

The Alternative: Reforming WADA's Governance for a new Anti-Doping Age

A Paper launched on behalf of global athletes by Rio 2016 Para-Powerlifting Silver Medallist Ali Jawad

Context

Over the last three years, public confidence in the international anti-doping movement has rapidly declined as a result of the Russian doping crisis and what many believe to be the mishandling of the crisis by sporting and anti-doping authorities. This growing distrust in the anti-doping movement's ability to take decisive and strong action has manifested itself as a result of what is widely believed to be ineffectual WADA governance. The lack of WADA's independence and transparency are the two overriding concerns of the world's athlete community; concerns which have been highlighted through Athlete Surveys, at Conferences, and that were heightened by WADA's recent controversial and unpopular decision to vote for the reinstatement of the Russian Anti-Doping Agency (RUSADA) despite the country still not having fulfilled the two remaining conditions of WADA's *Roadmap to Compliance*.

While WADA has acknowledged that improvements could be made to its current governance structure (as evidenced by the establishment of the WADA Governance Review Committee), the current proposals and recommendations fall well short of what is required. In light of its poorly-received decision to go against its own Roadmap and vote for the reinstatement of Russia, WADA is fast losing the trust of the global athlete community, and consequently there is an urgent need for an alternative vision for WADA's governance. There is a need for far-reaching reform that puts the interests of athletes first: an athlete-led anti-doping revolution of sorts.

With concerns over doping at an all-time high, an unprecedented level of outrage over WADA's decision-making by athletes all across the world, and with a WADA Governance Review Committee meeting taking place on 22 October, the time for significant reform of the global anti-doping authority is now. There will never be a better chance to make the changes required for WADA to flourish and become a more independent, transparent and effective organisation that puts the athletes – and only the athletes – first.

Solution

Athletes believe the time is ripe for some new thinking for how WADA's governance should change if athlete and public trust in the global anti-doping watchdog is to return. That is why I am pleased to today publish this paper titled: *The Alternative: Reforming WADA Governance for a new Anti-Doping Age*. *The Alternative* is the culmination of a series of ideas and proposals made and considered over the past couple of years by members of the global athlete community. I hope *The Alternative*, which is being launched just 13 days before the next WADA Governance Review Committee, will stimulate wide-ranging public conversation surrounding WADA's governance crisis. *The Alternative* provides constructive and logical solutions to very current and real problems, which, athletes believe, will go a long way to solving the widespread public disillusionment and countering the perilously low levels of trust that athletes and the public currently have of WADA and the anti-doping system.

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The Alternative highlights an enhanced decision-making structure for WADA that will provide more effective, decisive and independent decision-making. Crucially, the strength of this proposed new governance structure - many ideas of which stem from existing proposals made by the WADA Athlete Committee to the WADA Governance Review Committee - means WADA's decisions will, in future, be able to withstand athlete and public trust - something currently lacking in global anti-doping. Having gauged the views of athletes, this paper offers a "meeting of the minds" and is a sensible and pragmatic proposal that can gain the support of both the sports movement and public authorities. Athletes want to work with those bodies, and WADA, to do what's *right* for the future of anti-doping. We are *all* in this together - and we should *all* want to make the changes that are required for the future health of sport.

Furthermore, I would like to take this opportunity to call for the WADA Governance Review Committee Process and discussions, from today onwards, to be made public. The governance discussions are currently happening behind closed doors, which to us, as athletes, is totally unacceptable. At a time of extremely low levels of trust in anti-doping and sports governance, we must do everything we can to *restore trust*, not to erode it further. Today, on behalf of the athlete community, I am attempting to lead by example by making this proposal paper, *The Alternative*, public today, so that a proper and rigorous debate can be had and so that people are better informed.

At the heart of this proposal are three key bodies for WADA:

1. WADA Foundation Board

The Foundation Board would continue to be WADA's highest decision-making body, the ultimate locus of accountability for the Agency's fulfilment of its responsibilities, its priorities, use of resources, transparency, integrity and legal compliance.

This Board would be the least-affected by our proposal, as it would continue to be comprised of representation from government, sport, and also National Anti-Doping Organizations (NADOs). Crucially, and in contrast to the current situation, the Board would now elect a President and Vice President who are entirely independent* from both government and sport (given the proximity of the next WADA Presidency election, we propose that this new "independent President" process is implemented during the next President's term - i.e. anytime from January 2020 onwards). The Board's members will be appointed based on geography, gender and cultural diversity. A member's term would be three years, capped at a maximum of no more than 9 consecutive years.

Why is this better than the status quo?

Unlike now, the Board will be led by an entirely independent President and Vice President, with no affiliation to government or sport. Furthermore, the Board's diversity and its relationship with the all-new Executive Committee will ensure decision-making is much more in tune with the interests and expectations of the global clean athlete community.

2. WADA Executive Committee

Elected by the Foundation Board, this all-new composition of WADA's Executive Committee marks the biggest shake-up ever seen in anti-doping governance. The Committee is the primary body responsible for having oversight of the WADA Director General, exercising governance over the Agency and providing guidance and advice to the Foundation Board. Crucially, in light of recent events, the Committee would take

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decisions on compliance and sanctions following recommendations from the independent Compliance Review Committee.

The 15-member Executive Committee would be made up of 12 members entirely independent from the worlds of government or sport, comprising experts from across broader society (including the aforementioned independent President and Vice President); and 3 athlete members (athletes who are retired and not involved in any position in the world of sport - e.g. not on the IOC Athletes Commission or other athlete groups that could lead to a conflict of interest). As with the Foundation Board, members would be appointed based on geography, gender and cultural diversity; and terms are set at three years, capped at a maximum of no more than 9 consecutive years.

Why is this better than the status quo?

Independence, independence, independence. This powerful Executive Committee – which is responsible for steering WADA's decisions on the most significant decisions for the global clean sport community (e.g. take the recent Russian reinstatement decision) – will, for the first time, be comprised of individuals that do not represent governments or sports organisations. They will be experts but without the inherent biases and loyalties that many perceive are the root of WADA's problems today. With our proposal for this all-new Committee, the lip service to athletes will stop; and be replaced by decisions that really are in the interests of clean sport.

3. WADA Governance and Nominations Committee

This entirely new body is essential to restoring trust in WADA's governance and future ability to make decisions that are in the athletes' interest. The Committee would be comprised of 5 independent members and 2 WADA Athlete Committee members, who would serve 3-year terms, capped at a maximum of no more than 9 consecutive years.

The Committee would oversee the representation and assessment processes of WADA's Foundation Board and Executive Committees, therefore providing an essential level of reassurance that the necessary "checks and balances" are being conducted in the interest of athletes. The Committee would manage an annual self-assessment process for the Foundation Board and Executive Committee; select an external Audit / Consulting firm that would review the working dynamics of WADA's new governance structure and make recommendations of improvements; and, crucially, would manage an Anonymous Athlete Annual Review of WADA, thereby ensuring that the athlete voice is finally heard and acted upon.

Why is this better than the status quo?

This all-new Committee would provide greater reassurance to the global clean athlete community that the necessary "checks and balances" are now in place to ensure that WADA does not fail its main stakeholder – the athletes – ever again. Critically, the existence of this new Committee would go a long way to restoring trust in WADA's decision-making capabilities, and, furthermore, would ensure that the athlete voice is listened to, and acted upon. It will ensure that there is an extra layer of security, protecting the clean athletes from misplaced, out-of-touch and poor decision-making that affects their lives adversely in future. This new Committee, along with the reformed Foundation Board and Executive Committee, would send a clear message to athletes and others: WADA will make independent, transparent decisions that represent the interests of the global clean athlete community.

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Conclusion

It is athletes' view that the future of WADA, and the future of clean sport, rests on WADA's ability to adopt this new model. At this critical time for WADA's credibility and its future existence, I encourage the representatives of WADA's Governance Review Committee and, subsequently, its current Executive Committee and Foundation Board, to engage positively with, and not obstruct, this athlete-backed proposal.

I, and I am sure many other athletes, look forward to discussing this with the powers-that-be in the coming weeks and months as we work towards reforming the World Anti-Doping Agency's Governance for this new Anti-Doping Age; and delivering the anti-doping reform that sport so desperately and urgently needs.

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