

Meeting	International Testing Agency ("ITA") – Foundation Board
Place	Katowice, Poland
Date	4 November 2019

AGENDA

Item 1a): Opening of the meeting and welcome statement

The Chair opened the meeting and welcomed the Foundation Board Members to the second gathering of 2019 in Katowice, Poland.

She thanked the Members for being present and for all their valuable support during ITA's first 17 months of operation. The Chair also thanked WADA for all their support.

Mrs. Kirsty Coventry was excused, she was travelling from Tokyo where she had attended the Tokyo 2020 CoCom meeting.

Item 1b): Roll call

Chair of the Board:

Dr Valérie Fourneyron

Members of the Board:

Prof. Peijie Chen – *Independent ITA Board Member*

Prof. Dr Uğur Erdener – *Member representing the IOC*

Mr Francesco Ricci Bitti – *Member representing the International Federations (IFs)*

Ex-officio non-voting Member:

Mr Sébastien Gillot – *WADA Director, European Regional Office and International Federations Relations*

ITA Management:

Mr Benjamin Cohen – *ITA Director General*

Persons invited:

Mr Xin Xu – *Assistant to Prof. Peijie Chen*

Excused:

Mrs Kirsty Coventry – *Member representing the Athletes*

Start of the meeting: 4 November 2019 at 10h00

End of the meeting: 4 November 2019 at 12h00

Item 2: Approval of the minutes of the previous Foundation Board meeting, 27 June 2019

The minutes of the previous ITA Foundation Board meeting held on 27 June 2019 were submitted to all Board members prior to the meeting for review and comments. No comments were submitted prior to or during the meeting.

DECISION: The Foundation Board Members approved the minutes of the meeting held on 27 June 2019 in Lausanne.

Item 3: Reappointment of Chair and Board Members

The terms of Dr Fourneyron, Mr Ricci Bitti and Prof. Chen would come to an end at the end of 2019 (*two year term*).

- The founder of the ITA, the IOC, was informed and the statutory constituencies (the International Sports Federations and the IOC Athletes' Commission) confirmed in writing and prior to the meeting that they supported the re-appointment of these three Board Members for a new term of two years;
- All three Board Members confirmed, in writing and prior to the meeting, to the ITA Director General their wish to be reappointed for a further term of two years.

DECISION: The Board formally and unanimously approved the reappointments for an additional term of two years of:

- Dr Valérie Fourneyron, as an independent member and Chair of the Board;
- Prof. Peijie Chen, as an independent member;
- Mr Francesco Ricci-Bitti, as the member representing the International sport Federations.

Dr Fourneyron reminded the Board that two new independent members will join the ITA Foundation Board by the end of 2020. The statutory constituencies of the ITA were at the moment identifying the two candidates who would be submitted to WADA's Executive Committee for eligibility review and approval.

DECISION: The Board looks forward to welcoming two new independent members and recommends that one of the two new independent members be an athlete or former athlete.

Item 4: Report by the Chair

The Chair sincerely and warmly thanked the Board for their trust and the renewal of her mandate as independent Chair of the Board for another two years.

She highlighted the following ITA activities that had occurred in the past 4 months:

- The WADA World Conference on Doping in Sport had emerged as the must-attend event on the 2019 calendar and was the perfect opportunity to get together to close an extremely important year for the ITA, a particularly rich year in view of the activities undertaken, the growth and the projects completed or in the process of being completed.
- As Chair of the Board, she continued to give her full support to the ITA, both on the political scene and in the regular exchanges with the Director General and the team. She was able to spend a few days in Lausanne early October 2019 to work on a number of issues important for the development of ITA and had the opportunity to meet the team that had grown significantly since June, without interfering in operations that must remain independent.

- She underlined that the ITA was on the right track. The feedback from the work provided by the team was very positive. Here were a couple of examples to prove this:
 - the missions assigned by the IOC on sensitive projects such as Olympic sample reanalysis, AIBA, the IOC Refugee Team or the long term storage project;
 - the audits carried out by WADA of IFs which ITA supports that all went very well, and the extremely positive feedback received not only from the IFs but also from the auditors of WADA on the quality of ITA's audit preparation and professionalism;
 - WADA's compliance assessment of IOC's anti-doping programme for the Tokyo 2020 Games that was conducted independently on behalf of the IOC which also went very well with few corrective actions to implement on behalf of the IOC;
 - the increasing number of projects and mandates entrusted to the ITA;
 - the positive environment that the ITA has been able to establish with actors who initially did not welcome the ITA project with open arms who today seem to have changed their approach by supporting the ITA and by asking to collaborate through the signing of strong partnerships and the implementation of joint projects.
- The set-up of units dedicated to education and communication, which are very important steps for ITA's development. While there is still a lot of work to be done, particularly in convincing Federations and competition organizers to join the project, the Chair was confident with the strategy put in place. The collaborative and transparent approach is bearing fruit and thanks to this, the ITA can now continue its development in a more serene climate than it was when it was created at the beginning of 2018.
- The Chair explained that she will present an activity report at the next WADA Foundation Board meeting (Nov 2019) and she has also been given the honor to give a speech at the closing ceremony to honor the Presidency of Sir Craig Reedie which ends at the end of the year (2019).
- The Chair mentioned her presence in Paris at the Conference of Parties for the UNESCO Convention against doping in sport (Oct 2019). She was invited to a panel during the opening session and it was also an opportunity to sign a partnership between UNESCO and the ITA for increased exchanges and cooperation, in particular in the fields of prevention and education. In this capacity, she had the opportunity to meet the Director General of UNESCO prior to the Conference of Parties to familiarize her with the ITA organization, mission and ongoing projects.
- The focus was now on the important steps of 2020, which is an Olympic year, with two key events for the ITA, the Lausanne 2020 Youth Olympic Games and the Tokyo 2020 Olympic Games. More information would be provided under agenda items 7 and 8 during this meeting.

Item 5: Report by the Director General

The Director General mentioned the following main items:

➤ **Human Resources**

41 people have now been recruited as follows:

- 9 persons in the operations department (Administration [2], HR [1], Finance [1], IT [2], Quality Assurance [1], Communication [1], Operations Development [1]);
- 12 persons in the testing department;

- 3 persons in the major events department;
- 6 persons in the legal/compliance department;
- 8 persons in the science & medical department;
- 2 persons in the intelligence & investigations department;
- 1 person in the education department.

The ITA will shortly put in place a management HR software to ease the management of HR activities (salaries, holidays, taxes, etc.). All HR functions have now been internalized.

Additional staff policies have been put in place such as a code of conduct and sexual harassment policy. Employee evaluation is also implemented, as well as training & development policies together with French classes for expats.

Recruitment phase has stabilized and the ITA now has a structure allowing it to develop further organically. A few more recruitments will take place in 2020 and will focus on IT, administration, finance and also potentially a NADO relations officer.

The ITA is also working towards increasing its intelligence & investigations capabilities and has been in close contact with WADA in this respect. WADA supports the ITA having an investigation function to be able to manage for ITA's partners any intelligence provided by WADA and uncover other potential manipulation in direct cooperation with the partners and law enforcement. This function might be externalized in 2020 to expert investigative services.

WADA strongly supports the ITA to put in place its own whistleblowing platform. The ITA has been liaising with a whistleblowing service that is 100% anonymous and that is already used by NADOs, IFs and law enforcement authorities. The objective is to have this service up and running prior to Tokyo 2020.

➤ **Administration and operations**

The ITA expanded its offices to the first floor (half) of the building in July 2019.

As the ITA continues to expand its activities, so is the ITA team with already 41 staff members, therefore, the need for additional office space will arise soon.

The ITA wishes to convince the International Wushu Federation and the Chinese Olympic Committee (which share the same office building and are located on the same floor) to free up the space they currently occupy. Their current offices allow for 20 workspaces and as it stands, 1-3 staff only occupy this space on a part-time basis. The ITA Director General has liaised with the Maison du Sport International to see whether they could welcome the COC and Wushu IF should they accept. The Maison du Sport confirmed that this would be possible.

In terms of operations, the ITA organises regular staff meetings and the last one was organized at the Olympic House on 21st October 2019. This provided a chance to all ITA staff to discover this new facility and to meet the IOC President and IOC Director General who visited the team during the meeting.

The ITA has set up an onboarding process for the new staff who joins the team to make sure everybody works in the same direction.

➤ **ITA Compensation Policy**

In order to facilitate the time-consuming tracking of the Chair's expenses and per diems throughout the year, the Director General suggests to amend the ITA Compensation Policy to foresee an annual lump sum that would be granted to the Chair of the ITA for the time and

efforts dedicated to the role as well as to compensate various expenses covered directly by the Chair in the course of her mandate. This would remove the need for both the Chair and ITA's administration to process receipts, expenses, per diems, etc. This amendment would be implemented as of 2020.

➤ International Federations

The ITA has set up onboarding meetings for IFs. As soon as a partnership is signed, all ITA functions meet to discuss the strategy of the specific IF and the roles and responsibilities of each staff for the proper delivery of the IF program. Weekly "IF in focus" meetings are also implemented to discuss a specific IF's program.

Today, The ITA has partnerships with 41 IFs and 2 MEOs (IOC and FISU-Universiades). While the momentum is positive, ITA's next challenge is to convince partners to delegate their full program or at a minimum the most sensitive areas.

In this respect, the ITA has initiated an Official Partnership Recognition Program to be more transparent on the extent to which partners have joined the ITA. Among the partners, some have outsourced their entire anti-doping program and others a part of it (at times insignificant). The idea is to put in place benefits and protection to those who have outsourced their entire program and to mitigate the reputational risk for ITA to partner with an organization that did not outsource key areas of its program. The target is to officially launch the program after Tokyo 2020.

In terms of partners onboarding, the Management team has decided to focus on the consolidation of current services and to start the next onboarding phase of new partners in the second half of 2020.

Important discussions have been held between UCI (Cycling) and ITA with the view to evaluate bringing the Cycling Anti-Doping Foundation (CADF) under ITA's umbrella. A decision will be taken by UCI in February 2020 and if positive, the CADF will join ITA as of January 2021 (15 staff members). The ITA has prepared a feasibility report on how the transfer could take place if they decide to move forward with the ITA. The situation would be similar to the DFSU transfer (knowledge transfer without disrupting CADF's activities). The ITA Director General has been invited to make a presentation to the UCI anti-doping Commission on 2nd December 2019.

Mr Ricci Bitti said that this was a good exercise to create a process for future similar cases, such as ITF (Tennis) for example.

Prof. Dr Erdener highlighted his support – so did Mr Ricci Bitti - to convince IFs who are not yet partners of the ITA to open a discussion with the ITA team. He mentioned the long term storage which was mentioned during the last IOC Executive Board meeting. He strongly recommended to his colleagues that this project should belong to the ITA. He also underlined the current technical issues with ADAMS.

Mr Ricci Bitti and Prof. Dr Erdener said that the technical issues with ADAMS need to be solved as soon as possible between WADA and the ITA. They considered that WADA should recognize the ITA as the right partner to deliver IFs programs and so WADA should find solutions to grant the necessary access to ADAMS to allow the ITA to perform its activities.

Mr Sébastien Gillot indicated that this triggers a number of questions in the area of data protection but also the position of ITA which is not a signatory to the Code. The ITA Director General confirmed that he will continue to work on this matter with the WADA management and will inform the ITA Board about possible solutions.

The Director General mentioned that a partnership had been signed with GAISF where the ITA will assist GAISF Members in the review of their anti-doping regulations to make sure they

are compliant with the new 2021 Code and in return GAISF will continue to promote and support the ITA among its members.

In this regard, the ITA anticipates that a number of small IFs (particularly those members of AIMS and ARISF) will face difficulties doing this work and complying with all current and new WADA requirements. In order to address this, discussions took place between ITA and GAISF to see whether a more general approach towards supporting smaller IFs could be established in cooperation with the IOC and WADA. A financial subsidy could help cover the costs of such initiative provided that a proper framework to identify those IFs in need is put in place. A letter on this matter signed by both Presidents will be sent shortly.

Mr Ricci Bitti underlined that the ITA should focus on intelligence and not investigations.

➤ **NADOs**

The ITA has signed a number of cooperation agreements with NADOs (e.g. USADA, CCES, AMADA, etc.) and will continue to do so in the future with 10 more agreements being finalised at the time of the meeting. These agreements provide a framework for cooperation in the areas of sample collection, education, intelligence and information-sharing.

➤ **ITA Regional Office(s)**

Because of the different time zones and growing activities in some regions that are extremely time or culture sensitive (e.g. Asia), the Director General indicated that the ITA may look at the possibility to have a regional presence focused on testing (which at times must be done within a very short time window), the delivery of education programs tailored to the culture of a particular region and major events where on-site presence can be extremely helpful in the months leading up to the event. This may also be an opportunity for cost reduction given the high administrative and HR costs in Switzerland.

In this regard, discussions have been held with the Japanese authorities, which as a legacy for the Tokyo Games had indicated that it wished to officially submit an interest in hosting an ITA office in Tokyo that could help coordinate ITA's increasing activities in the Asia/Pacific region. A meeting is scheduled in Katowice to discuss further and an update will be provided during the next ITA Board meeting in 2020.

➤ **Memoranda of Understanding**

- A MoU was signed with GAISF, focusing on supporting smaller IFs adapt their rules to the new Code and maintain compliance with the Code;
- A MoU was signed with UNESCO to cooperate on anti-doping prevention and education;
- The ITA is finalizing an MoU with the Japanese Law enforcement authorities (police, customs, justice) for Tokyo 2020 for a smooth cooperation and coordination prior to and during the Games;
- The ITA is finalizing MoUs with prominent academic & research centres such as the International Academy of Sport Science & Technology and the School of Criminal Sciences in Lausanne to support certain activities.

➤ **Testing Department**

- Sports clusters have been established to promote ITA's sport-specific expertise in the area of testing;
- The ITA has coordinated testing at over 300 IF events in 2019 and has seen a huge increase in testing numbers from 2018;
- The testing department has received instruction from the management to increasingly work with NADOs instead of relying exclusively on private providers for sample

collection. This complicates the department works significantly due to the wide differences among NADOs (reliability, reactivity, prices, quality, etc.);

- The testing department is experiencing issues working with ADAMS which is not adapted to ITA's needs (working on different sports and different accounts at the same time, high volume of activity and reports to extract, etc.);
- The ITA is at the moment working with all Summer Olympic IFs to develop sport-specific testing guidelines for Tokyo 2020 – winter sport specific guidelines will follow.

➤ **Major Event Organizers Department**

The ITA has an agreement with the IOC to cover the Lausanne 2020 Winter Youth Olympic Games and is working hard to finalize the agreement for Tokyo 2020. In addition, an agreement is in place covering the reanalysis of samples collected during the London 2012 Games and is about the submit an offer to the IOC for the long term storage of samples collected prior to the Tokyo 2020 Games.

The ITA has sent offers to the World Games and the European Games and the Director General thanked the Board members for any assistance they can provide to support the selection of ITA to manage these programs.

The MEO Unit is working with IT on a Rooming List Mobile Application to facilitate the submission of athletes' whereabouts information by NOCs, NFs or other stakeholders during major events.

➤ **Science & Medical Department**

- The department continues to provide services in the areas of:
 - Athlete Biological Passport
 - Therapeutic Use Exemptions
 - Risk Assessment
 - Long Term Storage & Reanalysis
- The ITA has processed this year already 10% of all TUEs issued worldwide, approximately 300 out of 3000 TUEs;
- The department is coordinating the work of the ITA Tokyo 2020 Pre-Games Expert Group;
- The Head of the department is in the Steering Committee of the dried blood spot (DBS) project led by WADA;
- The department is working on a number of other projects: prevalence, forensic, physiology, artificial intelligence, etc.

➤ **Legal Department**

- Since the ITA started, it has managed more than 140 cases some of which are still ongoing in the Result Management phase;
- In 2019 only, 97 cases were prosecuted by the ITA (19 on behalf of the IOC and more than 50 on behalf of the International Weightlifting Federation, IWF);
- The department has managed more than 300 whereabouts failures;
- The department has offered support to all partners in the area of Code compliance and has been consulted by a number of stakeholders to provide guidance and comments in the framework of the 2021 World Anti-doping Code revision;
- The department continues to work on data protection matters to ensure that ITA is fully compliant with GDPR and other regulations.

➤ **Quality Assurance**

- The ITA has performed security audits by external IT security specialists. A few issues were raised, but the hacking was unsuccessful. An action plan has been done to follow up on all required corrective actions;
- The ITA has hired an external company to perform a 24/7 security monitoring and incident response management system for ITA's IT systems;
- The ITA is working on obtaining the ISO 27001 certification on information security. The aim is to obtain this certification before Tokyo 2020;
- The Quality Assurance manager has mapped all ITA's operational processes to review pain points but also areas for improvements in terms of service delivery and quality.

➤ **Operations Development**

- Accreditation of Doping Control Officers
The ITA will launch an accreditation programme for Doping Control Officers (DCOs). The aim is to ensure that all DCOs who will collect samples on behalf of the ITA are properly trained and accredited. The ITA would like to offer athletes the highest possible testing standards and to the extent possible control where required key areas of the testing supply chain in order to mitigate the risks. Today, the ITA relies exclusively on third parties (private agencies and NADOs) to collect samples and does therefore have limited control on the testing process thus exposing ITA to liability.
- TUE Committee
The ITA TUE Committee will expand and offer innovations to provide for the independent processing of TUEs by medical experts appointed on a case by case basis taking into account their specific clinical expertise in relation to a specific TUE request (eg. Asthma, ADHD, etc.).
- Training
A staff training program is foreseen for the first quarter of 2020 to improve their skills on key areas (Key account management, budget planning, etc.).

➤ **Education**

- The ITA is wrapping up 2019 with the final outreach activities at the end of November. Face-to-face seminars and presentations are currently ITA's primary clean sport education activity, with already 32 events anticipated in 2020;
- The ITA is collaborating with IOC, YOGOC and winter sport IFs to deliver clean sport education at the 2020 Youth Olympic Games. Athletes, coaches and entourage will be exposed to an interactive experience that enables learning through workshop-composed simulations;
- Specific education projects will be delivered to the IOC Refugee delegation as well as during Boxing Olympic qualifiers;
- ITA is setting up a group of athlete ambassadors to help support the delivery of outreach initiatives.

DECISION: The Board approved the Director General's report and supported the amendment of the compensation policy for the Chair (to be formally approved at its next meeting).

Item 6: Swiss Surveillance Authority and statutory changes

Following the meetings of 12 December 2018 and 27 June 2019 and pursuant to article 18 of the Statutes, the ITA Foundation Board submitted to the Swiss Federal Supervisory Authority for Foundations a number of proposed statutory amendments.

After review, the Swiss Federal Supervisory Authority for Foundations approved all proposed amendments and only suggested minor changes in articles 11 and 17 respectively.

The ITA Foundation Board was requested to formally approve these amendments for final approval by the Swiss Federal Supervisory Authority for Foundations.

Mr Ricci Bitti wondered whether these changes were necessary, but nevertheless gave his consent since they were minor ones.

DECISION: The Board unanimously approved the final amendments.

Item 7: Winter Youth Olympic Games Lausanne 2020

Please refer to working document number 7.1 to read presentation on Lausanne 2020.

Item 8: Summer Olympic Games Tokyo 2020

Please refer to working document number 8.1 to read presentation on Tokyo 2020.

Item 9: Financial matters

The ITA Finance Manager joined the meeting by telephone and gave an overview of the 2018 and 2019 financial exercises. Please refer to working document 9.1 to read the presentation on Finance.

The 2020 budget was presented and the Board was asked to approve it. The external financial auditors Ernst & Young would need to be reappointed for next year.

DECISION: The Board unanimously approved the 2020 budget and the reappointment of the external auditors, E&Y, for a new mandate.

Item 10: Other matters / Miscellaneous

➤ Director General's Employment Contract

For this item, the Director General and WADA representative (non-voting member) were asked to leave the room.

The Chair indicated that the initial employment contract of the Director General provided that his remuneration would be renegotiated at the end of 2018 with new conditions applying as of January 2019. In agreement between the Director General and the Chair at the end of 2018 however, the parties agreed that the ITA had more important priorities and thus postponed this discussion to the end of 2019.

DECISION: The Board unanimously approves to grant the Director General his contractual annual bonus for satisfactory performance and an increase of his annual salary to be applied as of January 2020.

➤ ITA-IOC Tokyo 2020 Agreement

The Chair and Director General indicated their concern with the fact that the Agreement with the IOC for Tokyo 2020 had yet to be finalized. The back and forth between the services is extremely time-consuming with more than 50 hours of exchanges lately by our legal services alone to discuss budgetary details (such as contingency costs and time-sheets). This situation is impacting ITA's work significantly as the ITA staff has been working on the project for more than a year already and the staff continues to spend hours to discuss details rather than actually preparing for the Games. As it relates to contingency costs, the nature of anti-doping work consistently triggers unexpected additional work

and issues to sort out, hence the embedding of a contingency buffer in all ITA contracts and the provision that should this not be necessary, the amount will be credited back to the partner. There is therefore no reason to apply different standards for the Tokyo Agreement which is all the more prone to unforeseen activities to be performed by ITA.

The Board is asked to support the prompt finalisation of this agreement so that the team can move forward and fully dedicate its time to preparing for the delivery of the Tokyo program.

➤ **Policy for the Renewal of Terms of Office for ITA Board members**

According to Article 7 of the ITA Statutes, "The members of the Foundation Board may be re-appointed in accordance with the rules which the Foundation Board will enact". In this respect, the Director General suggest drafting such policy based on international best practice and to submit a draft for review and approval at the next Board meeting.

DECISION: The Board approves the drafting for review and approval at the next Board meeting of a set of rules for the re-appointment of Board members.

➤ **ITA Voluntary Fund**

The Chair and the Director General suggest the establishment of an ITA Voluntary Fund which could allow sponsors, partners and other stakeholders to support clean sport and ITA's activities. For reasons of integrity, ethics and independence among others, the origin of the funds and its use should be subject to a proper policy.

DECISION: The Board approves the drafting for review and approval at the next Board meeting of a policy governing an ITA Voluntary Fund in support of clean sport and ITA's activities.

➤ **ITA Headquarters**

A discussion may also need to take place in the near future on possible support from the Olympic Movement to invest in the purchase of an office for the ITA (similar to the CAS Headquarters model) as renting costs remain high. In the long term and considering the current interest rates, the ITA might consider buying office space in Lausanne, which would certainly be cheaper than renting out space.

Item 11: Closing of the meeting

The Chair thanked all the members for their presence and contribution.

The Chair suggested to hold the next Board meeting during (or shortly before) the Tokyo 2020 Olympic Games. Alternatively, the SportAccord Convention to be held in April 2020 in Beijing can also be an option considering that most Board members are present at this event.

These minutes are made in one original copy and signed in accordance with Article 9 of the ITA Statutes on _____ 2019.

Dr Valérie Fourneyron

Mr Benjamin Cohen

Chair of the Board

Director General

*Ms. Jessica Hellman
Office Coordinator
Minutes taker*