

Meeting	International Testing Agency ("ITA") – Foundation Board
Place	Tokyo, Japan/Conference Call
Date	25 July 2021

AGENDA

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

The Chair opened the meeting and welcomed the Foundation Board Members to the first gathering of 2021. Very strict Covid-19 restrictions had been implemented with respect to meetings in Tokyo on the occasion of the Tokyo 2020 Olympic Games. As a result, the ITA was unfortunately not able to welcome in Tokyo all of the Board Members, as originally planned. Therefore, the meeting was held in a hybrid format and the Chair warmly thanked the Members for being present remotely and in person.

Given that the WADA President, WADA Vice-President and WADA Director General were present in Tokyo, the Chair had conveyed an invitation to them to attend the Board meeting as Observers. The Board Members would receive an update on WADA's key activities at the end of the meeting.

An invitation had also been conveyed to the IOC Medical and Scientific Director, Dr Richard Budgett, who would make a brief report under agenda item 6 on relevant medical/scientific matters at the Tokyo 2020 Olympic Games.

Item 1b): Roll call

Chair of the Board:

Dr Valérie Fourneyron – *Independent ITA Board Member (present in Tokyo)*

Members of the Board:

Mrs Chantal Brunner – *Independent ITA Board Member (joined via videoconference)*

Prof. Peijie Chen – *Independent ITA Board Member (joined via videoconference)*

Prof. Dr Uğur Erdener – *Member representing the IOC (present in Tokyo)*

Dr Roger Jackson – *Independent ITA Board Member (joined at the end of the meeting due to a connection failure)*

Mr Francesco Ricci Bitti – *Member representing the International Federations (present in Tokyo)*

Ex-officio non-voting Observer:

Mr Sébastien Gillot – *WADA Director, European Regional Office and International Federations Relations (present in Tokyo)*

ITA Management:

Mr Benjamin Cohen – *ITA Director General (present in Tokyo)*

Persons invited:

Mr Witold Banka – *WADA President (joined for agenda item 10)*

Ms Yang Yang – *WADA Vice-President (joined for agenda item 10)*

Mr Olivier Niggli – *WADA Director General (joined for agenda item 10)*

Dr Richard Budgett – *IOC Medical and Scientific Director (joined for agenda item number 6)*

Mr Xin Xu – *Assistant to Prof. Peijie Chen (joined via videoconference – whole meeting)*

Mr Matteo Vallini – *ITA Head of Testing (joined for agenda item 6)*

Mrs Dominique Leroux – *ITA Head of Legal Affairs (joined for agenda item 7)*

Mr Nicholas Raudenski – *ITA external Intelligence & Investigation (I&I) consultant (joined via videoconference for agenda item 7)*

Mr Rafael Saya – *ITA Finance Manager (joined via videoconference for agenda item 8)*

Excused:

Mrs Kirsty Coventry – *Member representing the Athletes*

Start of the meeting: 25 July 2021 at 10:30

End of the meeting: 25 July 2021 at 13:45

Item 2: Approval of the minutes of the previous Foundation Board meeting, 3 November 2020

The minutes of the previous ITA Foundation Board meeting held on 3 November 2020 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 3 November 2020.

Item 3: Information on re-appointment of Foundation Board Members

In accordance with Article 7 of the ITA Statutes, the Foundation Board members are appointed for up to 4 terms of 2 years. The Board has also, in line with the Statutes, enacted a special policy to regulate the re-appointment process.

Based on the ITA Statutes and the above policy, three Board members have their mandate coming to an end in January 2022. Therefore, the Board will need to formally re-appoint them at the second gathering of 2021.

The mandates coming to an end in January 2022 are:

- ✓ Dr Valérie Fourneyron - *Independent ITA Board Member, Chair of the Board*
- ✓ Prof. Dr Peijie Chen - *Independent ITA Board Member*
- ✓ Mr Francesco Ricci Bitti - *Member representing the International Federations*

In line with the Statutes and Reappointment Policy, the Director General had officially notified the three members to request written confirmation that they wish to be reappointed for a new term of office. All three written confirmations had been duly received by ITA's Executive Office. The Chair thanked the Members for their continued support and interest in pursuing their key role to oversee ITA's development and promote the organization.

She also confirmed her interest, wish and determination to pursue her role as Chair of the Board for a new mandate and to accompany the ITA in reaching its vision and strategic objectives.

Item 4: Report by the Chair of the Board

The Chair highlighted the following points and projects to the Foundation Board Members:

- ✓ COVID-19 did not manage to slow down ITA's development and remarkable work;
- ✓ ITA's Director General had been able to preserve ITA's balance despite the many logistical constraints of remote working and significant organizational challenges;
- ✓ The preparations of the Tokyo and Beijing Olympic Games, which were running in parallel, required full commitment;
- ✓ The smooth integration of the UCI anti-doping program and the former employees of the Cycling Anti-Doping Foundation;
- ✓ The continuation of IOC's reanalysis program (ITA currently reanalysing samples collected during the 2014 Sochi Winter Olympic Games);
- ✓ The legal and investigative work for the International Weightlifting Federation with an important ITA Report published last month which identified a number of corrupt practices over the 2009-19 period. This report helped further position the ITA as a key independent actor in the fight against doping;

- ✓ The implementation of ITA's Centralized long-term storage facility and the coordination of a global program funded by the IOC to encourage all Anti-Doping Organisations to store their samples in it. This has been a logistical and security challenge together with a huge effort to convince IFs, NADOs and laboratories to fully participate in this project;
- ✓ ITA's next 5-years' financial forecast;
- ✓ The development of the IDCO Training & Certification program which allowed the ITA to certify more than 500 International DCOs from 58 different organisations across the world in just one year of existence. The project received wide acceptance from NADOs and RADOs;
- ✓ The establishment of ITA's whistleblowing platform called REVEAL which offers all ITA's partners and their community an additional opportunity to report confidentially any doping suspicion or violation.

She also mentioned that these large-scale projects should not undermine the routine work that is being conducted by the team on a daily basis:

- ✓ The management of anti-doping operations for approximately 50 IF and MEOs;
- ✓ The delivery of education activities for ITA's partners in line with the new International Standard for Education. The quality and level of the international external speakers who regularly appear at ITA's webinars was a true recognition to ITA's hard work for clean sport;
- ✓ Support given to over 60 IFs and MEOs to align their rules with the new 2021 World Anti-doping Code;
- ✓ A successful attainment of the 27001 ISO certification on Information Security and the work the team is currently leading to obtain two more ISO Certifications on Quality Management and Anti-Bribery Controls;
- ✓ The huge work that was done behind the scenes on cybersecurity to make sure all the systems were as secured as possible and that the data of ITA's partners and their athletes was safe;
- ✓ The support given to the Olympic Refugee team with education and testing activities;
- ✓ The efforts required to introduce ITA's work to its main stakeholders such as WADA, the IOC, UNESCO, the Council of Europe, the NADOs, the RADOs, iNADO, the Laboratories, Law Enforcement Authorities, etc.:
 - On this note, the Chair informed the Members that the Council of Europe had unanimously granted an observer status to the ITA, for a period of three years.
- ✓ The many meetings with IFs to continue pushing for an independent management of all areas of their anti-doping programs;
- ✓ A completely revamped ITA website;
- ✓ The pursuit of the Dried Blood Spot work as part of ITA's role in WADA's steering committee with a first step in Tokyo where a number of pre-analytical and analytical activities will be performed. The same applies to gene doping testing that makes its first entrance at the Olympics.

She informed the Members that they would find, in their working documents, the ITA report that was submitted to the IOC for the 138th IOC Session held in Tokyo on 20-21 July. An ITA summary activity report had also been shared with the Members earlier this year. The Chair indicated that it was important for the ITA to be able to regularly update the Board Members on ITA's activities and development, despite the sanitary context. Should the Members need any additional information, the Chair and Director General were at their entire disposal.

She underlined the extreme complexity for the ITA team to deliver the Tokyo 2020 anti-doping program due to the current sanitary context and she acknowledged the flexibility and agility of the team to adapt to the many constraints.

She mentioned that the ITA was now fully within the delivery of its strategic objectives and the roadmap that was set. The ITA went beyond the initial expectations had acquired credibility

and recognition within the anti-doping community and the international sport community at large. However, the ITA should continue to work hard to ensure that the ITA fulfils its mission and deliver programs independently, in full compliance with the Code and with due regards to all other Anti-Doping stakeholders' rights and responsibilities.

The Chair suggested to meet in person in 2022, shortly after the Beijing Winter Olympic Games, to lay the foundation of the future strategic plan for the next Olympic Cycle 2022-2025 and to further reflect on the following questions, that would be addressed at this meeting:

- ✓ ITA's rapid growth and its positioning within the international anti-doping landscape;
- ✓ Regional offices to ensure the ITA remains cost-efficient and able to deliver programs close to our stakeholders;
- ✓ Human Resources cost and the need to review the balance between ITA's expert staff in Switzerland and external consultants operating in cheaper locations;
- ✓ ITA's initial business model defined by PriceWaterhouseCoopers (PWC) which underestimated ITA's revenues and costs and seeking a break-even budget in the mid- to long-term which will not materialize;
- ✓ Certain obligations imposed on IFs and MEOs by the World Anti-Doping Code such as Education, Compliance, Intelligence & Investigations which currently cannot be fully financed by the partners;
- ✓ The speed at which ITA can onboard new partners;
- ✓ ITA's positioning within the Code, as a non-signatory third party:
 - Please see *annex 4.2* in the working documents for further details.

The Chair concluded by thanking the Japanese Host for their warm hospitality and resilience to hold the Games and she also thanked the Board Members, the IOC and the guests for their continued support.

She also thanked the entire ITA team for their hard work.

Item 5: Report by the Director General

The Director General thanked the Chair for her continuous support, as well as the Members for being present at the meeting and for their support throughout the year. He reminded the Members that his report was part of the working documents and took the opportunity to highlight the following main operational activities which the ITA had focused on since the last Foundation Board meeting in November 2020:

- ✓ The ongoing delivery of the Tokyo 2020 and Beijing 2022 Olympic Games anti-doping programs;
- ✓ The Tokyo 2020 Pre-Games anti-doping program;
- ✓ The Long Term Storage project;
- ✓ The implementation of ITA's strategic plan and strategic objectives:
 - Six capabilities have been highlighted: Technology, Supply Chain Control, Risk Acceptance and Management, Human Resources Flexibility, Communication and Reporting, Political Relations.
- ✓ The work done on the Cycling and Weightlifting anti-doping programs;
- ✓ The continuous focus on the security and efficiency of ITA's IT systems;
- ✓ The importance of absorbing new partners while staying cost efficient and maintaining a high level of service to existing partners.

QUESTIONS/COMMENTS:

Prof. Dr Uğur Erdener

- ✓ Prof. Dr Erdener thanked the Chair and the Director General for their detailed reports and agreed that the ITA was progressing well in general and at the Tokyo 2020 Olympic Games.

Mr Francesco Ricci Bitti

- ✓ Mr Ricci Bitti supported the comment from Prof. Dr Erdener and mentioned that ITA's accomplishments during the past three years have been notable. The vision has been reached and the importance from now on will be to clarify ITA's role and responsibilities to avoid any duplications with agencies such as in the fields of Intelligence & Investigations and Education.

Prof. Dr Uğur Erdener

- ✓ Prof. Dr Erdener highlighted the importance of a good coordination and cooperation between the IOC, WADA and the ITA to promote efficiencies and avoid duplications between the various entities active in the field of anti-doping.

Mrs Chantal Brunner

- ✓ Mrs Brunner congratulated the Chair, Director General and ITA team for the enormous amount of work that has been conducted and completed between now and the last Foundation Board meeting. In view of the very high workload, she encouraged the ITA to continue monitoring staff's health to make sure everyone was doing well. She thanked the Chair and Director General for the working document on the "Role of ITA under the Code and the status of Signatories" as she had asked for clarifications on the reasons why the ITA was not a signatory to the Code. She agreed with Mr Ricci Bitti and Prof. Dr Erdener that now would be a good time to consolidate and look at ITA's future priorities.

Prof. Peijie Chen

- ✓ Prof. Chen thanked the Chair, the Director General and the ITA team for the hard work and was hoping to meet everyone in person in China during the Beijing 2022 Olympic Games.

ITA Director General

The ITA Director General thanked the Members for their comments. He mentioned that the current focus in the anti-doping community and moving forward, is to depart from the traditional system of testing and sanctioning to implement a more holistic approach with increased focus on prevention and Education as well as the collection of data (intelligence) and investigations. He agreed that it was important to define priorities and avoid duplications. However, he mentioned that Article 4 of the ITA Statutes underlines ITA's role in delivering services for IFs and MEOs in compliance with the Code. For example:

- ✓ World Anti-Doping Code, Article 5.7: *"ADO shall have the capacity to conduct, and shall conduct, investigations and gather intelligence as required by the ISTI"*.

The Code and WADA therefore require IFs and MEOs to develop capabilities in this area and in turn ITA must be prepared to support its partners if it wished to be credible and prevent instances of non-compliance. He suggested that this subject should be further discussed between the Olympic Movement, ITA and WADA to decide how resources should be invested and shared.

Mr Francesco Ricci Bitti

- ✓ Mr Ricci Bitti considered that Article 5.7 of the Code was too generic and should be clarified.

Mr Sébastien Gillot

- ✓ Mr Gillot congratulated the ITA, on behalf of WADA, for the hard work in the past three years. WADA fully supported ITA's development of capabilities in the field of I&I and education and was similarly fully committed to finding synergies with the ITA to use resources in the anti-doping community in the best possible way.

The Chair concluded by thanking the Members for their comments and underlined again the importance to schedule a meeting in 2022 shortly after the Beijing Olympic Games to further reflect on ITA's future strategic plan.

DECISION: The Foundation Board Members unanimously approved the ITA Director General's report.

Item 6: Olympic Games Tokyo 2020

The ITA Head of Testing Mr Vallini joined the meeting to give a presentation to the Board Members on the Tokyo 2020 Olympic Games' anti-doping program. Further details can be found in *annex 6.1* in the working documents.

The IOC Medical and Scientific Director, Dr Richard Budgett, also joined the meeting and highlighted the following items which were supported by Prof. Dr Erdener:

- ✓ One of the main missions in Tokyo was to have safe and secure Games for the participants and the Japanese population;
- ✓ All necessary measures to protect participants and the Japanese population from Covid-19 have been put in place and are carefully monitored;
- ✓ All necessary measures to protect participants from the heat have also been put in place.

Mr Ricci Bitti explained that he was part of the Coordination meeting taking place daily and asked if any particular issues should be raised on behalf of the ITA. The ITA Head of Testing suggested to raise the following points:

- ✓ Transportation;
- ✓ Period of stay of the Athletes in the Olympic Village (challenge to collect samples).

The Board Members congratulated the ITA Head of Testing and thanked him for the presentation. They also thanked the IOC Medical and Scientific Director for being present.

Item 7: Update on ITA's investigations into Weightlifting

The ITA Head of Legal Affairs Mrs Leroux and the ITA external I&I consultant Mr Raudenski joined the meeting to give a presentation to the Board Members on ITA's investigations into Weightlifting. Further details can be found in *annex 7.1* in the working documents.

The Board Members congratulated the ITA Head of Legal Affairs and the ITA external I&I consultant (appointed ITA Head of Intelligence & Investigations as of 1 September 2021) and thanked them for the presentation.

Item 8: Financial matters

The ITA Finance Manager Mr Saya joined the meeting to present key financial activities and reminded the Members that the financial documents were part of the working documents. The following items were highlighted:

2020 actuals & impacts due to Covid-19

- ✓ In 2020 revenues decreased by 21% compared to 2019 mainly due to the postponement of the Tokyo 2020 Summer Olympic Games and the Covid-19 pandemic which had an impact on a number of IF Contracts whose scope was reduced. As the Tokyo games were entirely moved to 2021, so were the revenues and therefore, in absolute term, there was no loss but only a shift in calendar year;
- ✓ The overall revenues from IF contracts proved to be higher due to new contracts signed and the invoicing of some additional services (such as Result Management);
- ✓ Operating expenses increased by 42% (CHF 7.3 mio vs. 5.2 mio in 2019) which was significantly less than initially planned. Due to the Covid-19 pandemic a general initiative to reduce the expenditures to what was strictly necessary for ITA's day-to-day operations was implemented and resulted in significant savings;
- ✓ Capital Expenditures remained important due to the investments into ITA's new testing software (PASS) as well as furniture and leasehold improvement required to welcome the new staff from the Cycling Antidoping Foundation (CADF);
- ✓ For the first time and as anticipated, the Olympic Movement Contribution of CHF 3.5 mio did not fully cover the shortfall of the current year and the difference had to be offset by the existing provision;
- ✓ The ITA had estimated that the Covid-19 pandemic would decrease the revenues by CHF 1.6 mio which was offset by the reduction of operating costs and capital expenditures of CHF 2.1 mio and the additional COVID grant from the government of CHF 0.5 mio for technical unemployment. Hence the total shortfall for the year decreased from an expected CHF 7.0 mio to 4.9 mio;
- ✓ Overall compared to 2019, a slowdown in ITA's expansion can be seen especially with the decrease of revenues and a conservative way of spending limiting the costs to only essential expenditures. Hence the total shortfall for the year increased less than foreseen at 4.7 mio (instead of CHF 7.0 mio in the original budget);

2020 Audit report

- ✓ The ITA Finance Manager confirmed that the audit was successful and that no major issues were identified;
- ✓ The financial statement closing process was adequate;
- ✓ Considering ITA's size and complexity, the auditors deemed the general controls as adapted;
- ✓ The auditors recommended the approval of the financial statements.

2021 actuals & impacts due to Covid-19

- ✓ The revenues are planned to be CHF 7.9 mio for 2021 out of which CHF 4.8 mio have been recognized which represents already 61% of the total mid-year;
- ✓ No significant reduction in testing numbers is expected due to Covid-19 which should keep ITA's budgeted revenues stable;
- ✓ Total Costs were budgeted at CHF 13.2 mio out of which CHF 4.5 mio have been spent which represents 34% of the total mid-year. A conservative way of spending is still being applied due to restrictions around Covid-19 pandemic;
- ✓ Total costs in 2021 are foreseen to increase by 65% versus last year due to the higher number of Full Time Employees (FTE) required to support the operations mainly driven by the former CADF staff who joined the ITA on January 2021. Many efforts have been deployed to keep a conservative way of spending which are reflected in the lower year to date expenses;
- ✓ The shortfall in 2021 is expected to increase to CHF 5.5 mio reflecting the necessary investments required to sustain ITA's further expansion.

Update on financial discussions with the IOC

Further details can be found in *annex 8.3* in the working documents.

The ITA Chair and the Members congratulated and thanked the Finance Manager for his report and work.

QUESTIONS/COMMENTS:

Mr Ricci Bitti suggested to organize an additional meeting with the IOC top management in the coming months as the Olympic Movement's continued financial support was needed and it was key for the IOC President and IOC Director General to clearly understand ITA's activities and financial status.

DECISION: The Board Members unanimously approved the 2020 ITA Financial Statement and supported a high-level meeting between the ITA and the IOC.

Item 9: Legal matters

On 11 June 2020 the Board approved three new ITA policies:

- ✓ The Reappointment Policy for ITA Foundation Board;
- ✓ The Compensation Policy for the ITA Foundation Board and Consultative Committees;
- ✓ the ITA Voluntary Fund Policy.

These three policies were submitted to the Swiss Foundations Surveillance Authority which approved the first policy and suggested minor changes to both the second and third policies.

For the Compensation policy, the Surveillance Authority suggested that certain decisions related to compensation, such as reviewing the exceptional circumstances giving the right to compensation beyond the conditions set in the policy, be taken by the Board and not by the Director General. These minor edits have been made to the Compensation Policy.

For the Voluntary Fund Policy, the Surveillance Authority also suggested a few minor edits such as that for donations involving real estate or of significant monetary value (above CHF 100'000), the Foundation Board should also be asked to approve the donation. These minor edits have been made to the Voluntary Fund Policy.

For the sake of good order, and due to the formal requirements of the Swiss Surveillance Authority, all three policies are resubmitted to the Board for approval.

In addition, while the Foundation Board already approved at its two meetings of 2020 the activity reports submitted by the Director General, the Board was required by the Swiss Foundations Surveillance Authority to approve the full 2020 activity report.

DECISION: The Board Members unanimously approved the above policies as well as the 2020 activity report.

Item 10: Other matters / Miscellaneous

The ITA Chair welcomed the WADA President, Vice-President and Director General to the meeting and thanked them for being present. An update from WADA was given:

- ✓ The WADA President thanked the ITA for its work in the lead-up to the Tokyo 2020 Olympic Games as well as for the current work that is being conducted on site in Tokyo;

- ✓ He highlighted the close collaboration between WADA and the ITA, and that it was important for the two agencies to continue to support each other and avoid any duplications;
- ✓ Mr Gillot informed the Board that the cooperation with the ITA is extremely fruitful and he thanked the administration for raising the quality of IFs anti-doping programs. In this regard, a Code Compliance questionnaire was issued to IFs in 2017 (based on the 2015 Code) and another Code Compliance questionnaire will be issued early 2022;
- ✓ The WADA Director General raised an important issue that WADA and the ITA must examine for future editions of the Games regarding the accreditation level of DCOs. At Tokyo 2020, the DCOs were considered as "Workforce" and not "Technical officers/delegates" which meant that they had to quarantine upon arrival in Japan and did not have access to Olympic transport.
 - The ITA Director General confirmed that this had been flagged and is being continuously discussed with the IOC and various Games organising committees.

Item 11: Closing of the meeting

The Chair sincerely thanked all the Board Members and the guests for their presence and contribution. She also thanked and congratulated the entire ITA team for their hard work and dedication.

The date and location of the second Foundation Board meeting of 2021 will be confirmed in due course.

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

Dr Valérie Fournayron
Chair of the Board

Mr Benjamin Cohen
Director General

Ms Jessica Hellman
Senior Office Coordinator
Minutes taker