of stakeholders that were ready to implement the programme.

In relation to education, the office had been planning to have a symposium in French West Africa; unfortunately, the office had had to pull the plug on that at the very last minute due to the unfavourable political situation in the country. Nevertheless, he hoped to push forward in 2007. The office had identified the travelling seminar and coach seminars, which would be rolled out in 2007. In addition to the ongoing communication with stakeholders on a very regular basis, the office had already produced and distributed its first regional office newsletter, and the second one would be ready within the next two weeks for distribution. In addition to the newsletters, the regional office had already distributed two circulars and various other general updates to all stakeholders, which had had the desired effect of ensuring that the stakeholders were kept abreast of what was being done.

An Outreach programme had been planned for the All Africa Games in 2007 in Algiers, and the office was working with other stakeholders and interested parties to roll out other athlete outreach programmes in this regard. The IAAF had been assisted with its championships in Mauritius recently. In addition, the office had also assisted or contributed to the publications of stakeholders and would continue to engage the stakeholders in that regard. There had been meetings with the African Union and ANOCA secretaries general, with the African sports confederations and the ministers responsible for sport. At a recent meeting of the African sports confederations in Algiers, a resolution had been passed to lobby the African Union to engage the heads of state in all the countries in the continent to see how they could short-track the ratification process of the UNESCO Convention, so political support from the African Union was intact and the office would certainly build on that in the years to come.

DECISION

Cape Town regional office update noted.

– **8.5.2 Lausanne**

MR MOSER took the members through the major regional activities since the last Foundation Board meeting. With regard to funding, only two countries were left to pay.

A total of 13 countries had ratified the UNESCO Convention. He hoped that two more countries would ratify the convention that month.

As to anti-doping development, WADA would be starting work on the establishment of an Eastern European RADO in spring 2007, and the regional office would be involved in these activities.

With regard to ADAMS, five training sessions had been held in Europe, and WADA had trained 22 staff from 14 NADOs.

As far as education was concerned, an education symposium had been held in Athens. With regard to communication, the office continuously communicated with the stakeholders of the region. The key meetings in which the office had participated included the Legal Consultative Group of the Council of Europe on Data Protection Issues, the Sports Ministers meeting organised by the Council of Europe in Moscow, and the meeting of the Monitoring Group of the Anti-Doping Convention. More details about the European regional office could be found under item 8.5.2 in the members' files.

DECISION

Lausanne regional office report noted.

– **8.5.3 Montevideo**

MR TORRES reported that, with regard to funding, more countries were getting involved in the fight against doping in the region and supporting the coordination role of WADA. Payments from Argentina and Mexico had recently been received and the payment from Brazil, which was a major contributor in the region, was yet to come. The office would continue to improve this increase in the contributions through the next CADE meeting, to be held in Puerto Rico the following April.

Regarding the UNESCO Convention, Peru had ratified, as had Bolivia, and Argentina, Panama, Brazil and perhaps Venezuela would ratify by the end of the year or early the following year. In the Caribbean, Jamaica had already ratified, and Barbados was also about to do so.

As to anti-doping development, there were two RADOs in the region, one for the Caribbean and one for Central America, involving 21 countries, and there were meetings for advisory boards, DCO training and testing opportunities scheduled for the following year. Recently, the South American Council of Sport had decided at its recent assembly in Argentina to focus more on anti-doping efforts on a local basis; however, a meeting with these countries was to be scheduled in February in order to discuss strategies to implement Code compliance programmes.

With regard to ADAMS, two sessions had been conducted in the region, one in Peru for five NADOs, and one for the organising committee in Brazil for the 2007 Pan American Games. No specific training requests had been received, so the office planned to go to Guatemala in February, where all Central American countries were expected to attend, and was also programming sessions for South America.

As for education, the office had conducted the travelling seminar pilot very successfully in Nicaragua and Colombia, and there were more scheduled for the following year in at least four countries.

As to communications, the office continued to make relevant information available in Spanish, including website materials, in coordination with the headquarters, and planned to conduct the Outreach programme at the Pan American Games in Brazil, and continue the ongoing promotion of the Outreach model for local events. Input on the doping quiz questionnaire was being continued. The office also developed and distributed the newsletter quarterly and maintained regular contact with stakeholders.

He highlighted the activities being conducted in the region. The key messages were being delivered, and anti-doping awareness had increased through the programmes and regional meetings attended. The recognition of WADA's role was important, through the harmonisation of processes and protocols and the practical tools offered to the stakeholders by the office. Also important was the office's role of coordination and the establishment of partnerships with the local authorities. The use of the WADA logo was important, as it provided credibility and institutional support for those programmes run by stakeholders using their own resources.

DECISION

Montevideo regional office update noted.

– **8.5.4 Tokyo**

MR HAYASHI said that, in 2006, the rate of funding had reached 94%. He hoped that this rate would be even better in 2007. A key task of the office would be to encourage more countries to contribute to WADA.

As to the UNESCO Convention, there had been five ratifications from his region, and more countries were expected to follow by the end of the year.

There were three RADOs in operation in the Asian region. The office had been heavily involved with RADO coordination and activities. A South Asian RADO in the Maldives and a West Asian RADO in Jordan were planned for 2007.

With regard to ADAMS, there had been training sessions conducted in Malaysia in August and Singapore in October. Some organisations were already using the system. WADA would work together with the Olympic Council of Asia and the Doha Asian Games organising committee in the implementation of ADAMS at the upcoming Asian Games.

The regional office had been involved in the implementation of a successful education symposium in Malaysia that August, and more symposia were planned in 2007. The office generated three newsletters a year to facilitate the dissemination of information on anti-doping activities to all stakeholders in the region. The latest would be distributed to all Asian countries in November. The next Asian region intergovernmental meeting would be held in Kuala Lumpur, Malaysia, the following May.

The regional office continued to provide support and information at regional events, including assistance with Outreach activities.

MR KALTSCHMITT said that he would bring up the issue once again: he was not against the regional offices, but it was a matter of cost benefit. WADA was spending 1.7 million dollars on these offices, and 1.1 million dollars on education. He felt that, when the reports came, it was very hard for him to evaluate the actions taken by the regional offices as he did not know whether the progress made was as a result of the work of the regional offices or the actions taken by other independent organisations.

Looking at the funding contributed by America, for example, in 2002, it had been 65%, in 2003, it had been 50%, in 2004, it had been 80%, in 2005, it had been 81% and, now that there was a regional office, it had reached 74.6%. It was hard to evaluate whether or not the payments were a result of the effort of the regional offices. The same applied to the contributions made by Africa and the other continents. It was not that he did not think that the regional offices were not good but, for example, in relation to the UNESCO Convention, he would like to know the stage of the ratification process country by country. Some countries had not even done anything. Maybe WADA should try to evaluate the work of the regional offices; he suggested prioritising key areas, and ensuring that the regional offices were really rendering what was expected of them. Prioritisation would be important for the evaluation of the offices.

MR STOFILE said that WADA was a big family and one could not avoid that when dealing with these matters. With respect to Africa, WADA would not exist without the regional office in Africa. There was no way that the 53 countries of the continent would be mobilised to support WADA without the effort of the regional office. When it came to the ratification issue, UNESCO could not put pressure on the governments; it could try, but it would fail. The situation differed country by country. There was no amount of pressure that could be placed on governments to bypass the necessary democratic processes. Very few children knew much about anti-doping work, and these children were the future elite participants of the Olympic Games, world championships, etc. One could not wait until they became participants before teaching them about anti-doping. The priority of the regional offices was to establish the structures to train and educate in the regions. He did not think that the regional offices could be judged by how much was donated by their countries. There was no way that Sudan would be told by WADA to pay or else. That was not the country's priority. The regional office could only facilitate the coordination of those efforts being made. He had recently mentioned that WADA was a microcosm of the bigger picture on the world stage, and WADA should never forget that. The countries were not all on the same starting blocks. Some were in front, others were behind, and that was exactly how it was with WADA developments in the various countries. This should never be forgotten.

MS ELWANI said that, when looking at how efficient the African regional office was, or how to evaluate its work, one always looked at expenses, but that was not what was needed on the African continent. Africa was always behind in everything. When there

was something that was found and with which Africa was happy to work, such as the regional office, it was very hard to take it away from the continent. There had been a symposium in Cairo recently. She had been talking about WADA for years prior to the symposium, but nobody had listened to her. As soon as the WADA team had come to Cairo to host the symposium, things had changed and the minister had been interested in WADA. Of course, the minister was always changing, so one frequently had to start again with another minister.

It was necessary to look at the importance of the regional offices to the countries. Some countries competed to be the best in Africa, and did not care about world rankings. If somebody from their own continent talked to them, they listened to that person. If somebody from an IF came to talk to them, they might not listen. The African regional office was needed to educate the countries. A lot of correspondence was received from the regional office, but nothing was done with it. People were not used to receiving information and dealing with it. Africa was in the process of being educated. WADA should not take away the one thing that was working and leave African countries with trying to operate at international levels that were far too advanced for them at that moment.

MR REEDIE said that he had recognised the question posed by Mr Kaltschmitt. The statistics were a little better than the ones used by Mr Kaltschmitt, as there had been payments in the South American region. He was happy to hear the debate because, if justification were needed for the regional offices, it seemed to him that there had been a fair bit of that round the table, and he thought that that was helpful.

THE DIRECTOR GENERAL said that it was his responsibility to ensure that the regional offices were run effectively and efficiently, and they did. WADA relied very heavily on the regional directors to carry out WADA programmes in those regions. For example, WADA would not have been present at the Central American Games had it not been for the regional office. WADA would not have carried out the education programmes in Nicaragua and Costa Rica. It was important to know that that was what happened for the money contributed. This was not seen in the balance sheet; one saw only the cost of the office in the region. The office in Lausanne had the Director of International Federations and the Medical Director working there. It was a much bigger office. WADA got very good value for its money; the regional offices put the "W" in WADA and the regions in focus. WADA made sure that the activities were carried out properly in the regions. That was the answer, but it was his responsibility to ensure that they were efficient and he was very confident that they were.

MR KALTSCHMITT responded that he had stressed that he was not against the regional offices. He wanted to know exactly what the governments in his region were up to with regard to ratification of the UNESCO Convention, for example. It was very easy to write a letter and send it out. There were certain things that WADA could help the regional offices to accomplish, and things that had not yet been accomplished. He thought that those areas should be looked into.

THE DIRECTOR GENERAL said that he received regular reports on the government progress made in relation to the UNESCO Convention, and could provide them to anybody who wished to receive them.

DECISION

Tokyo regional office update noted.

8.6 Governments

– 8.6.1 UNESCO Convention

MR MARRIOTT-LLOYD thanked WADA for the invitation to attend the Foundation Board meeting on behalf of the Director General of UNESCO. He updated members on progress with the International Convention against Doping in Sport. The website

indicated that there were 25 state parties to the convention; however, on Friday two further instruments of ratification or acceptance had been received from Bolivia and the Netherlands. Such was the pace of change and momentum behind the convention. These instruments were currently being authenticated by the UNESCO legal advisor, and would take UNESCO through to 27 state parties to the convention. There were six other member states that had completed their constitutional processes and several others that would do so in December. In the coming weeks, UNESCO should be in a position to announce that it had reached the 30 state parties required to bring the convention into force.

The previous year, he had presented the WADA Foundation Board with a record-breaking convention, one completed within a two-year timeframe, which was unusual in the international environment. He wished to emphasise that the International Convention against Doping in Sport would be the most successful international convention developed in UNESCO's 61-year history. When the convention entered into force, most likely on 1 February 2007, it would set a new record. The previous record had been held by a 1970 convention dealing with the protection of cultural property, which had taken 16 months to enter into force. He should point out that that convention had required only three instruments of ratification. The International Convention against Doping in Sport would have ten times that number in a shorter period.

Turning to the implementation of the convention, UNESCO had tentatively scheduled the first Conference of Parties for 5 to 7 February 2007. The Conference of Parties would be the sovereign body for the convention and only state parties would have the right to vote. At that meeting, the rules of procedure for the Conference of Parties would be adopted; other key items for discussion included administration of the voluntary fund to develop anti-doping capacities, consideration of a monitoring framework, and a self-assessment questionnaire in support of the convention. The Conference of Parties would also need to adopt the 2007 Prohibited List, which was an integral part of the convention. This would be done in accordance with Article 34 of the convention. WADA would also be asked to provide an update on the fight against doping in sport as an advisory organisation to that conference.

Finally, it would seem topical to explain the impact of any changes to the Code on the convention. Throughout the development of the convention, consideration had been given to potential changes to the Code. The Code was not an integral part of the convention, but it set out the harmonisation of the fight against doping in sport. Therefore, the convention had been written in such a way that changes could be incorporated seamlessly. In accordance with Article 4 of the convention, governments committed themselves to the principles of the Code, and the Code provided the basis of measures to achieve the objectives of the convention. Thus the majority of changes discussed that day could be accommodated under that provision. However, if, through future revision processes, it was determined that governments needed to take specific action by way of a binding obligation in an area previously not anticipated by the convention, that could be amended relatively easily in accordance with Article 33. The convention already contained specific areas where government action was required: restricting the sale and supply of prohibited substances and methods; facilitating doping controls and supporting national testing programmes; withholding financial support from athletes and athlete support personnel who committed anti-doping rule violations, or sporting organisations that were not in compliance with the Code; encouraging producers and distributors of nutritional supplements to establish best practices in labelling, marketing and distribution of products that might contain prohibited substances; and supporting the provision of anti-doping education.

It did not look like any substantive changes had been proposed at that stage requiring a binding obligation of governments that would require an amendment to the convention at that period in time.

He would be happy to answer any questions.

DR SCHAMASCH asked whether it would be possible to ask the regional offices, with UNESCO, to provide an update on procedures undertaken by the government authorities concerning ratification. For those not aware of the administrative measures, it would be a good idea.

As to those countries that had not signed the convention, how were they bound to respecting the Code and therefore the List?

DR BERGNER said that UNESCO and WADA should be congratulated for their work in relation to the convention. Compared to the countries that had ratified the convention, the system was much more complicated in a federal country such as Germany. In his country, about 16 parliaments had to deal with the convention. Germany wished to be alongside those countries that had ratified, but thought that it would achieve ratification in the next three months. He congratulated all those involved on the progress made.

MR WEEKES also congratulated WADA and UNESCO for their work in terms of getting 27 countries to ratify the convention. Barbados expected to be able complete its process by the end of December that year, so as to be among the state parties attending the meeting the following year in February. There had been some delays in the office of the attorney general, but there had recently been a meeting of stakeholders, including the Barbados Olympic Association, the National Anti-Doping Commission and the National Sports Council, which had discussed a first draft of the legislation prepared by the chief parliamentary counsel, and she had now circulated a second draft. He had written to all the agencies, asking them to give him their comments by the end of the week. It was necessary to go through the process of giving the convention the force of law so that all of the provisions were complied with, so it had to go through the lower house and then the upper house.

From the Caribbean region, Bahamas and Jamaica had already ratified the convention, and were to be congratulated. Bermuda and the Cayman Islands were part of the UK system. The Government of St Kitts and Nevis in the Caribbean was looking at ratifying the convention as well, and other countries had been made aware of the importance of ratifying the convention through the regional anti-doping organisation, which was based in Barbados. The suggestion was that each of the countries that were members of the RADO should have a person responsible for carrying the message to the respective governments, aimed at moving towards the ratification of the convention.

He thanked the Canadian Centre for Ethics and Sport for the support made available, and the Commonwealth Secretariat and WADA, as well as the RADO.

The following year in the Caribbean between March and April, the third largest international sporting event, the International Cricket Games, would be held in nine Caribbean countries, one of the most complex organisational tasks ever. Barbados had been asked to do some testing and had linked up as a satellite laboratory with the Drug Control Centre at King's College, London. The plan was to move towards having its own laboratory for testing services over the coming years. Between that agency and the UK, they would be responsible for the testing of cricketers. Discussions had been held and, apparently, tests were required not for the preliminaries, but for the semi-final and final only. He was hoping that there would be discussions with WADA as well as the ICC about the number of tests to be carried out, etc., to ensure that cricket complied with the guidelines set by all the other sporting federations.

MS DE BOER-BUQUICCHIO referred to the List of Prohibited Substances and Methods in relation to the Council of Europe. She reassured the person who had asked the question that the list annexed to the Council of Europe Anti-Doping Convention was identical to the WADA List and was brought up to date every time WADA decided on a change.

THE CHAIRMAN said that harmonisation was the motto.

MR FETISOV said that the Russian Federation was in the process of ratifying the convention.

MR KA'OJE congratulated UNESCO, but wished to state that UNESCO needed to expend more effort, as it had the power to put pressure on governments to ratify the convention. He remembered that, when his government had been asked to do so by UNESCO, the president had taken the request very seriously. He believed that UNESCO could help; if UNESCO did not put pressure on the governments, it would take time to get the remaining three nations to ratify the convention so as to forge ahead. He therefore asked UNESCO to place more pressure on governments.

MR MARRIOTT-LLOYD responded to the intervention from the distinguished representative of Germany; some countries had very lengthy constitutional processes, and he understood the complexities involved.

With regard to the tools available to help governments and sports to understand how the process worked in some countries, UNESCO had developed a basic tool kit to explain the common aspects pertaining to governments. As part of that tool kit, UNESCO had developed a framework to explain the steps to be taken to allow a country to become a state party to the convention, there was a question and answer section, and a model cabinet paper for countries or ministries to put through their governments and, of course, UNESCO remained at the countries' disposal to assist as much as possible.

With respect to the List, he thanked the Council of Europe representative for providing clarification on the matter. Certainly, through the Council of Europe Convention, countries were bound to the List through the Code, and also effect was given to the existing List by those countries that had enacted domestic legislation, so there should be no fear that governments were not bound by the List at all.

He thanked WADA and the IOC for their efforts to promote adherence to the convention, as both organisations had been very proactive in terms of encouraging the member states to ratify the convention. The UNESCO Director General had written twice to governments and, at every meeting that the Director General attended with heads of state and ministers, the first thing he spoke about was the International Convention against Doping in Sport, encouraging countries to ratify it.

THE CHAIRMAN hoped that the sports movement would go back with a slightly altered view on this. WADA could remain as frustrated as usual with the speeds at which governments were able to act in matters of this nature. The speed with which it had happened was, nevertheless, a world record, and he did not think it would be fair to continue to question the commitment of governments to the process. The commitment was there; the delivery was perhaps slower than some would like, but it was on its way.

DECISION

UNESCO International Convention against
Doping in Sport update noted.

8.7 International Federations

MR MOSER gave the members an update on the IF activities. WADA participated on an ongoing basis in various IF meetings on anti-doping issues, provided assistance to the IFs as required, had regular meetings with the Olympic Movement stakeholders and people working at the IOC departments and, lately, had been working with a number of IFs on the preparation of the 2007 IF symposium.

One of the key activities in working with the IFs was the implementation of ADAMS in conjunction with Mr Birdi at the WADA headquarters. There had been a number of meetings with IFs to introduce ADAMS and he was receiving more and more requests from IFs to make presentations on ADAMS. In 2006, WADA had trained staff from 23 different IFs. One of the challenges being faced in WADA's work with IFs in the implementation of ADAMS was to bring those IFs that had been trained and convert them into ADAMS users. It was one thing to attend the training; inputting data into ADAMS on a daily basis was something else and required a lot of commitment, and he was working very actively with those IFs in order to take that additional step. There were still IFs that

had not been trained or had been trained at an earlier stage and needed to be retrained. There was a need for targeted training for specific areas or modules of ADAMS.

Another important project that was going on and that had been mentioned by Mr Koehler in his report was the establishment of IFADO. At the latest meeting at the end of August, a pilot group had been established including seven IFs, and another meeting was scheduled on Thursday that week. Work was progressing satisfactorily and, once the preliminary requirements had been achieved with the pilot group, WADA would invite all the IFs interested in IFADO to join. WADA had an office that was available for IFADO work at the House of Sport, and he looked forward to starting work on IFADO.

Immediate priorities included the implementation of ADAMS, more work on the implementation strategy and follow-up on those who had been trained, in order to ensure that people who had been trained were using ADAMS. There would be more work on the IFADO project, and there would be some meetings and presentations that would be part of the consultation meetings with the Code Project Team in November and December.

He would also accompany the President to the EOC General Assembly in Brussels at the beginning of December.

The IF symposium would be hosted in 2007 in Lausanne on Tuesday 27 and Wednesday 28 March at the Olympic Museum. The format was in the final stages of preparation. He was working in close relationship with IF, ASOIF and GAISF representatives to ensure that IF requirements would be met by the programme being drawn up.

PROFESSOR DE ROSE asked if only Olympic IFs would be attending the symposium.

MR MOSER replied that all international, Olympic, recognised and GAISF federations would be invited to attend the symposium.

DECISION

International Federation update noted.

8.8 ADAMS – Anti-Doping Administration and Management System

MR BIRDI said that there was a brief report on ADAMS in the members' files. He wished to highlight several points. The current status was that WADA had trained 30 IFs, 30 NADOs and almost all of the laboratories (with the exception of the Havana and Salt Lake City laboratories), and the commitment from these anti-doping organisations was slow in coming, but there were 15 IFs using or committed to use ADAMS, and 10 NADOs and 14 laboratories had started inputting information into ADAMS. In addition to that, the Asian Games and the Pan American Games would be covered. ADAMS was now available in English, French, Spanish and German, and WADA was planning to have ADAMS in Russian and Arabic by the end of January.

Based on the experience in 2006, and trying to figure out how to speed up implementation, a strategy for 2007 had been devised.

Assistance from the regional offices had been critical, and he had been working with the directors a great deal over the past six months.

Any assistance that could be given by the Executive Committee or Foundation Board members to promote ADAMS and how easy it was to use would be greatly appreciated.

The challenges faced included athlete training, as there were lots of athletes (some NADOs had taken it upon themselves to do that, such as the Japanese Anti-Doping Agency), and then the training of NFs and the retraining of certain organisations trained a long time ago, implementation and forming networks, languages, and custodianship (which had not been such a major obstacle as previously expected). Lastly, the challenges for major sporting events were training, loading of information and coordination.

THE CHAIRMAN asked stakeholders to encourage their groups to use the system; it did work, it was easy to use, WADA had a big investment in it, and WADA needed people to use the system, without which it would be very difficult to have some of the sophisticated tools available, such as the athlete profiles and blood parameters. He would rather the stakeholders did it because they thought it was a good idea than for WADA to put some kind of pressure on them.

DECISION

ADAMS update noted.

8.9 Independent Observers

THE DIRECTOR GENERAL referred the members to the information in their files, which showed a change in the style of operation, to be more efficient, effective and in partnership with major games organisers. WADA would be running the programme at the Asian Games in Doha in two weeks' time; it would be a smaller team, reporting to the medical commission on a daily basis, giving advice by way of information if there had to be some changes made to the programme because of non-compliance and, instead of providing a huge report containing recommendations at the end of the event, it would be more a combination of a daily diary with recommendations for the future. He hoped that that would be effective and of more benefit to major games organisers. He looked forward to doing the same sort of programme the following year at the Pan American Games and All African Games, for example.

DECISION

Independent Observer update noted.

9. Other Business

THE DIRECTOR GENERAL said that it was his pleasure to introduce Mr Le Mond to the members. WADA had been inviting people it respected in the world of anti-doping to come and address WADA management. Mr Le Mond was a three-time Tour de France winner, a world road champion and a world junior champion, and had agreed to address the WADA management earlier that month. Following Mr Le Mond's presentation to the WADA management, he had thought that it would be of interest to the Foundation Board to hear from Mr Le Mond, his experiences, ideas and suggestions as to how to confront the evil of doping in the sport of cycling.

MR LE MOND said that it was an honour to be present at the Foundation Board meeting. He had a lot of respect for Messrs Howman and Pound.

He had started cycling in the seventies, his mother had been a fanatic viewer of the Olympic Games, his sister had been on the national gymnastics team, and both he and his sister had stumbled into sport. At the time in the USA, there had been an essence of ethics; sports had been about ethics and, if people cheated, they were only cheating themselves.

He had been fortunate to be an American going to Europe with no history of doping; over several years, he had realised that there was indeed a history of doping in cycling and many sports, but he had been fortunate to have incredible genetic talent, he had been competitive in international sport at 19 years old, and his results had never changed, and had always been very consistent. At his first Tour de France, he had come third; at his second Tour de France, he had come second, and he had won his third Tour de France.

He had had a pretty dramatic hunting accident in 1987 in which had almost been killed; he had come back over two years of struggling, had won the Tour de France in 1989 and 1990, but had slowly been getting back to his pre-accident form, and had showed up at the Tour de France 1991, probably as well prepared as he had ever been, but something had changed dramatically that year. He had been racing for ten years at

that point, and was seeing speeds that he had never before seen. It was a period of confusion. He had questioned his own abilities. It had turned out to be a period of EPO use that had transformed decent athletes into super athletes. At the end of his career, he had gone from winning the Tour de France to barely being able to finish it. One of his team mates had left the team because it had not had a doctor or a doping programme to join a team that had a doping programme. He had seen his former team mate a month before quitting, and his team mate had explained about EPO, GH, testosterone, etc. He had looked at his team mate and said that it was time to get out. Eight months later, this person had died of a heart attack.

He had watched the sport of cycling change so dramatically, and it was a lot worse than could be imagined. He had a lot of insight and inside stories of what was going on in professional cycling. His feeling was that WADA was playing one of the most important roles in the survival of the sports that everybody loved and hoped to continue to love; he rarely watched athletics or sports any more, as he thought his knowledge was too great, and he had become a big sceptic of every sport, which was sad.

He had left his recent meeting with the WADA management very optimistic about what WADA was doing. There was a need for change. Retroactive testing was a crucial point going down the road. The biggest problem was always catching up to the new drugs and, with EPO, it had been proven that retroactive testing could be effective.

He believed that there was a lack of trust among the athletes of the governing body that was governing them. With cycling, there were too many rumours of favouritism and not everybody being treated equally. He hoped that some day the testing would not be done by the sports' governing bodies, as there was always a conflict of interest, especially in the sports that had a lot of money and their image and financial benefits tied to a pure supposed image of the sport. He would like to see USADA take over testing in America. The conflict of interest with USA Cycling was pretty dramatic. Most athletes wanted a level playing field. There would always be athletes who were born cheats, but there was another majority of athletes who got into the sport because they loved it, but who were slowly dragged into doping as they were convinced by doctors to keep up with the competition. There was a large portion of athletes who did not want to have to take drugs, but were almost given no choice in today's world of cycling.

It was very important to have a venue for athletes to be able to come to WADA with confidentiality, protection and the ability to indicate what drugs were being taken. At least during the nineties, doping had been organised by teams and doctors, and athletes had known pretty much what was going into their bodies. Now, it had gone secretive, with individuals taking care of themselves. There had to be a way of communication and an ability for athletes to give WADA information as to how it was being done. He believed in severe penalties, possibly life bans but, if somebody was positive, and was able to give information to help the system, perhaps there should be reduced sanctions because, if everybody was penalised, there would be no willingness to come forward.

There was a case in the USA in which a former US Postal Service rider had come clean and admitted to taking EPO because, morally and ethically, that was what he had decided to do, and was now facing a one-year ban, which meant nothing to him because he was retired, but it was sending the wrong message that, if one wanted to come out and be honest about it, it was a compromise. The benefits of getting people to come clean far outweighed the need to penalise somebody, especially when an athlete was retired. He advised positive athletes to come clean as soon as possible to avoid the Tyler Hamilton route, which was denial, and he would wait until the procedure was completed and make his judgement at that point. The athlete's testimony would help figure out the supply chain, how these drugs were coming in, who was supplying them, what drugs the athletes were taking, etc., and then these athletes could reduce their sentences, get back into competition, possibly with far more severe controls, voluntarily offering themselves up for hyper medical scrutiny to ensure that they were racing on a clean level.

It was important to get former athletes who had been guilty of taking drugs to talk, just like alcoholics, the best people to talk to were alcoholics themselves. His friend had come forward, wanted to cooperate, and would receive a symbolic penalty, but it needed to be symbolic as it was necessary to encourage athletes to come forward and admit what they had done.

He believed that it had taken year after year of scandals, and an economic cost, for people to change; the Tour de France had lost sponsorship, and well-known dopers were realising that they were going to lose sponsorships. He would love to see criminalisation of doping, because these athletes were taking illegal drugs and they were also committing fraud to the public, the sponsors, who were paying the athletes tremendous amounts of money to race clean. The riders wanted to be assured that they were playing on a level playing field. The IFs themselves should not be testing; it should be independent government agencies that were totally neutral and could not be bought off. That would ensure confidence for the athletes, that everything was being done to maximise their ability to compete clean.

THE CHAIRMAN said that Mr Le Mond's presentation had been very interesting and thanked him very much.

DR SCHAMASCH thanked Mr Le Mond for his account. His only question was why Mr Le Mond had not made this statement ten years previously.

MR LE MOND said that he had not known ten years earlier; he had found out from one rider on his team who had been doping. From 1985 onwards, he had been very outspoken, and had actually gone to a UCI meeting in 1985 and requested blood testing. At that time, everybody had said that it was against ethics and that blood testing could not be done.

He had retired with such a bad taste in his mouth that he had walked away from the sport not wanting to come back to it at all. Finally, he had come back during the Festina trial, and he had been very vocal in 1998. The difference today was that an American had won the Tour de France over the past seven years; Mr Landers had won the latest edition of the Tour. The press was not interested in talking to him unless it was an American win.

He had had his own battle with Mr Armstrong over the past five or six years. He happened to have a bike company that was part of the Trek family that sponsored Mr Armstrong. Legally, he was in a headlock or a deadlock with Trek. There were some things he had known for many years, and he had lived through five or six years of extortion and threats, and his livelihood had been at stake and, over the past seven years, he had been in a very difficult position, because an American criticising another American for his association with Dr Ferrari made him look jealous.

His anger, rage and disappointment went way back to the end of his career. Honestly, he had learned more about cycling after the Festina affair and more about the doping that had been going on in his career because of books that had been written by Willy Voet and other riders. He had not gone along with groups of riders participating in drugs and had been very fortunate to have a career when he did as he did not believe that there had been many products out there that made a significant difference. He had been vocal for many years. It was hard until you had first-hand knowledge of what was going on. When he had been racing, everything had been secret. He thought that sport, especially cycling, was at a crossroads: it either had to change or die.

PROFESSOR LJUNGOVIST thanked Mr Le Mond for coming forward and explaining his experience. Such statements and information were extremely important to get an insight into what had taken place and what might currently be taking place. One example was that Mr Le Mond had mentioned that something had changed in the early nineties; it was correct that this was due to the entrance of EPO on the market. It was disturbing, as it had been on the market for a very limited period of time, and showed the temptation for athletes to take substances that were hardly marketed. In Salt Lake

City, WADA had found athletes taking substances that had been on the market only for a few months. Although everybody knew that substances that went on the market had been tested, if they were not properly used, they had totally different effects, especially if they were not taken to treat a specific medical disorder. There had been several casualties in the early nineties among professional cyclists, all believed to be due to EPO intake, as it was known that, if EPO was taken by healthy people, the window between an effect on performance and death was very narrow, whereas those who needed EPO had a far wider window. Those taking the substance at the time had been taking enormous health risks, and the consequence was that some people had died. Was that Mr Le Mond's impression that the athletes had understood that they were playing with their lives?

MR LE MOND said that one of the riders who had died had been married to an American woman who had been a friend of his wife. The wife of the cyclist had called his wife to say that her husband had died in his sleep. The team had refused to give the autopsy results to the cyclist's wife, saying that a virus had ravaged the cyclist's heart. These were the kinds of lies being told at the time. There had been mass confusion; the idea that every athlete in the peloton had known about EPO and its performance benefit was not true. Only with hindsight could one look back and realise what had been going on.

When he had lost the Tour de France in 1991, he had thought that he was getting older. It had not mattered how he trained or ate, he had been beaten in every race. He had had one of the highest naturally tested VO2 maxes and it had been irrelevant. Everybody now knew that, if athletes did not take EPO during the three weeks of the Tour de France, their haematocrit descended to up to 10 to 15% so, even if he had had the highest VO2 max starting the Tour de France, in 1991 for example, during the first week he had been competitive, during the second week he had been worse, and by the third week he had barely been able to finish the race. What he had learned had been since the Festina trial and reading books and understanding, and everything had started to make sense. The psychology of the athletes had to be understood; they might be 25 years old but they were really infants, used to being told what to do. He had been the exception; he had gone to Europe at the age of 16, he had travelled to Switzerland, France, Belgium and Poland by himself, he had got married at 19 and moved to Europe at 19. Fortunately, he had had parents who were very strong, ethically. A lot of the riders were immature, and were easily influenced by a coach or a doctor.

He remembered signing with PDM in 1988 just after his accident, as it had been the only team to take him on contract. At the very first dinner he had had with the team managers, they had discussed that he would need medical help and supervision to help him come back. He had thought that he would be following an adapted training programme. Nine months later, he had found out that they had meant he needed a doping programme. Most of these riders who were thought to be mature were just kids following a passion, who ended up making money and were easily pulled into a web of lies and cheating. He had watched team mates, when his team had won the Tour de France in 1990 as a team, making several hundred thousand dollars a year; within two years, the coach had been firing the riders or reducing their pay by up to 60 to 70%. These people had wives and children, and had not known what to do. Most of them had not gone to college or graduated from high school, and had been faced with a choice: to capitulate or quit. Most had not known what they would do if they left cycling, so they had capitulated and gone into doping.

The fact was that, when he heard that one could not do the Tour de France clean, he said that, if everybody started clean and there was a race that lasted three weeks, there would be a winner. He had done it clean and he knew multiple riders who had finished in the top five in the Tour de France. He knew personally that they had been clean. He and his team mates had been on a Swiss team, and their coach had been adamant against the use of any type of doping product because of the feedback system. This had

been after a period of major problems in cycling. He had been fortunate to get into cycling at a very opportune time.

MR LARFAOUI said that Mr Le Mond had stated that he did not want the IFs to conduct testing. Who should conduct testing?

MR LE MOND replied that he did not know. This might be a five-year goal, but there were innuendos and rumours of things that were not properly done, favouritism with certain riders and, even if that were not true, maybe there was no legitimacy for this idea that certain riders were not being tested. If there was that atmosphere, the riders lost trust in the system. The main idea was to build trust in the system, and the only way to do that was to have a totally independent neutral group doing the testing. In the USA, it could be USADA, in France, perhaps the health ministry could conduct testing. Somebody was paying for the tests; either the UCI or the IAAF. The resources were coming from somewhere, and they should be put into independent testing.

Why WADA was working was because it was independent. There would be a lot of screaming by IFs, especially those with a lot of money at stake, as they did not want their image to be tarnished. Tennis, for example, had a great image, and none of the scandals that cycling was experiencing. This protected its money, marketing, sponsorships, etc., but also allowed potential cheating in sport by not being transparent.

He looked at the chain of command. Certain riders said that they were the most tested athletes in the world. He had raced about 110 days a year and had been tested at every single race. When he had been racing, an athlete had gone to a trailer, urinated into a cup, divided the cup into two samples, sealed the samples with a UCI stamp bearing a barcode, and the sample had then been taken from there to the laboratory. He thought that there was a lot of potential for manipulation from the point of urinating to the point of laboratory testing. There was some evidence of that in cycling, and it was all those rumours that went back to athletes, who believed that they were not playing on a level playing field, and that caused them to try to keep up.

MR SCHONNING said that the professional Danish cycling team had recently decided to conduct its own doping test programme, in which cyclists would be subjected to a number of tests during training periods. This programme was in addition to the official anti-doping programmes carried out by NADOs, etc. He asked Mr Le Mond's view on such a supplementary doping programme carried out by a team.

MR LE MOND replied that it was like a fox guarding the hens. Was it transparent? What laboratory would they go to? What would they test for? Would the results be made transparent and open to the public? As long as it was just a private deal, the team would just keep positive riders away from the competition. He was sceptical that that would be effective. He was very optimistic about the stance taken by the UCI since July, and was optimistic that the directors of these teams had decided that their livelihood was at stake; the only thing that was changing was that their sponsorships were in jeopardy; otherwise, it would never change. He did not know who administered drug testing in Denmark. If it was privately done within the team he did not know how effective it would be, as he was certain that a lot of the teams had done their own drug testing, but more to figure out how they could get away with doping than being transparent and declaring that their riders were taking substances. He was a little sceptical, as he thought everybody should be.

MR REEDIE said that WADA had probably spent more time than anything else on trying to harmonise penalties after doping offences were identified. He had got the impression that Mr Le Mond would be happy with criminal sanctions. What would Mr Le Mond advise? Would Mr Le Mond go down that route or would he prefer sporting sanctions? One of the challenges that WADA had was that, in some countries, athletes were subject to two-year sanctions and, in other countries, athletes were subject to criminal penalties. He was not sure that that was right.

MR LE MOND thought that fraud charges and the ability to take back money earned during the period might be explored. It was a balance. Recently, a world champion mountain bike rider had admitted that he had taken EPO, as his guilt had got to him. He had voluntarily given back the jersey to the second place rider because his conscience had not been able to allow it, but this athlete had been demonised in the sport of cycling, and he believed that person should have been given a medal. He had been suspended, fired from the team.

He liked the criminal system in America, where one could plea bargain; if one was willing to come forward and come clean, one could be given a second charge and probation. As to the issue of criminalisation, it might not even be the athlete, it might be the doctors. His son had had a growth hormone deficiency, and had gone on treatment for several years. He had had to go through scrutiny, and MRI testing to make sure that there were no cancer cells; it had been pretty severe. The idea that there was a black market was shocking; it was an illegal act, so why should it not be criminalised? People distributing heroine and cocaine had been criminalised. If it was being used illegally, it was illegal. That was his modest opinion.

MR FETISOV said that he had been an athlete himself for years, and knew that athletes could win without cheating. Could Mr Le Mond stay another day to attend the WADA Athlete Committee meeting?

MR LE MOND replied that he would have to call his wife, but was sure she would let him stay.

10. Future Meetings

THE CHAIRMAN thanked the staff for their hard work and the superb presentation of the material, the members of the Executive Committee for their participation, and the interpreters for doing their best to make sense of what was said, and declared the meeting adjourned.

DECISION

Future meetings to be held as follows:
Executive Committee – 12 May 2007;
Foundation Board – 13 May 2007;
Executive Committee – 22 September 2007;
Executive Committee – 14 November 2007
(TBC);
2007 World Conference – 15, 16 and 17
November 2007;
Foundation Board – 18 November 2007 (TBC).

The meeting adjourned at 4.05 p.m.

FOR APPROVAL

RICHARD W. POUND, QC
PRESIDENT AND CHAIRMAN OF WADA