

INTERIM REPORT NO.3 OF THE EXTERNAL REVIEW COMMISSION

1. This third interim report sets out the progress the Commission has made since 31 January 2019, the date of the last IBU Executive Board meeting.
2. Since then, we have taken several steps to advance the Commission's work:
 - a. We have had several communications with new Commission member, former biathlete Vincent Defrasne, and look forward to meeting him in person at the Commission's meeting in Lausanne next week. It is already clear he will make a very valuable contribution to the work of the Commission.
 - b. We have launched a whistleblower web portal using the BKMS[®] System provided by Business Keeper AG, the leading whistleblower service provider in Europe for international criminal authorities, major sport organisations, and large corporations. The web portal (available at <https://www.bkms-system.com/ibuerc>) is accessible to the Commission only (i.e. no staff, officials or members of the IBU may access the system or any information provided on it) and allows whistleblowers to communicate with the Commission on an anonymous basis via a secure 'postbox'. It has been widely publicised through a number of email distribution lists and media channels. The Commission encourages anyone who has relevant information to provide it to the Commission through the web portal.
 - c. We have implemented a secure file-sharing system to facilitate communication and collaboration between Commission members, and to assist in the collation and organisation of evidence as it is received.
 - d. We conducted a first round of interviews with six IBU staff members (current and former) at the IBU offices in Salzburg on 21-22 February 2019.
 - i. The interviews permitted the Commission (among other things) to gain a better understanding of the working environment at the IBU, the roles of different staff members, the relevant reporting structures, and the knowledge of the staff members regarding the allegations that are being investigated.
 - ii. The visit also permitted the Commission to obtain copies of various relevant documentation and correspondence from the IBU document filing system.
 - e. We have met (in person and/or by telephone) the new interim Secretary General, Alf Koksvik, and the interim anti-doping manager, Sarah Fussek-Hakkarainen, both of whom have offered their support and assistance to the Commission as necessary, for which we are very grateful.

- f. We had a very useful and constructive meeting with WADA Director of Intelligence and Investigations Gunter Younger and Julian Broséus in Lausanne in February 2019, and agreed on the most efficient means of sharing information and progressing open items moving forward (including getting access to the analytical data recently obtained by WADA from the Moscow anti-doping laboratory, to the extent it relates to biathletes).
 - g. Further to that agreement, we are liaising with WADA and the IBU APMU in relation to the analysis of various data collected by the IBU through the screening of blood samples that it conducted until around 2015.
 - h. We remain in regular contact with the Austrian criminal authorities. In particular, we have received and are in the process of reviewing further evidence that has recently been added to the Austrian criminal case file.
 - i. We also remain in regular contact with RUSADA, which has continued to be very cooperative in providing relevant information from its files about the previous testing of biathletes.
 - j. Following discussions with RUSADA and the IBU, the Commission has now been granted access (via ADAMS) to the ABP profiles of various biathletes.
 - k. The WADA-accredited laboratories in Cologne and Seibersdorf have been very helpful in providing information requested by the Commission.
3. The Commission is closely monitoring anti-doping developments in cross-country skiing, in particular in light of the ARD documentary on the Austrian cross-country skier Johannes Dürr, and the recent police raids and arrests made at the Nordic Skiing World Championships in Seefeld, Austria, as well as in Germany, to determine whether there might be any connections with biathlon.
4. The steps we have planned next include the following:
- a. The Commission will hold its next in-person meeting in Lausanne on 13 March 2019, to discuss progress to date, and plan next steps.
 - b. Commission member Dr Martin and Commission legal secretary Lauren Pagé will attend the IBU World Cup event in Oslo on 18-20 March 2019, to conduct further witness interviews. They will also hold a Q&A session with biathletes on 19 March 2019 (currently planned for 17.45-18.45). Biathletes (and any other individuals) are also welcome to speak one on one with them if they wish. To arrange such a meeting, biathletes may speak to Clare Egan (Chair of the IBU Athletes Committee) or contact the Commission directly (either through the whistleblower portal or by direct email to the Commission's legal secretary at lauren.page@twobirds.com). Again, confidentiality is assured.

- c. The Commission will continue to collect and review evidence from all available sources. As a priority, the Commission will review the recent updates to the Austrian criminal case file, the documents collected during the visit to the IBU offices, and further evidence recently provided by witnesses.
- d. The Commission will prepare a detailed list of further individuals to interview, including further IBU (current and former) staff, members of the Executive Board and IBU committees, and current and former biathletes.
- e. The Commission intends to contact the Russian Biathlon Union to arrange interviews and gather evidence relevant to the investigation.
- f. As stated in the Commission's second interim report, the Commission will keep under review whether to recommend to the IBU to take any immediate action (e.g. provisional suspensions) against relevant individuals based on the evidence as it becomes available.

Jonathan Taylor QC
Chair, IBU External Review Commission
7 March 2019