

ITA CODE OF ETHICS



NOVEMBER 2023

LETTER FROM THE CHAIR OF THE ITA FOUNDATION BOARD

Dear ITA Family,

As the Chair of the Foundation Board of the International Testing Agency (ITA), it is my great pleasure to introduce the ITA Code of Ethics that will guide our work and the conduct of our team.

At the ITA, we are committed to promoting clean sport and protecting the rights of athletes worldwide to compete in fair competitions. I recognise that ethical behaviour is essential to building and maintaining public trust in our work and the credibility of the activities the ITA conducts.

This Code of Ethics sets out the values, principles, and rules that must guide at all times the conduct of the ITA and the individuals who perform activities on ITA's behalf, amongst others the members of the ITA's organs (the Foundation Board Members, the ITA Director General, the auditing body and Consultative Committees), our staff, consultants, Doping Control Officers, Commission and expert group Members, etc. It reflects the ITA's commitment to integrity, transparency, equality and respect for human rights and dignity, as well as our dedication to the pursuit of excellence in promoting clean sport.

The ITA Code of Ethics applies to all aspects of our work and sets out our ethical obligations. I believe that ethical behaviour is not just a matter of compliance but a fundamental aspect of our identity. I recognise the importance of trust and accountability to our partners, the athletes and the public at large, and I confirm that at the ITA we are dedicated to upholding the highest standards of ethical behaviour and integrity. We are resolute in our commitment to ensuring that everyone involved in our organisation feels welcomed and respected.

Our Code of Ethics is a fundamental pillar of our organisation's vision and sets the benchmark for our collective dedication to the fight against doping in sport. We understand that combating doping in sport is a difficult task, and one in which the challenges are constantly changing. Nevertheless, I am certain that this Code of Ethics will serve as a source of inspiration and ensure that we are following at all times the highest standards of ethics and integrity.

Let us all work together to remain faithful to our values as a unified team, so that we can make a positive and lasting impact in the fight against doping.

I am deeply grateful for your support in our mission. Together, we can ensure that sports remain a source of inspiration and joy for the generations to come.

Thank you for being part of our journey.

Sincerely,



Dr. Valérie Fourneyron

Chair of the ITA Foundation Board

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1. INTRODUCTION

The International Testing Agency (“ITA”) is an independent international organisation that manages comprehensive anti-doping programs for International Federations (“IFs”), Major Event Organisers (“MEOs”) and any other organisation requesting support or collaboration to improve their clean sport efforts. The ITA leads its activities in compliance with the World Anti-Doping Code without any real or perceived conflict of interest following its main objective to protect the integrity of sport and athletes all over the world.

The ITA recognises the importance of maintaining the highest standards of ethics, integrity, and professionalism in carrying out its mandate.

The ITA Code of Ethics (hereinafter referred to also as “Code of Ethics”) is adopted by the ITA Foundation Board in furtherance of Article 7 of the ITA Statutes, which mandates the Foundation Board to ensure that its members and any other person acting on behalf of the ITA in whatever capacity, respect the fundamental principles of ethics, in particular those with regard to independence, dignity, integrity and impartiality.

This Code of Ethics serves as a comprehensive framework that outlines the principles and standards that all individuals performing functions on behalf of the ITA must adhere to. It establishes a shared understanding of expected behaviours, duties, responsibilities, and values, fostering a culture of integrity, transparency, and fairness.

By adopting this Code of Ethics, the ITA reiterates its firm commitment to the principles of integrity, independence, equality and accountability. These principles serve as the foundation of the ITA’s mission to maintain a level playing field in sport and protect the rights and welfare of athletes worldwide.

The Code of Ethics is not intended to replace or supersede any applicable laws, regulations, or contractual obligations. Instead, it complements existing legal and regulatory frameworks by establishing higher ethical standards and promoting a culture of ethical behaviours within the ITA and the individuals associated to it.

The Code of Ethics shall not affect or modify the ITA’s authority to take any action in accordance with the terms of applicable laws, regulations or existing agreements. If a breach of this Code also constitutes a violation of applicable laws, regulations, or existing agreements, the ITA retains the full discretion to select and pursue the most appropriate remedies.

Conversely, the Code of Ethics shall in no way be construed as providing a basis for any legal remedies whatsoever. Officials are not entitled to rely on the Code of Ethics to seek redress or recourse, including but not limited to filing complaints, pursuing claims, or seeking remedies or redress before the ITA Ethics Panel.

The ITA commits to regularly review and update this Code of Ethics to ensure its alignment with evolving international standards and best practice. Continuous improvement, based on feedback and lessons learned, will ensure the ongoing relevance and effectiveness of this Code in safeguarding the integrity and the values of the ITA.

2. GENERAL PROVISIONS

2.1. Applicability of the Code of Ethics

- 2.1.1.** The Code of Ethics shall apply to physical and legal persons falling within the categories outlined below. With respect to legal persons, the Code of Ethics shall apply to its members with authority to represent the entity or to the entity itself as applicable.
- 2.1.2.** Each of the following individuals (referred to hereinafter as “Officials” and individually as an “Official”) is bound by and is required to comply with the Code of Ethics:
- All members of the ITA organs as per the ITA Statutes, namely the ITA Foundation Board, the auditing body, the ITA Director General and any Consultative Committee created by the Foundation Board;
 - Members of ITA committees, expert groups, commissions, panels, ambassador groups, or any other working groups established by the ITA;
 - Individuals employed (whether full-time, part-time, permanently or temporarily, in Switzerland or in other countries, directly or through intermediary agencies) by the ITA;
 - Members of the ITA Therapeutic Use Exemption Committee (“ITUEC”);
 - Doping Control Officers (“DCOs”) under contract with the ITA;
 - Any other agents, consultants, or contractors engaged by the ITA, provided that they have adhered to the Code of Ethics through a signed undertaking or as specified in their individual service agreement;

- Any other individual or entity who, by virtue of contractual commitments, participation in ITA-regulated activities or other relevant engagements, agrees to be bound by the Code of Ethics.

2.1.3. The Code of Ethics shall apply to any conduct of any nature, including any private conduct performed during or in the framework of an ITA activity, unless otherwise defined herein, by any Official who was bound by the Code at the time when the relevant conduct occurred irrespective of whether the Official is still bound by the Code at the commencement of proceedings or thereafter.

2.1.4. As further specified in the Introduction, in the event of a violation of the Code of Ethics that also breaches law, contract, or other regulations, the ITA retains the exclusive authority to determine the specific course of remedy or action. For the sake of clarity, it is explicitly stated that Officials are not entitled to seek redress or recourse (including but not limited to filing complaints or appeals, pursuing claims, or seeking remedies) by invoking the Code of Ethics for any grievances or disputes.

2.2. General Principles

2.2.1. Any Official who is uncertain about their obligations or responsibilities under the Code of Ethics should contact the ITA to seek guidance.

2.2.2. Any attempt to engage in conduct contrary to the provisions of the Code of Ethics or act amounting to an attempted offence shall be deemed as a violation of the Code of Ethics, regardless of the outcome or completion of such attempt.

2.2.3. Any Official who directly or indirectly authorises, instigates, knowingly aids, encourages, conceals or is otherwise complicit or colludes in any violation of the Code of Ethics shall be deemed to have committed such violation.

2.2.4. Ethics proceedings may be initiated within ten (10) years from the date the breach of the Code of Ethics occurred.

2.2.5. The violation of the ITA Code of Ethics by an Official shall not per se invalidate an anti-doping rule violation or other breaches of the applicable anti-doping regulations or any other decision or action taken under the applicable anti-doping regulations, nor can it serve as a valid defence or justification for the same. The World Anti-Doping Code (the "Code") and the World Anti-Doping Agency ("WADA")'s International Standards (collectively the "WADA Regula-

tions”), and their enactment in the respective Anti-Doping Organisations’ regulations, shall remain the sole governing framework for adjudicating anti-doping rule violations and related matters. The Code of Ethics and its enforcement procedures operate independently from the WADA Regulations. The obligations, responsibilities, and consequences outlined in the WADA Regulations shall not be altered or superseded by the Code of Ethics.

3. FUNDAMENTAL PRINCIPLES

This section delineates the fundamental principles which the ITA and its Officials are bound to adhere to, governing their conduct, decisions, and interactions within the purview of the ITA’s mandate to protect athletes and the integrity of sport through the fight against doping.

3.1. Integrity

- 3.1.1.** The ITA values integrity as a fundamental principle in all aspects of its operations.
- 3.1.2.** Each Official shall demonstrate the highest degree of integrity in all aspects of their work or mandate, adhering to the highest standards of diligence and ethical conduct. They shall uphold the reputation of the ITA by maintaining integrity, professionalism, and ethical behaviour in all their actions as Officials.

3.2. Respect for Dignity and Human Rights

- 3.2.1.** The ITA is committed to respecting, protecting and promoting the human rights of all individuals, including especially those directly or indirectly involved in or affected by the ITA’s activities.
- 3.2.2.** Each Official shall treat all individuals with dignity and respect, without any form of discrimination or denigration on grounds of race, colour, social background, ethnic origin, gender, language, sexual orientation, religion, political or other opinion, nationality, disability, family status or other grounds.

- 3.2.3.** All forms of harassment or abuse of any individual, whether physical, professional, sexual, psychological or otherwise, are strictly prohibited.

3.3. Ethics

- 3.3.1.** The ITA is dedicated to upholding the highest ethical standards in all of its operations, decisions and interactions.
- 3.3.2.** Each Official shall act with integrity, honesty, and transparency in their role, ensuring that ethical considerations guide their conduct. They must adhere to the principles of ethical behaviour, promoting a culture of ethics within the ITA and among all individuals involved in the ITA's activities.

3.4. Independence

- 3.4.1.** The ITA shall maintain its operational independence ensuring in particular that it remains free from national, sporting or political powers in all its activities.
- 3.4.2.** Any decision or action taken by an Official as part of their ITA's duties shall be made in the best interests of the ITA and its mandate to protect the integrity of sport, free of any external pressure, interference or influence, whether originating from governments, national or international sporting bodies, or other third parties.

3.5. Political Neutrality

- 3.5.1.** The ITA shall uphold the principle of political neutrality in all its activities. Each Official shall, in the exercise of their ITA duties, refrain from engaging in political activities, expressing personal political opinion or favouring any political party, group, or ideology.

3.6. Impartiality

- 3.6.1.** Each Official shall, in the exercise of their ITA duties, avoid any form, including the mere appearance, of bias, favouritism or ambiguity, in particular ensuring that all athletes subject to ITA's anti-doping activities receive equal and impartial treatment, irrespective of their nationality, sporting affiliation or other extraneous factors.
- 3.6.2.** Officials shall refrain from engaging in any actions or omissions that may compromise the impartiality and neutrality of any aspect of the Doping Control (as defined under the Code).

3.7. Professionalism

- 3.7.1.** Each Official shall maintain the highest standard of professionalism in their conduct and interactions. They shall refrain from engaging in any behaviour that may damage the reputation or credibility of the ITA, its stakeholders or that of the fight against doping.
- 3.7.2.** Each Official shall strive to continuously improve their professional knowledge and skills related to their own activities.

3.8. Equality

- 3.8.1.** The ITA is committed to promoting equality, inclusivity, and fairness in all aspects of its activities. Officials shall not engage in discriminatory practices or any form of unfair treatment towards athletes, partners, colleagues, or any other individual directly or indirectly associated with the ITA.
- 3.8.2.** Each Official shall actively contribute to creating a safe, inclusive, and supportive environment that upholds the principles of diversity and equal opportunities.

3.9. Accountability

- 3.9.1.** Officials shall be accountable for the proper and ethical execution of their ITA's duties, ensuring compliance with applicable rules, WADA Regulations, agreements, ITA policies and the Code of Ethics.

- 3.9.2.** To such extent, Officials must be aware of the legal implications, requirements and protocols applying to their duties.
- 3.9.3.** The ITA shall promote a culture of accountability by encouraging open dialogue, providing guidance whenever needed, and fostering a supportive environment where Officials feel empowered to raise concerns, report misconduct, and contribute to the improvement of the ITA's anti-doping activities.

3.10. Excellence

- 3.10.1.** The ITA is committed to the pursuit of excellence, continually improving its ability to meet the needs of stakeholders and advancing its activities through ongoing professional development, research, and innovation.
- 3.10.2.** The ITA is committed to ensuring that its anti-doping activities are based on the highest available professional and scientific standards. The ITA shall rely on prevailing best practices and in particular on the guidance and regulations set forth by WADA.

3.11. Transparency

- 3.11.1.** The ITA is committed to being transparent in its operations and decision-making processes and communicating openly with stakeholders.

4. PROFESSIONAL CONDUCT AND SPECIFIC OBLIGATIONS

This section outlines the specific conduct and obligations that the ITA and each Official are expected to uphold in the performance of their ITA duties, beyond the fundamental principles outlined above. This list is not exhaustive but provides a common framework of professional standards applicable to all Officials.

4.1. Confidentiality

- 4.1.1.** The ITA and all Officials shall maintain strict confidentiality regarding any sensitive or confidential information obtained during the course of their ITA duties.
- 4.1.2.** The ITA and all Officials shall recognise and uphold the importance of privacy and the protection of sensitive information throughout their ITA duties. They shall respect the privacy rights of athletes, stakeholders, and individuals involved in anti-doping activities, refraining from disclosing or using information for personal gain or any unauthorised purposes.
- 4.1.3.** Officials involved in any aspect of the Doping Control (as defined under the Code) shall ensure that personal information is processed only where relevant and proportionate in order to conduct anti-doping activities authorised under the WADA Regulations.
- 4.1.4.** The obligation to maintain confidentiality under Clause 4.1.1 survives even after the conclusion or termination of the role or involvement of an individual as an Official.
- 4.1.5.** Any reporting to the ITA or law enforcement or other regulatory authorities in relation to a potential breach of the Code of Ethics shall not constitute a violation of this confidentiality obligation.

4.2. Compliance with laws and regulations

- 4.2.1.** Officials shall comply with all applicable laws, regulations, and legal obligations relevant to their roles and responsibilities.

4.3. Compliance with anti-doping regulations and prior violations

- 4.3.1.** All Officials shall, in the exercise of their ITA duties, comply at all times with the WADA Regulations, any ITA guidelines and directives as well as the applicable Anti-Doping Organisation (“ADO”)’s Anti-Doping Rules.
- 4.3.2.** All Officials involved in any aspect of the Doping Control are automatically bound by the Code and the applicable ADO’s Anti-Doping Rules as Persons (as defined in the Code) for any direct and intentional misconduct.

- 4.3.3.** All Officials involved in any aspect of the Doping Control (as defined in the Code) other than authorised anti-doping education or rehabilitation programs, shall meet specific eligibility criteria. They shall not be serving a period of ineligibility, be provisionally suspended, or have engaged in a conduct within the previous six (6) years that would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to them.
- 4.3.4.** Any prior violation of the Code or any ADO's Anti-Doping Rules by any Official (including those not involved in any aspect of the Doping Control) shall be proactively reported without delay to the ITA at ethics@ita.sport or via other secured forms established for that purpose.
- 4.3.5.** Officials shall not engage in, aid, abet, facilitate, condone, conceal or be complicit in any type of anti-doping rule violation. They shall take active measures to prevent, detect and report any suspected or actual anti-doping rule violation that comes to their attention in the course of their ITA duties.

4.4. Conflict of interest

- 4.4.1.** All Officials shall avoid any situation that may give rise to a conflict of interest.
- 4.4.2.** A conflict of interest arises if an Official has or appears to have personal, professional, financial or other interests that may impact their ability to perform their ITA duties diligently with integrity, impartiality and independence.
- 4.4.3.** Personal, professional or financial interests include but are not limited to gaining any possible advantage for the Official themselves, their immediate family or any person with whom the Official has a professional or private relationship.
- 4.4.4.** Conflicts of interest encompass various forms, including but not limited to actual, perceived, or potential conflict of interest:
 - (a)** actual conflicts of interest arise when there is a direct conflict between an Official's duties and responsibilities and their existing personal, professional or financial interests.
 - (b)** perceived conflicts of interest occur when a third party might reasonably believe or perceive that personal, professional or financial interests or relationships with other parties could improperly influence the performance of an Official's duties, regardless of whether this influence actually occurs.

- (c)** potential conflicts of interest arise when personal, professional or financial interests have the potential to conflict, in the future, with an Official's duties.

Conflicts of interest can take both pecuniary (involving financial gain or loss) and non-pecuniary forms (stemming from personal relationships or affiliations).

- 4.4.5.** Officials shall not perform their duties in situations where there is a reasonable risk that an actual, perceived or potential conflict of interest might affect their performance. Notably, Officials shall refrain from participating in any decision-making or deliberation process in their ITA duties when a conflict of interest may occur or where their impartiality may reasonably be questioned.
- 4.4.6.** Officials shall promptly report any actual, perceived or potential conflict of interest that may arise in the course of their ITA duties and responsibilities to the ITA through designated channels, including the conflict of interest disclosure platform implemented for that purpose, or via email at ethics@ita.sport.
- 4.4.7.** The ITA may require Officials to submit annually or from time to time questionnaires and/or proactive disclosures of conflicts of interest, upon appointment to a specific role or renewal of a mandate for example. All Officials must provide accurate, comprehensive and timely information in response to any requests made by the ITA.
- 4.4.8.** In addition to the questionnaires or proactive disclosures under Clause 4.4.7, all Officials shall have a continuous duty to report immediately to the ITA via ad hoc disclosures any circumstance (including new or supervening facts) that may give rise to an actual, perceived or potential conflict of interest in each specific situation connected in any way to their ITA duties.
- 4.4.9.** The ITA Regulatory Compliance Department shall conduct a review and assessment of any disclosed conflict of interest and subsequently provide a report to the ITA Director General. The ITA Director General shall be granted access to the register of disclosures.
- 4.4.10.** Following the initial assessment, in the event that the ITA Regulatory Compliance Department identifies any risks, it shall inform the ITA Director General and provide any recommendations on corrective measures that are deemed necessary to address or mitigate an existing conflict of interest. The ITA Director General shall have the authority and discretion to determine and implement any appropriate measures, corrective actions or mitigation strategies in each case.
- 4.4.11.** In the event that identified risks involve the ITA Director General or a Member of the ITA Foundation Board Member, the matter shall be referred directly to the Chair of the ITA Foundation Board. In case of a conflict pertaining to the Chair of the ITA Foundation Board, the matter shall be referred directly to the ITA Ethics Panel.

- 4.4.12.** The ITA Director General (or the Chair of the ITA Foundation Board in case of a conflict pertaining to the ITA Director General or a Member of the ITA Foundation Board) may opt to refer the matter to the ITA Ethics Panel for a final determination on the appropriate measures to enforce. Additionally, in case the affected party with a conflict of interest challenges the decision made by the ITA Director General (or the Chair of the ITA Foundation Board), they shall have the right to submit the matter to the ITA Ethics Panel for final determination.
- 4.4.13.** The confidentiality of any disclosed conflict of interest shall be maintained, except where disclosure is necessary for the proper conduct of an investigation, to take the appropriate measures to address, mitigate or eliminate the conflict of interest, or as required by law or applicable regulations.
- 4.4.14.** Failure to disclose a conflict of interest, to submit a proactive or ad hoc disclosure, or the provision of incomplete or misleading information, shall be considered a violation of the Code of Ethics, subject to appropriate sanctions as determined by the ITA Ethics Panel, in accordance with the procedure outlined in Clause 5.
- 4.4.15.** The ITA establishes and maintains guidelines and materials to assist Officials in identifying and managing conflicts of interest.

4.5. Bribery and corruption

- 4.5.1.** Officials shall not solicit, accept, offer or provide any bribes, gifts, donations, undue remuneration or improper benefit (or the legitimate expectation of a benefit, irrespective of whether such benefit is in fact given or received), financial or otherwise, to influence or reward any action or decision connected in any way with their ITA duties.
- 4.5.2.** Officials shall exercise caution and vigilance when interacting with external entities, including organisations, sport entities, individuals, or service providers, to prevent any potential involvement in or support of corrupt activities. They shall not participate in any transaction, agreement, conduct or arrangement that may create, facilitate or lead to undue influence or advantage.
- 4.5.3.** Officials shall use the resources of the ITA for authorised purposes only and claim reimbursement from the ITA only for expenses properly and reasonably incurred in the course of their ITA duties.
- 4.5.4.** Officials shall promptly report any suspicion or incident of bribery, corruption or attempted bribery or corruption to the ITA at ethics@ita.sport or through other designated channels established for that purpose.

4.6. Duty of care and diligence

- 4.6.1. Officials shall have a fiduciary duty to the ITA, and they shall exercise due care and diligence in the performance of their ITA duties.
- 4.6.2. Officials shall not act in any manner likely to tarnish the reputation, name or goodwill of the ITA, its partners or the fight against doping.

4.7. Abuse of position

- 4.7.1. Officials may not abuse their position in any way, especially in seeking to take advantage of their position for aims or gains that benefit themselves or any person or entity related to them.

4.8. Gifts

- 4.8.1. Officials shall not solicit or accept gifts or benefits in exchange for, or as a condition of, the exercise of their ITA duties, or as an inducement for performing an act associated with ITA's duties or responsibility except for tokens of appreciation or friendship of a nominal value, in accordance with prevailing local customs and subject to the requirements in Clause 4.8.2.
- 4.8.2. Officials may offer or accept gifts or other benefits (including of in-kind nature) only if such gifts or benefits meet all of the following requirements:
 - (a) they hold symbolic or negligible value, or are intended solely to respect local customs, within the normal standards of hospitality;
 - (b) they do not exert any influence or give rise to the perception of influence over the actions or conduct of the Official;
 - (c) they are not offered or accepted in violation of the responsibilities under the Code of Ethics, WADA Regulations, ITA's policies and protocols, and any other applicable law, regulation or existing agreement, and they do not give rise to or result in a violation of such rules as well as any applicable ADO's Anti-Doping Rules;
 - (d) they do not create any undue financial or other advantages; and

- (e) they do not generate conflicts of interest or give rise to the perception of conflicts of interest; and
- (f) they do not affect the impartiality and independence of the Official.

4.8.3. Monetary gifts are strictly prohibited under all circumstances.

4.8.4. Gifts or any form of benefits shall not be offered or accepted if there is a reasonable expectation that, at the time of presentation, they may not conform to the aforementioned requirements.

4.8.5. In case of doubt, Officials should seek the opinion of the ITA Regulatory Compliance Department before accepting a gift or benefit.

4.8.6. Any gifts or benefits that are offered to or by an Official and do not meet the conditions specified in Clause 4.8.2 shall be promptly reported to the ITA at ethics@ita.sport or through other designated channels established for that purpose.

4.9. Misappropriation or misuse of funds

4.9.1. Officials shall not misappropriate or misuse funds of the ITA or its partners, whether directly or indirectly and whether this occurs through, or in conjunction with, third parties.

4.9.2. Officials shall exercise prudent financial management and ensure that all funds entrusted to them are utilised solely for pre-authorized and legitimate purposes related to the ITA's objectives and operations.

4.9.3. Officials shall maintain accurate and transparent financial records, ensuring that all transactions involving ITA funds are properly documented and in compliance with applicable financial policies, regulations, and accounting standards.

4.9.4. Any suspected or detected cases of misappropriation or misuse of funds shall be promptly reported to the ITA at ethics@ita.sport or through other designated channels established for that purpose.

4.10. Forgery and falsification of documents

4.10.1. Engaging in the forging or falsification of any data or document, or knowingly or recklessly use a forged or falsified data or document is strictly prohibited.

4.11. Duty to cooperate

4.11.1. Officials shall fully assist and cooperate in good faith with the ITA in investigations, inquiries, and other proceedings related to anti-doping matters or any potential breaches of the Code of Ethics, regardless of whether they are involved in a particular matter as a party, as a witness, or in any other role.

4.11.2. In relation to Clause 4.11.1, assistance and cooperation may involve actions such as without limitation providing clarifications, offering oral or written testimony, attending interviews, submitting information, documents, devices, or other relevant materials, and disclosing any additional details, as deemed reasonably necessary by the ITA.

4.11.3. Officials shall provide complete and accurate information when requested by the ITA.

4.11.4. Officials shall not knowingly or recklessly impede, obstruct, or interfere with any investigation, intelligence gathering, or disciplinary proceeding conducted by the ITA in connection with the Code of Ethics or an anti-doping rule violation. This includes without limitation concealing essential facts, providing statements that are materially false or misleading, or submitting materially false or misleading information.

4.11.5. The duty to cooperate extends to all aspects of the ITA's activities and includes, but is not limited to, matters related to anti-doping testing, results management and disciplinary cases, investigations, education, research, and any other activities aimed at promoting clean sport.

4.11.6. Officials are prohibited from harassing, intimidating, threatening, or retaliating against any individual for any reason connected to their assistance or cooperation with the ITA in the context of a potential violation of the Code of Ethics or an anti-doping rule violation.

4.12. Betting

- 4.12.1.** Officials shall refrain from participating in any form of betting on sports or events for which the ITA is managing anti-doping programs if they have access to sensitive or confidential data pertaining to the sport or event. Under no circumstance shall any confidential information obtained by an Official in the course of their ITA duties be used for any betting purpose or with the intent to manipulate any sporting competition.
- 4.12.2.** Additionally, Officials must comply with the specific regulations and restrictions set forth by the International Olympic Committee, International Federations and other Major Event Organisers, where applicable.

4.13. Duty to report

- 4.13.1.** Any Official or other person who becomes aware or has a suspicion of any potential violation of or deviation from the Code of Ethics or any other regulation or protocol of the ITA shall promptly report such potential violation to the ITA at ethics@ita.sport or through other designated channels established for that purpose.
- 4.13.2.** Officials shall not make any report with the intention to gain a personal or professional benefit, or in a frivolous, malicious, vexatious, or bad-faith manner.

5. COMPETENT JURISDICTION

- 5.1.** The ITA Ethics Panel is an operationally independent body established by the ITA to adjudicate alleged violations of the Code of Ethics.
- 5.2.** The ITA Ethics Panel shall consist of an independent Chair and up to four (4) other independent members appointed by the ITA Foundation Board upon proposal of the ITA Director General following an open application process. The appointment of members shall be based on their experience and expertise, which may include legal, sports, law enforcement or ethics backgrounds. Members of the ITA Ethics Panel are appointed for up to three (3) renewable terms of two (2) years.

- 5.3.** Members of the ITA Ethics Panel shall abstain from participating in the decision of any case or matter if they have been directly involved in investigation activities pertaining to the same case or matter.
- 5.4.** The ITA Regulatory Compliance Department, the ITA Director General and the Chair of the ITA Foundation Board have the authority to refer any matter to the ITA Ethics Panel. As part of their responsibilities, the Regulatory Compliance Department, the ITA Director General and the Chair of the ITA Foundation Board may, as required, seek the support and collaboration of other relevant departments within the ITA.
- 5.5.** The ITA Ethics Panel may, if it deems appropriate, appoint an external and independent officer to conduct investigations. The Ethics Panel may exercise this authority in particular when the complexity or sensitivity of a matter requires an external perspective or when additional expertise is required.
- 5.6.** Notwithstanding Clause 5.4, the ITA Ethics Panel has the authority to initiate proceedings on its own initiative if it deems that the situation so warrants to safeguard the application of this Code of Ethics.
- 5.7.** The ITA Ethics Panel is entrusted with the adjudication of the cases, ensuring a fair and impartial decision-making process.
- 5.8.** The ITA Ethics Panel shall have the necessary autonomy and authority to conduct hearings and make decisions without interference from the ITA or any third party.
- 5.9.** With regards to the standard of proof, the ITA Ethics Panel shall decide based on its comfortable satisfaction.
- 5.10.** Upon referral of a case, the Chair of the ITA Ethics Panel shall exercise discretion in appointing three members or a single adjudicator (which may include the Chair), to preside over the case. The member(s) assigned to review the case shall sign a declaration that there are no facts or circumstances known to them which might call into question their impartiality in the eyes of any of the parties, other than those circumstances disclosed in the declaration.
- 5.11.** The ITA Ethics Panel has the authority to contact the parties involved, request submissions, establish deadlines, and undertake any necessary measures to ensure an efficient process. The ITA Ethics Panel shall have the authority to make determinations on procedural matters and retains discretion over issues such as the admissibility of evidence, the sequence of proceedings, and any other procedural aspects necessary to ensure a fair process.

- 5.12.** The ITA Ethics Panel shall ensure that all parties are afforded the right to be heard through an oral or written process, providing them with the opportunity to present their case and defend their position.
- 5.13.** At any time during the investigation and until the final decision, the Chair of the ITA Ethics Panel may, either ex officio or upon request from the ITA Regulatory Compliance Department or other parties, decide to impose provisional measures, if so required.
- 5.14.** Unless expressly agreed otherwise by all parties, the working language of the ITA Ethics Panel is English, and all proceedings shall be conducted in English. Unless decided otherwise by the Chair of the ITA Ethics Panel, parties introducing documents in other languages shall bear all costs related to the translation of such documents as well as oral statements.
- 5.15.** The proceedings before the ITA Ethics Panel shall be treated with strict confidentiality.
- 5.16.** The decisions of the ITA Ethics Panel shall be communicated in writing by email, providing reasoned explanations, and shall be notified to the relevant parties in a timely manner.
- 5.17.** The ITA may decide, at its sole discretion, to publish the decisions of the ITA Ethics Panel and/or make them public.
- 5.18.** Any decision made by the ITA Ethics Panel may be submitted exclusively by way of appeal to the Court of Arbitration for Sport in Lausanne, Switzerland, which will resolve the dispute definitively in accordance with the Code of sports-related arbitration. The time limit for appeal is twenty-one days after the notification of the decision concerning the appeal.

6. DISCIPLINARY MEASURES

- 6.1.** In the event of any violation of the Code of Ethics, the ITA Ethics Panel may impose the following disciplinary measures and/or sanctions on Officials:
- (a)** a warning;
 - (b)** a reprimand;
 - (c)** a fine up to a maximum of CHF 100'000;

- (d)** compliance training or educational measures;
 - (e)** loss of accreditation or status;
 - (f)** a ban from taking part in any aspect of the Doping Control;
 - (g)** an order of reimbursement or restitution;
 - (h)** forfeiture of any benefit;
 - (i)** a suspension for a specific duration, which may extend to all or part of the rights, prerogatives and functions of the Official concerned;
 - (j)** a ban for a fixed period up to a lifetime from taking part in any ITA-related activity;
 - (k)** removal from office, including immediate dismissal;
 - (l)** any other appropriate sanction deemed appropriate by the ITA Ethics Panel.
- 6.2.** The sanctions under Clause 6.1 may be cumulated or combined, allowing for the simultaneous imposition of multiple sanctions as warranted by the nature and severity of the violation.
- 6.3.** The sanction imposed in each case shall be proportionate to the objectives pursued by the Code of Ethics. The sanction shall be determined by considering all circumstances of the case, including the seriousness of the breach, the degree of fault or negligence, the need to protect the integrity of the ITA or its other Officials and partners, the duty to safeguard clean sport, the deterrent effect against any future misconduct, and any mitigating or aggravating factors that may be present.

7. FINAL PROVISIONS

- 7.1.** The Code of Ethics shall be governed by and construed in accordance with the laws of Switzerland, without giving effect to its conflict of law principles.
- 7.2.** Any dispute arising in connection with the Code of Ethics and its implementation shall be exclusively submitted to the Court of Arbitration for Sport in Lausanne, Switzerland and resolved definitely in accordance with the Code of sports-related arbitration.

- 7.3.** The official language of the ITA Code of Ethics is English. In the event of any discrepancy, conflict, or inconsistency between the English version and any translated versions, the English version shall prevail.
- 7.4.** The Introduction to the Code of Ethics shall be considered an integral and binding part of the Code of Ethics.
- 7.5.** The Code of Ethics shall be published on ITA's website. In the event of any modifications or amendments thereto, the newly revised version of the Code shall be promptly published and made available on the ITA's official website.
- 7.6.** All notices and communications to be provided to the ITA in accordance with the Code of Ethics may be validly delivered via email at ethics@ita.sport or via any other designated channel established by the ITA for that purpose.
- 7.7.** The ITA will promote the dissemination and awareness of the principles contained in the Code of Ethics.
- 7.8.** In the event of any gaps or unforeseen circumstances arising in relation to the Code of Ethics, they shall be addressed by referring to and aligning with the underlying objectives of the Code of Ethics, ensuring consistency in its application and interpretation.
- 7.9.** The Code of Ethics is adopted by the ITA Foundation Board on 30 November 2023 and comes into force on 1 January 2024.

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