

<b>Meeting</b>	International Testing Agency ("ITA") – Foundation Board
<b>Place</b>	Lausanne, Switzerland/Conference Call
<b>Date</b>	23 June 2022

## 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 2022. The meeting was held in ITA's new headquarter in Lausanne and the Chair thanked the Members for being present.

### **Item 1b): Roll call**

#### Chair of the Board:

Dr Valérie Fourneyron – *Independent ITA Board Member*

#### Members of the Board:

Mrs Chantal Brunner – *Independent ITA Board Member*

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

Mrs Kirsty Coventry – *Board Member representing the Athletes*

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

Dr Roger Jackson – *Independent ITA Board Member*

Mr Francesco Ricci Bitti – *Board Member representing the International Federations*

#### Ex-officio non-voting Observer:

Mr Sébastien Gillot – *WADA Director, European Office and Sport Movement Relations*

#### ITA Management:

Mr Benjamin Cohen – *ITA Director General*

#### Persons invited:

Mr Matteo Vallini – *ITA Head of Testing (joined for agenda item 7)*

Mr Gianluca Siracusano – *ITA Head of Regulatory Compliance (joined for agenda item 8)*

Mr Michael Ask – *ITA International Relations Senior Manager (joined for agenda item 9)*

Mr Rafael Saya – *ITA Senior Finance Manager (joined for agenda item 10)*

Start of the meeting: 23 June 2022 at 09:00

End of the meeting: 23 June 2022 at 12:00

### **Item 2: Approval of the minutes of the previous Foundation Board meeting, 2 December 2021**

The minutes of the previous ITA Foundation Board meeting held on 2 December 2021 were submitted to all Foundation 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 unanimously approved the minutes of the meeting held on 2 December 2021.

### **Item 3: Re-appointment of Foundation Board Members**

As per the ITA Statutes, the mandate of the two following Foundation Board Members was coming to an end (June 2022):

- ✓ Mrs Chantal Brunner, Independent ITA Board Member;

- ✓ Dr Roger Jackson, Independent ITA Board Member.

In accordance with Article 7 of the ITA Statutes and the Reappointment Policy adopted by the ITA Foundation Board, the two abovementioned Members can be reappointed for a period of two years.

The two Foundation Board Members have confirmed in writing to the ITA their wish to be reappointed for a further term of two years.

**DECISION:** The Board formally and unanimously approved the reappointments of Mrs Chantal Brunner and Dr Roger Jackson as Independent ITA Board Members for a new term of two years.

#### **Item 4: Report by the Chair of the Board**

The Chair highlighted the following activities and projects:

- ✓ The Coronavirus and the war in Ukraine were continuing to impact anti-doping activities in terms of testing and logistics;
- ✓ The successful delivery of ITA's anti-doping program at the Winter Olympic Games Beijing 2022 with an excellent cooperation with the host organizing committee and the local NADO;
- ✓ The IOC Session in Beijing was a good opportunity to report on ITA's activities and provide details on the program prepared for the Olympic Games Beijing 2022;
- ✓ The Beijing 2022 Olympic Games also gave an opportunity to organise several institutional meetings with a number of important stakeholders such as WADA, the Association of National Olympic Committees (ANOC), the President of the Paris 2024 Organizing Committee, International Federations and National Olympic Committees;
- ✓ The successful transfer of the cycling anti-doping program from the Cycling Anti-Doping Foundation (CADF) to the ITA with a WADA audit of UCI's (Union Cycliste Internationale) program which confirmed the excellent quality of ITA's program for cycling;
- ✓ The many weightlifting doping violation cases that had now been resolved by the ITA;
- ✓ The continued growth of partner IFs joining the ITA such as Triathlon, Golf and Canoe;
- ✓ The growing number of bilateral partnerships with NADOS and RADOS, the last ones being Germany, Sweden and New Zealand;
- ✓ ITA's attendance at the UNESCO Conference of Parties, Council of Europe Monitoring Group and the WADA Symposium;
- ✓ The move to the new headquarter had been finalised;
- ✓ A new ITA branch office had opened in Budapest, Hungary;
- ✓ WADA and the ITA had jointly finalised a document that specifies and clarifies the roles and responsibilities between WADA and the ITA, with a particular focus on the areas of Education and Intelligence & Investigations;
- ✓ A renewed strategic plan for the upcoming 4 years was being worked on and this would be presented to the Board at its next meeting at the end of 2022;

- ✓ The Chair and Director General had received various feedback regarding ITA's service fees (set in average at around 160 CHF/hour), in particular coming from IFs and the Olympic Movement noting that the ITA was too expensive. She underlined her concerns with such feedback considering that one needs to take into account anti-doping costs as a whole and not in isolation. The value ITA brings to its partners in terms of expertise, compliance, independence, good governance and risk absorption seem to be overlooked when comparing the cost of an anti-doping program managed internally to a program managed by ITA.

#### **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 December 2021:

- ✓ The ITA had operated a complete move of its headquarters to bigger and more functional premises. The ITA had identified and presented new tenants to take over the initial headquarters lease and had secured a new tenant for the ground floor (bigger portion of the office). A final approval was expected which would fully remove ITA's obligations to continue paying for the upper floor of the old headquarters;
- ✓ In order to stabilize the operating costs, the ITA had started hiring human resources in Budapest (Hungary) to help support ITA's growth and ITA's operations in Lausanne which needed significant administrative and logistical support to operate satisfactorily. A small rental office space was secured in the city of Budapest and human resources have been hired (and are currently being hired) by a specialised local employment agency entrusted by the ITA to manage the HR aspects. All other operational aspects were directly managed by the ITA. By putting some administration and support functions in Budapest, the ITA aims at controlling costs while getting the additional human resources it needs to deliver its activities;
- ✓ The implementation of new anti-doping modules in the ITA's central operating system PASS (Protection of athletes and sport system);
- ✓ The ITA would like to move away from a cost per service negotiation process and shift to long term & value-based agreements;
- ✓ The cooperation agreement between the Shanghai University of Sport and the ITA had been finalised. The Shanghai University of Sport has been named as first official Academic Partner of the ITA. The Director General sincerely thanked Prof. Peijie Chen for this valuable partnership.

#### **QUESTIONS/COMMENTS:**

Dr Roger Jackson

- ✓ Dr Roger Jackson appreciated the work done to reduce costs while maintaining high quality. He supported the creation of a branch office in Budapest.

Mrs Chantal Brunner

- ✓ Mrs Chantal Brunner supported the comment from Dr Roger Jackson and asked how legal matters were handled in the branch office in Budapest. The ITA Director General replied that Mrs Lilla Sagi, Head of the Budapest branch office, was a lawyer and was

therefore able to review all legal items and give support. In addition, legal issues were mitigated under the current framework as the ITA is not the employer of the staff hired in Budapest. The latter are employed by a local temporary employment agency which was responsible for all labour law matters. The ITA does furthermore not have a legal entity in Hungary. It merely rents out an office space for the time being so that there is no corporate or tax legal matters to address under the current framework.

Mr Francesco Ricci Bitti

- ✓ Mr Francesco Ricci Bitti supported the creation of a branch office in Budapest and highlighted that it was also important to stay close to stakeholders and partners in Lausanne, Switzerland.

Mrs Kirsty Coventry

- ✓ Mrs Kirsty Coventry supported the creation of a branch office in Budapest. She stressed that Athletes were requesting the utmost attention in anti-doping activities and that sufficient resources must be allocated. She recommended to contact the Chair of the IOC Athletes' Commission to create a strong athlete network that would be able to advocate ITA's mission.

The ITA Chair and Director General thanked the Members for their comments. A video on the Dried Blood Spot process was shown during the meeting to the Foundation Board Members.

#### **DECISION:**

- ✓ The Foundation Board Members unanimously approved the ITA Chair's and ITA Director General's reports.

#### **Item 6: ITA Remuneration Committee**

In line with discussions held at the last Foundation Board meeting, a proposal was made by the Board to set up a Remuneration Committee that could advise ITA on all matters related to the remuneration of the ITA staff and Director General. The administration has therefore prepared draft terms of reference for this Committee for the Board's review and approval.

#### **DECISIONS:**

- ✓ The terms of reference were reviewed during the meeting. Several minor amendments were brought to the draft during the meeting and it was thereafter formally and unanimously approved;
- ✓ Dr Roger Jackson was formally and unanimously appointed as initial Chair of the Committee;
- ✓ Mr Francesco Ricci Bitti was formally and unanimously appointed as member of the Committee.

#### **Item 7: Oral report on Major Events**

The ITA Head of Testing, Mr Matteo Vallini, joined the meeting to give an update to the Foundation Board Members on Major Events. Further details can be found in *annex 7.2*.

Following the experience of the Tokyo 2020 and Beijing 2022 program delivery as well as the ongoing concerns regarding the important delays and lack of anti-doping expertise as part of the preparations for the Paris 2024 Olympic Games, the Foundation Board decided to send the following recommendation to the IOC to ensure that ITA's experience and expertise across many major events is leveraged to benefit both the IOC and the Host Organizer:

*“The ITA Foundation Board recommends the IOC to clarify within its Host City Contracts and related operational documents ITA’s role as part of the delivery of its various Events’ anti-doping programs. In particular, the following aspects shall be addressed:*

- ✓ *The delegation by the IOC of the management of its anti-doping program to the ITA shall be formalised and clarified for the Host so as to ensuring that ITA is granted the proper contractual standing to address the Host and issue to it guidelines and directives in line with IOC’s anti-doping rules;*
- ✓ *The obligation for the Host to timely secure the required anti-doping budget as per IOC’s and ITA’s requirements as well as the World Anti-Doping Code to guarantee a smooth and compliant delivery of the anti-doping program;*
- ✓ *The obligation for the Host to abide by IOC’s and ITA’s directives, guidelines and recommendations to ensure that all anti-doping activities and requirements are met in a timely manner, in particular during the preparatory phase;*

*In addition, given the many risks and sensitivities around the delivery of anti-doping programs at the Olympic Games and the greater technicalities related to a compliant anti-doping program, the recommendation was made to discuss with the IOC the possibility to better manage these risks moving forward by removing from the Organising Committee’s terms of reference the anti-doping function and leveraging instead ITA’s expertise with a turnkey solution from one event to another (knowledge transfer kept within the same organisation). The ITA would therefore be responsible for the overall implementation of the anti-doping program on behalf of the IOC and would ensure together with the Host Organizer and local anti-doping authorities that expertise, efficiency and legacy are maximised.”*

The Board Members congratulated the ITA Head of Testing and thanked him for the presentation.

#### **Item 8: Oral report on WADA’s 2022 Code Compliance Monitoring Program**

The ITA Head of Regulatory Compliance, Mr Gianluca Siracusano, joined the meeting to give a presentation to the Foundation Board Members on the WADA Code Compliance Monitoring Program which all ITA Partners were subject to. Further details can be found in *annex 8.1*.

The Board Members congratulated the ITA Head of Regulatory Compliance and thanked him for the presentation.

#### **Item 9: Oral report on NADO/RADO relations**

The ITA International Relations Senior Manager, Mr Michael Ask, joined the meeting to give an update to the Foundation Board Members on NADO/RADO relations. Further details can be found in *annex 9.1*.

Dr Roger Jackson suggested to clarify the roles and responsibilities between NADOs and the ITA should there be any potential for gaps or overlaps.

The Board Members congratulated the ITA International Relations Senior Manager and thanked him for the presentation.

#### **Item 10: Financial matters**

The ITA Senior Finance Manager, Mr Rafael 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:

#### **2021 actuals**

- ✓ Revenues increased by 177% compared to 2020 mainly due to the postponement of the Tokyo 2020 Olympic Games, the Beijing 2022 Winter Olympic Games, the inclusion of the UCI and a higher number of services delivered to existing partners;
- ✓ Free cash flow, which was the cash generated by the business after paying ITA's expenses and investing for future growth, remained negative but has been improved by nearly CHF 1 mio compared to 2020 thanks to higher revenues and a conservative way of spending;
- ✓ The Olympic Movement Contribution of CHF 3.5 mio did fully cover the shortfall and the positive outcome was that the difference, which represents CHF 2'257'289, could be allocated to support ITA's activities in 2022;
- ✓ In summary, 2021 proved to be a very good year especially due to the organization of Summer and Winter Olympic Games within a time frame of 8 months and the addition of new partners which boosted ITA's revenues. This resulted in a more favourable operating result of CHF -1.2 mio vs. -4.1 mio in 2020.

### 2021 audit report

- ✓ The ITA Senior Finance Manager confirmed that the audit was successful and that no issues or corrective actions were identified by the external auditors;
- ✓ 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.

### 2022 budget

- ✓ The forecasted revenues were planned to be 10% higher than initially budgeted due to more favourable contract renegotiation thanks to additional services delivered;
- ✓ The ITA Senior Finance Manager informed the Board Members of a clerical error on the line "Sales Testing fees/sample collection recharges" and "Cost of services recharged", both amounts should be the same as in column 2022 OB. This had no impact on the rest of the document;
- ✓ Personnel costs will be lower than planned by 9% as the number of Full Time Employee (FTE) decreased due to a shift of multiple open positions initially planned in Lausanne to the Budapest Branch Office and timing of hiring;
- ✓ Capital Expenditures will be higher than expected due to higher office related investments with the move to the new office and the setup of the Budapest branch office;
- ✓ The Net Cash Flow is forecasted to be CHF -3.4 mio which after excluding CHF 2.6 mio from Third Party Cost would amount to CHF -0.8 mio versus CHF -2.0 mio in the original budget;
- ✓ In summary, the higher forecasted revenues coupled with the lower personnel costs mainly thanks to the savings from the Budapest Branch Office and a conservative way of spending will lower the Operating Loss to CHF -4.7 mio versus CHF -6.3 mio in the initial budget.

### 5 years comparison

- ✓ Revenues have been growing exponentially since the creation of the ITA with a contraction in 2020 due to Covid-19 and the postponement of the Tokyo Olympic Games. 2021 revenues proved to be particularly high due to the Tokyo and Beijing Olympic Games and the newly signed UCI partnership. The 2022 forecasted revenues are planned to be higher than originally budgeted and only 10% lower than 2021 which, despite the decrease in revenues linked to the Olympic Games, demonstrate

a continuous effort to attract new partners and increase the number of services delivered to existing partners.

### **Olympic Movement Contribution**

- ✓ The ITA perceived a cumulative amount of CHF 20.3 mio which represents 70% of the total of approx. CHF 28.5mio announced by the IOC to guarantee ITA's funding over the period 2018-2022. This means that within this same budget, the ITA will be able to operate for two additional years (i.e. until 2024);
- ✓ Having said that, it became obvious that the environment in which ITA operates does not allow it to be financially self-sustainable. As per ITA's 5-year forecast presented to the IOC and the ITA Board, the ITA estimates that a continuous annual contribution will be required to sustain ITA's operations.

### **QUESTIONS/COMMENTS:**

- ✓ Mr Francesco Ricci Bitti suggested to set up a policy that would clarify ITA's provision;
- ✓ The Foundation Board Members congratulated the Finance department for their hard work.

### **DECISION:**

- ✓ The Financial Statements (as of December 31, 2021) were approved.

### **Item 11: Other matters / Miscellaneous**

- ✓ Mrs Kirsty Coventry, Board Member representing the Athletes, gave the following update:
  - She underlined that it was important to continue to clarify the difference between WADA and the ITA to athletes;
  - She informed the ITA that it could be useful to liaise with the IOC Athletes' Commission/Athlete365 to see if the ITA could be integrated into their programs;
  - She confirmed that she would liaise with the Chair of the IOC Athletes' Commission and would set up a follow-up meeting;
  - She stressed that clean sport was Athletes' priority.
- ✓ Mr Sébastien Gillot gave the following update from WADA:
  - He congratulated the ITA for all its hard work on Major Events;
  - He informed the Board that the WADA Independent Observer report from the Olympic Games Beijing 2022 would be published soon;
  - During the last WADA Foundation Board meeting, it was decided to further increase its budget for the next three years. This financial commitment would be received from Governments and the Sport Movement;
  - The WADA ExCo and Board received a final report during its last meeting from the Working Group on the Review of WADA Governance Reforms which was unanimously approved. The agreed recommendations include: To enhance athletes' representation within WADA through the establishment of a 20-member Athlete Council, composed of athletes' representatives chosen by athletes;
  - Mr Sébastien Gillot thanked the ITA for its work and for the good cooperation. He expressed WADA's full commitment to support and collaborate with the ITA.

### **Item 12: Closing of the meeting**

The Chair sincerely thanked all the Foundation Board Members and the WADA Observer for their presence and contribution.

The date and location of the next Foundation Board meeting 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 Fourneyron  
Chair of the Board

Mr Benjamin Cohen  
Director General

*Ms Jessica Hellman*  
*Senior Office Coordinator, Minutes taker*