



My name is Olivier Niggli, and I am WADA's Legal Director and Chief Financial Officer. On behalf of WADA, the international organization that I represent, I first would like to express my appreciation to the Article 29 Working Party for the invitation to participate in today's meeting. We are all no doubt aware of the huge importance of the issues under discussion, both in Europe and abroad, and WADA appreciates the opportunity to make its views known. I would like to offer some brief opening remarks before I turn to our presentations.

Before I begin, I would like to introduce my colleagues, some of whom have also flown out from Canada to be with you today. On my [left/right] is Rune Andersen, WADA's Director of Standards and Harmonization, who has specialized in anti-doping affairs for more than two decades. On my [left/right] is our European counsel, Dan Cooper and Kristof van Quathem, based in London and Brussels.

I would like to start by saying that WADA naturally has been paying very close attention to developments in Europe, particularly the Working Party's opinion papers on the WADA Standard. Indeed, over the past months, WADA's management has consulted on a number of occasions with the European Commission, the Council of Europe, European governments and other European governmental authorities, including individual data protection authorities. We will continue to make ourselves available to meet and discuss these issues when and wherever necessary.

In connection with today's meeting, your chairman specifically asked us to inform the Working Party about the measures WADA has taken or intends to take in response to concerns raised in the Working Party's opinion. Although we have prepared longer presentations, I thought I would first quickly bring you up to date on the Standard, which after all was the reason for your opinion.

It is now public knowledge that WADA met on an expedited basis with European representatives, including members of the Commission's data protection unit and the Spanish data protection authority, in April in Madrid. As a result of these efforts, the Standard was revised to address European concerns, and WADA's Executive Committee approved this enhanced version of the Standard in May. This was an impressive result, if I may say so, and shows what can be accomplished



through effective collaboration, rather than confrontation. The enhanced Standard has been in effect since June 1st.

Your opinion also raised other issues, besides the Standard, such as whereabouts data, legal basis, retention, international transfers and publication of sanctions. Here, I need to be clear on WADA's position and set expectations accordingly. With respect, the opinion in our view often reflects an imperfect or incomplete understanding of anti-doping practices, of the international legal framework, and of WADA's remit. For these reasons, we continue to disagree with certain views expressed in the opinion. Given the negative impact the opinion was having on anti-doping, we even felt compelled to issue a formal response, as many of you know.

We appreciate, however, that the opinion may have been released under time pressure and we are hopeful that today's meeting will be the start of a constructive dialogue. Our presentations hopefully will explain our point of view. Ultimately, we view the opinion as a starting point, rather than an end point. We will turn to the questions you asked, but in order to do that effectively it is first necessary to provide you with some background information to put out answers in their appropriate context. We will now present a short overview of WADA's role in the fight against doping and discuss the subject of whereabouts data and publication of violations, while my colleagues sitting next to me will discuss our position on legal basis, data retention and international transfers. We would be happy to take questions afterwards.