

## International Anti-Doping Roundtable Agenda

Te Wharewaka Function Centre, Frank Kitts Lagoon, 2 Taranaki Street, Odilins Square, Wellington

Friday 8 March 2019 from 9.00am – 1.30pm

Thank you for agreeing to attend the Roundtable. To prepare for the day we have provided some background material based on the workgroup you have been assigned to on the day. There will be an opportunity to provide comment on the other topics during the Group feedback and discussion agenda item.

Please find below the agenda for the day.

Timing	Agenda item
8.30am – 9.00am	Event opens – tea and coffee available upon arrival  Drug Free Sport New Zealand's new virtual reality education tool will be available for you to try out.
9.00am	Workshop begins
9.00am – 9.10am	Introduction and housekeeping
9.10am – 9.15am	Hon Grant Robertson, Minister for Sport and Recreation welcomes the group
9.15am – 10.00am	TED Talk style presentations on the following topics: <ul style="list-style-type: none"> <li>• Athlete views – Athlete and WADA Representative, Ben Sandford</li> <li>• New Zealand at WADA, Hon Clayton Cosgrove</li> <li>• National Anti Doping Organisation views, Drug Free Sport NZ CEO, Nick Paterson</li> </ul>
10.00am – 10.15am	Morning tea
10.15am – 11.15am	Workshop discussion – three tables on the following topics: <ul style="list-style-type: none"> <li>• WADA Governance</li> <li>• Holding other countries to account</li> <li>• Increasing athlete voice</li> </ul>
11.15am – 11.40am	Groups report back on discussions
11.40am – 12.25pm	Group feedback and discussion
12.25pm – 12.35pm	Closing comments
12.35pm – 1.30pm	Networking lunch

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## ROUNDTALBE BACKGROUND READING LIST

### Holding other countries to account

- WADA International Standard for Code Compliance: [https://www.wada-ama.org/sites/default/files/resources/files/isccs\\_april\\_2018\\_0.pdf](https://www.wada-ama.org/sites/default/files/resources/files/isccs_april_2018_0.pdf)
- UNESCO 6<sup>th</sup> Conference of Parties, 2017: <http://www.unesco.org/new/en/social-and-human-sciences/themes/anti-doping/conference-of-parties/sixth-session/>
- 'Sports anti-doping bodies won't reform themselves, but nation states can break the deadlock' *The Conversation*: <http://theconversation.com/sports-anti-doping-bodies-wont-reform-themselves-but-nation-states-can-break-the-deadlock-103636>
- 'Coping with doping; Getting off the sidelines' *The American Interest*: <https://www.the-american-interest.com/2019/02/18/getting-off-the-sidelines/>
- 'Global gathering bashes WADA over Russia reinstatement' *France 24*: <https://www.france24.com/en/20181031-global-gathering-bashes-wada-over-russia-reinstatement>
- 'Russia avoids further Wada sanctions despite missing data deadline' *The Guardian*: <https://www.theguardian.com/sport/2019/jan/22/russia-avoid-wada-sanctions-missing-data-deadline/>

### Athlete voice

- 'When athletes have views on anti-doping, maybe we should listen', *Drug Free Sport New Zealand*, <https://drugfreesport.org.nz/news/media-releases/when-athletes-have-views-on-anti-doping-maybe-we-should-listen>
- A database of athlete perspectives on Anti-doping available from USADA website. <https://www.usada.org/category/spirit-of-sport/athlete-voices/>
- 'The White House summit accuses WADA of 'failing athletes' *Sports Pro Media*, <http://www.sportspromedia.com/news/wada-anti-doping-summit-travis-tygart-craig-reedie>
- 'Team GB cyclist backs athletes' movement after frustration with Wada' *The Guardian*, <https://www.theguardian.com/sport/2019/feb/13/team-gb-cyclist-global-athlete-movement-callum-skinner-wada>

### WADA Governance

- iNADO Proposals for WADA Governance to Ensure Independence (February 2017) <http://athletesforcleansport.com/wp-content/uploads/2018/10/The-Alternative-Reforming-WADAs-Governance-for-a-new-Anti-Doping-Age.pdf>
- WADA Working Group on Governance Matters, recommendations for consideration by the WADA foundation Board (October 2018) [https://www.wada-ama.org/sites/default/files/resources/files/item\\_4\\_1\\_attach\\_1\\_wggov\\_recommendations\\_and\\_annexes\\_26102018\\_final.pdf](https://www.wada-ama.org/sites/default/files/resources/files/item_4_1_attach_1_wggov_recommendations_and_annexes_26102018_final.pdf)

## Minutes of the International Anti-Doping Roundtable 8 March 2019 Te Wharewaka o Poneke, Wellington

### Introduction and overview talks

*National Anti Doping Organisation Views, (Nick Paterson Drug Free Sport NZ CEO)*

Mr Paterson provided an overview of the history of WADA and the representation of the sports moment and public authorities. He considered that international anti-doping was at a critical juncture similar to the circumstances in 1998 when WADA was established. It was noted that although WADA's Executive Committee was representative of funders and the format of the meetings did not allow for robust debate of the issues.

Mr Paterson outlined issues on holding countries to account. It was noted that the amount of testing of athletes differed between countries and that this created an imbalance. Essentially WADA and the Code were aimed at the lowest level of dishonest athletes. Mr Paterson noted clean athletes should be able to have confidence in the anti-doping system and its leadership.

Highlighted also in the talk was the lack of respect for athletes and that WADA had lost sight of those for whom it was working. Concern was raised about the treatment of and respect for athletes at WADA meetings.

*New Zealand at WADA (Hon Clayton Cosgrove, New Zealand Government Representative to WADA)*

Hon Cosgrove shared his experiences and views of WADA having attended meetings on behalf of the Minister for Sport and Recreation. He noted that the purpose of WADA had become clouded and seemed to be focussed on increasing staff, sourcing funding, advertising and stamping out any opposing views to its own. Hon Cosgrove considered that WADA was at crisis point with some members compromised and conflicted and a lack of clear direction for the organisation.

Following on from the talk by Mr Paterson, Hon Cosgrove also noted the lack of respect for athletes and the need for the athletes to have formalised voting rights within WADA. Hon Cosgrove outlined the examples he had witnessed involving athletes at the meetings he had attended.

Hon Cosgrove noted that WADA needed to become transparent, open and accountable to its membership and athletes.

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*Athlete Views – Ben Sandford (Athlete and WADA representative)*

Mr Sandford outlined his experiences as a WADA representative. He noted the disregard of the athlete viewpoint and the negative impact this had on the WADA Athlete Representatives. Mr Sandford noted that where there were disagreements that respect should be a core principle applied to the discussion. It was noted that the lack of voice (voting rights) in the governance of WADA left athletes at a disadvantage and unable to contribute to the discussion.

The WADA presentation at the Global Athlete Forum in Calgary was raised as an example of the attitude of WADA towards the athlete voice on anti-doping.

Mr Sandford noted that currently the Code only applied to athletes. It was proposed that all those involved in high performance sport should be held accountable to the same level as athletes. This would include board members, coaches, sport administrators, etc. However, this was met with resistance from non-athletes with reasons given being employment contracts, International Federation codes, etc. It was noted that athletes were also required to comply with these and there should be no difference.

**Workshops**

Following the introduction and overview talks the round table members separated into three groups to cover the following issues:

- Holding other countries to account
- Increasing Athlete Voice
- WADA Governance

Outlined below is a summary of the group discussion.

Holding other countries to account (Hon Clayton Cosgrove (Chair))

*UNESCO and other alliances for ensuring compliance*

1. The 'Holding other countries to account' Group (HCA Group) initially discussed the setting up of and UNESCO's involvement in the International Convention against Doping in sport (the Convention). The HCA Group wanted to explore UNESCO's ability to hold countries to account through the Convention. It was noted by the HCA Group that UNESCO had limited levers in its arsenal to ensure that countries were held to account. In general, UNESCO had a low record of countries reporting against any of its conventions and of these a significant number identify that they are non-compliant.
2. Discussion moved onto other agreements that could be used to ensure compliance. It was identified that Human Rights Conventions could be useful to support athletes from a health perspective. It was also suggested that alliance with Inter Drug Commission could also be beneficial.
3. It was suggested that a new Convention with UNESCO be developed that encompassed match fixing and other sport integrity issues and use this as a vehicle to reset WADA.
4. It was noted by the HCA Group that a key issue with holding countries to account was the current funding model of WADA. Significant funding comes from a small number of countries and each of these has their own agenda when it comes to decisions. In most instances decisions are made that are not 'Athlete centered' but country driven.

### *New Zealand and Anti-doping*

5. HCA considered that New Zealand was unable to take a strong stance unless it had its own 'house' in order. It was noted that Drug Free Sport NZ (DFSNZ) and New Zealand had been strong and credible, and this standing could be built on to form alliances for change.
6. It was noted that New Zealand had a number of people in significant positions within the sport community but there was no coordinated message or effort to push the antidoping agenda with these individuals. It was agreed New Zealand needed to be clear what it was trying to achieve and what it wanted to influence internationally in the anti-doping community.

### *Leadership at WADA*

7. HCA Group consider there was sufficient funding and a international desire to address doping in sport but there were issues within WADA that hindered progress. These were identified as Leadership and lack of clear mandate in WADA.
8. HCA Group noted that holding countries to account required strong leadership from WADA. It was noted that WADA's previous leaders had taken a strong stance and that the organisation as a whole had a clear mandate – clean sport. HCA considered that given the history of the organisation 20+ years there was a lot that can be learnt (positive and negative) from its history.
9. It was explained to the HCA Group that some members of the WADA Foundation Board received a significant amount of reading material prior to each meeting. The level of detail precludes a layperson from being able to understand and make an informed decision. There were instances where representatives had not appeared to be prepared for the meetings or where due to a last minute change in resolution members were unable to vote as they had not received a mandate from their Minister. It was noted that New Zealand was agile in this regard as the mandate and position on some issues was clear from the Minister to his delegate.
10. Discussion arose around the position of the World Players Association (WPA) and how it was approaching WADA. It was noted that WPA was continuing its a dialogue with WADA on governance reform and a watchful eye on different models for anti-doping. Baseball was provided as an example of a sport that had produced its own code for anti-doping. The HCA considered the production of a unique code would only be beneficial for large professional sports who were not dependant on the International Olympic Committee.

The HCA Group provided the following comments in summary to the Roundtable.

#### *ASSETS*

- New Zealand has a number of key and influential individuals on various sporting bodies and these people can help create alliances and promote New Zealand's position on anti-doping.
- New Zealand and Drug Free Sport New Zealand have a good standing in the anti-doping community and in the past have taken a strong stance against doping in sport.
- We should be able to learn from and build on the 20+ years of WADA history both the positives and negatives of the organisation.
- There is the money and international desire to address doping in sport.

#### *INSIGHTS*

- Is the current WADA framework and Code fit for purpose? There seems to be a focus on code compliance and not a celebration of what is going well.
- WADA needs governance and fundamental reform – it needs to bring in different voices.
- We could use the Human Rights Movement to drive a positive change for athletes.

## IDEAS

- We need to continue the dialogue, gather together and decide actions from a coherent strategy against doping in sport.
- Start a discussion with sports and public authorities around legislation to take action against other countries dopers – example of the Rodchenkov Act
- Need to consider how New Zealand can contribute to advance Athlete Voice,
- Use the athletes as the driver for change and support by bringing the Public Authorities and Athletes' Associations together.

## Potential Actions

- Define a direction and a firm mandate for New Zealand in respect of Anti-doping.
- Collate a list of influential New Zealanders (within and outside of the Sports System) that we can use to push the New Zealand Anti-doping messages.
- Support 'Athlete Voice' on anti-doping not only internationally but domestically
- Look to propose more New Zealanders for the subcommittees of WADA to increase influence and voice in a number of areas within WADA.
- Provide administrative support and mentoring for current New Zealand Athletes and the next generation of Athletes.

## Increasing Athlete Voice Group (Ben Sandford (Chair))

### *UNESCO and other alliances for ensuring compliance*

11. The 'Increasing Athlete Voice' Group (IAV Group) queried how appointments were made to the WADA Athlete Committee. This was outlined for the IAV Group that the athletes were nominated by the sporting organisation and then final appointments were decided and recommended by the CEO and the President of WADA. Discussion arose about how would be the best way to appoint Athletes to the Committee.

### *Athlete representation on Boards/governing bodies*

12. The IAV discussed the representation of athletes on relevant Boards/governing bodies. It was agreed that the addition of athletes to these bodies allowed for points to be raised and a perspective at the table which might otherwise be not heard. This discussion is vital when making decisions for and on behalf of athletes.

### *Is there a cohesive athlete voice*

13. Discussion turned to the meaning of athlete voice and if it was possible to have a cohesive voice. It was considered that it would be difficult to have a cohesive voice because the international community provides a huge range of positions and also opinions on issues. However IAV considered that it was not an issue if athlete communities disagreed with each other as this often lead to good outcomes.

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#### *Uninformed, disengaged athletes*

14. The IAV considered that currently it didn't feel like athletes are genuinely engaged in decision making at international level. Overall the IAV considered that athletes did need a voice and should not be confined to concentrating only on performing and competing.
15. There was agreement that it is important that athletes have a voice and are engaged in decision making across all levels. This provides them a voice which might not be available with a lack of understanding.

#### *Athlete voice, perspective, and representation*

16. It was noted that there seemed to be a merging of three concepts: athlete voice, perspective and representation. Voice should come at every level of decision making – not just the top. The IAV considered if we should be thinking about the framework of sporting organisations and athlete's perspective at every level of management and governance decision? It was noted that there was a risk for athletes that end up setting up their own committees or unions – would they have more strength if they were throughout organisations decision making structure, rather than a separate entity that was advocating for it?
17. It was noted that Athlete voice means different things to different people. Representation, perspective, voice.

#### *Athletes representation*

18. The IAV discussed what the importance of a seat at the governance level would mean. Is it just to fill a quota or is there a way to give the athlete more power in the discussion. The counter argument was that without a seat at the table there would be no athlete voice to be heard.
19. The symbolism of having someone at the top governance table is important – shows that athletes voices are respected. Most of table agreed that having a seat or seats on a Board or committee reserved for athletes is beneficial. The IAV discussed Athletes at governance level undermining each other's perspectives. Athletes disagreeing on Boards bringing conflicting views. Power imbalance? Or healthy representation?
20. There is value in athletes being at the top table. Chairs of councils are able to hear political discussion. Boards are exposed to another perspective – where decisions are made, being able to hear this is so important. It was also agreed that there should be more representation than simply one athlete at the top table. There should be support for athlete voice the whole way through an organisation.

#### *Benefits of informed and engaged athletes*

21. Athletes need to be engaged and informed for this to be fully achieved. They will also need to be supported with training in governance issues to help them make informed decisions on behalf of all athletes. The IAV considered that there should be a requirement to consult athletes on an issue before governance consider it. This is an important part of the mechanism, if the chair or board needs to adopt recommendations.

#### *Cost that comes with a voice?*

22. The IAV agreed that 99% of athletes represent athlete interest, not individual – and that this doesn't come without cost. The IAV considered the following questions: Where is athlete voice represented? Is there still representation of current athlete views? Is there a model that exists of



an international (or national) sporting organisation where athlete voice is apparent throughout all levels? Does it work?

23. IAV agreed NZ Rugby and NZ Cricket are doing well, however they did not have athletes sitting at the top table. An example was given of athletes having a voice for the captain of the Black Caps. It was noted here were nine players involved in captain appointment of the Black Caps. The athletes were highly engaged in the decision making.
24. It was noted that it is often hard for an athlete to speak up and challenge their bosses. There is power imbalance frequently. They have players on commercial committees, players in team management processes where consultation is needed.
25. The IAV considered what was happening internationally? Anti-corruption conferences with (cricket) athlete representatives. The Governance of the International Cricket Council has the ability to feed into papers through captains of teams - not perfect but getting somewhere (there is some involvement).
26. In some circumstances, team sports have an institutional framework that allows for process giving athletes a voice – through bosses/management. This is not common for Olympic and/or individual sport. A query was raised as to whether there should be more than one voice at the top table.
27. Consideration was given to the ability to vote from individual through to athlete committees from around the world, who can then vote regionally, then national committees can elect to international committees making a more democratic system.
28. Primarily roughly 90% of (WADA athlete representative) role is to educate athletes. It was noted that there were athletes in other countries that were not able to have a voice but systems needed to be put in place to allow this to happen, which would require a system change.

#### *New Zealand assets/current environment*

29. The IAV agreed with the concept of athlete voice throughout all levels of a sporting organisation (international/national) to achieve perspective. If there was an athlete at governance level, athlete welfare issues raised over the past few months still would have occurred, however if there was voice at all levels it may have been different. It considered that there was currently no cohesion and this needs to happen to ensure integrity for athletes.
30. There is a logistical, regional and continental issue that exists but not so much at a national level. You need to segregate and have people from different parts of the world to ensure perspective is present.
31. In New Zealand, being able to have this conversation about athlete voice makes us a leading country. The fact that we can have these conversations is leading. It gives athletes confidence knowing that you can go to the table with the backing of the Minister and other sector leaders. If you have built relationships behind the scenes, this gives you more support when you are representing on international platforms. It was also noted that we were viewing this through a western lens and this would not be the same of other countries who may disagree with the interpretation of athlete voice.

#### *Power in athlete voice*

32. The IAV considered athlete committees and player unions need to work together to find common ground. When this collaboration exists, a strong collective athlete voice can be heard. In terms of WADA, there needs to be an internal voice, and there is room for outside groups to influence WADA i.e. Global Athlete (another organisation representing the interests of athletes). Not



necessarily one body of unified athletes. (the role for that sort of group is to help inform athletes (a channel)).

The IAV Group provided the following comments in summary to the Roundtable.

#### ASSETS

- New Zealand reputation (and support of other countries)
- New Zealand rep on WADA athlete committee
- Our influence is in our voice and note in our vote – we undersell that. History shows that this is true – NZ voice matters
- New Zealand culture and integrity
- New Zealand allies.

#### INSIGHTS

- Perspective, representation, voice – is this a three-pronged approach. Need these to work together to have athletes' interests reflected everywhere
  - You cannot mandate speaking up, but you can mandate the seats, is there one we should advocate for?
  - Someone has to be mandated to show that athlete engagement is critical for voice to be present at governance level
- Board members need to support athletes' positions on Boards so that others listen. Furthermore, there needs to be advocacy from those in positions of power for athletes at all levels (not just athlete reps on boards)
- Athlete leadership: athletes need to be engaged and present at all levels to have an impact
- This representation needs to exist across the board in sport – to ensure equal representation, voice, gender and regions are heard not just in one area but all – Paralympics, winter, summit, team sports, etc.
- We need to 'walk the talk'.

#### IDEAS AND POTENTIAL ACTIONS

- There needs to be institutional and cultural change to achieve best results for increasing athlete voice.
- Athlete leadership development to ensure athletes are informed, engaged. This gives them power in their voice across all levels
- Balance representation with voice, keeping in mind complexities of a multi-cultural nation
- It is important that we stand up and speak on the world stage, it is encouraging and good for athletes to hear.
- We need to empower athlete growth – power/decision making
  - Provide administrative support and mentoring for current New Zealand Athletes and the next generation of Athletes.

#### WADA Governance (David Howman, Chair)

33. The table agreed that the starting point for the dialogue should be that WADA's governance model needs reforming. The table also agreed a secondary starting point should be that, despite all the issues relating to WADA currently, there is still a definite need for WADA, or a similar type of organisation.

34. The dialogue began with a suggestion that the table come up with some principles on which WADA should be governed. The principles agreed on were:
1. Independence
  2. Transparency
  3. Diversity
  4. A strong athlete voice
35. The question of how you define 'independence' was asked. Could be hard to find someone who is truly independent but also has the necessary expertise. It was also suggested that technical experts such as doctors are given a greater voice in the governance of WADA.
36. There is a distinct lack of diversity within WADA. Bringing in a more diverse range of views and ideas would do more than simply pouring more money into WADA. In general, the composition of governance boards around the world is changing and WADA needs to follow suit. There was a suggestion that WADA has become bloated, with the number of WADA staff almost doubling over the last five or so years.
37. It was suggested that WADA's mandate has become muddled. When it was established 20 years ago its mandate was clear but that is no longer the case and it's questionable whether everyone still buys into what WADA does now. Sports want WADA to be primarily a service and governments want it to be primarily a regulator and this creates tension.
38. It is clear that WADA's governance needs to change. The recent changes proposed and adopted will likely not create the step change needed and only take WADA about 10% of the way towards where they need to be. Unless the incoming president is willing to make some big calls, there will be little change from the status quo. Changes to WADA's constitution need to be made within the bounds of the current constitution, which was created to protect certain people, viewpoints and practices etc.
39. Probably too hard to bring about the step change needed now but can start to make incremental changes in the short term with one eye on a long term step change. New Zealand should seek to leverage the influence it currently has.
40. Giving athletes a greater voice at the WADA table is something New Zealand should definitely focus on. While athletes technically have a voice at the moment they do not have any real power to influence change. For example, when IOC athlete committee representatives speak at WADA they clearly stick to a script written by the IOC and do not accurately represent or reflect the views and opinions of athletes. NZ Minister for Sport should look to bring governments together and push for a greater athlete voice – having an athlete on the WADA governance board would be a good start.
41. So many athletes are passionate about clean sport but they need more opportunities to have their voices heard. Athletes operate in a black and white world, to them the solution often seems obvious but WADA will say a particular issue is more complex than it seems and therefore the solution proposed by athletes will not work. This creates further tension between WADA and athletes.
42. It was suggested that the WADA athletes committee should meet more frequently with other athletes committees around the world, in particular the IOC athletes committee. The presence of players' unions/associations further complicates matters and all athlete bodies would need to have a common position to bring about actual change.
43. Governments seem to not have a great influence at WADA as there are too many diverse views. Most governments invest significant amounts of money into sport and should come together and develop a common position (as far as possible) to have greater influence at WADA. New Zealand

is a principled country but due to our size we should align with our allies at WADA if we're taking a strong stance on a particular issue so that we have a stronger voice.

44. UNESCO is one alternative avenue where we can influence change. Also, the election for the WADA president is coming up. Having the right president in place would make a huge difference.

#### ASSETS

- NZ's reputation for being a principled nation and incorruptible
- NZ works well with others
- New Zealanders already in positions of influence and other New Zealanders represented in international federations and the sports world generally.

#### INSIGHTS

- New Zealand should be a leader in bringing public authorities together
- New Zealand should be a leader in bringing athletes together
- Collaborate with other countries on a WADA presidential nomination
- New Zealand should seek appointment to the WADA governance review committee
- This is really hard but that shouldn't deter us

#### IDEAS AND MOMENTS

- Establish a 'permanent' working group to advise the Minister, plus similar workshops to this one once or twice a year
- Key outcome from working group and workshops would be a common NZ position that is regularly refined and updated and promoted by key NZ stakeholders internationally
- Agree that New Zealand's position should be built on the following principles:
  - a. Athlete voice
  - b. Transparency
  - c. Independence
  - d. Diversity
  - e. Clear mandate

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