



## **McLaren Independent Weightlifting Investigation**

INDEPENDENT INVESTIGATOR REPORT TO  
THE OVERSIGHT AND INTEGRITY COMMISSION  
OF  
INTERNATIONAL WEIGHTLIFTING FEDERATION

4 JUNE 2020

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# Chapter 1: Executive Summary of this Report

## Key Findings

1. Dr. Aján's autocratic authoritarian leadership of the International Weightlifting Federation resulted in a dysfunctional, ineffective oversight of the organisation by the Executive Board, which had an ill-informed understanding of the organisation. This was achieved through various control mechanisms. As a consequence, Dr. Aján disabled anyone other than himself from understanding the overall affairs of the IWF.
2. The foundational control mechanism used by Dr. Aján was the tyranny of cash. Cash collected, cash withdrawn, and cash unaccounted for, which Dr. Aján was the sole collector. The primary sources of this cash were doping fines paid personally to the President and cash withdrawals of large amounts from the IWF's accounts, usually withdrawn before major competitions or IWF congresses. It is absolutely impossible to determine how much of the cash collected or withdrawn was used for legitimate expenses. The McLaren Independent Investigation Team has determined that \$10.4 million USD is unaccounted for.
3. Weightlifting has a history of use of performance enhancing drugs. Over 600 lifters in the past decade have tested positive. While Dr. Aján has impermissibly interfered with the IWF Anti-Doping Commission, the real problem is the culture of doping that

exists in the sport. The investigation uncovered 40 positive Adverse Analytical Findings hidden in the IWF records. This includes gold and silver medalists who have not had their samples dealt with. This information has been passed on to WADA for further investigation.

4. HUNADO is not the cause of doping sample manipulation or hidden results. It has operated in compliance with WADA standards. The investigation found that the procedures followed by Doping Control Officer Barbara Kallo were correct and in accordance with the WADA Code. The source of antidoping issues that have plagued the IWF and sport of weightlifting lie elsewhere. HUNADO and its DCOs are not the cause of the positive testing results or the alleged influence on weightlifters to be tested.
5. The financial records are a jumble of incomplete and inaccurate figures distorted by a failure to accurately record cash expenditures and revenues and disclose hidden bank accounts by Dr. Aján.
6. The two most recent Electoral Congresses were rampant with vote buying for the President and senior level positions of the Executive Board, despite monitoring. Such actions are a fundamental violation of the sport's By-Laws on Disciplinary and Ethics Procedures.

This Report will explain these key findings.

## 1.1 Introduction

On 5 January 2020 the German television network, ARD aired the program “Der Herr de Heber” (The Lord of the Lifters), a documentary film by Hajo Seppelt, Nick Butler and Gritt Hartmann (the “ARD Documentary”). The documentary claimed the leadership of the International Weightlifting Federation (“IWF”), including President Tamás Aján (“Dr. Aján”) participated in or had knowledge of numerous irregularities occurring within the IWF. The allegations related to corruption, financial irregularities, property investment, doping control testing and sample manipulation combined with doping fine payment irregularities. There were also suggestions of favouritism and the deliberate undermining of certain Member Federations accomplished through cronyism and nepotism.

This Chapter contains a summary of the principle outcomes of the investigation conducted by the McLaren Independent Investigation Team (“MIIT”) under the direction of and by the Independent Investigator (“II”) appointed by the IWF’s Executive Board (“EB”) and the Acting President, through the Oversight and Integrity Commission (“O&I Commission”). Background and detailed findings of the investigation are provided in subsequent Chapters of this Report.

This Executive Summary describes the formation of the II and sets out the Terms of Reference and a brief summary of the investigative methodology used. The balance of the

summary sets out the MIIT's key investigative findings in respect of the allegations and the recommendations for reform.

## **1.2 Background on the IWF**

The IWF is the international governing body for the sport of weightlifting as recognised by the International Olympic Committee ("IOC"). It has had a rich and important history in international sports. It is one of the oldest sporting federations, having been founded in 1905 and governs one of the founding sports of the modern Olympic Games, beginning in 1896. The IWF is composed of 192 affiliated National Member Federations worldwide, from five Continents.

## **1.3 Creation and Terms of Reference of the Independent Investigation into the IWF irregularities**

On 22 January 2020 the EB announced the formation of an O&I Commission to oversee an investigation into the allegations arising from the ARD Documentary. The O&I Commission's responsibilities are laid out in the Terms of Reference of the same date and as subsequently revised in mid-March 2020. The EB concurrently suspended the powers of the then President of the IWF, Dr. Aján, for a period of 90 days and appointed Ursula Garza Papandrea to the post of Acting IWF President, with direct oversight responsibility for the investigation. The Terms of Reference for the Acting President included, but were not limited to the following responsibilities:

1.1.8 To IWF Constitution 7.1, the IWF Acting President supervises the IWF Secretariat. [SEP]

[...]

1.1.11 IWF By-law to 4.2 (8), the IWF Acting President will propose the dates and location of any IWF Congress to the IWF Executive Board. [SEP]

1.1.12 IWF By-law to 4.2 (9), the Executive Board will monitor the financial operations of the IWF and advise the Acting President on financial issues.

1.1.13 IWF By-law to 4.2.1.1, points 1, 2, 3, 5, 7, 8, 9, 10, 12 are delegated in full to the IWF Acting President. [SEP]

[...]

1.1.20 IWF Bylaw to 7, point 1, the IWF Secretariat (administrative office) is under the responsibility of the IWF Acting President. [SEP]

[...]

1.1.23 IWF By-law to 11, point 4, the IWF Acting President manages and supervises the activities of the IWF and of the Secretariat that administers the financial activities and keeps the accounts of the IWF. [SEP]

1.1.24. IWF By-law to 11, point 5.3, the IWF Acting President may authorise described expenditure amounts. [SEP]

1.1.25. The IWF Acting President shall, for the avoidance of doubt, be considered the Chair of the IWF Executive Board throughout the mandate and will have the power to call a meeting of said body. [SEP]

1.1.26. The IWF Acting President is obliged to act in a transparent way with the IWF Executive Board, who have the right to request reports of the IWF Acting President at any time. [SEP]

On 31 January 2020 the EB announced the appointment of Professor Richard H. McLaren, O.C., law professor at Western University, Canada; CEO of McLaren Global Sport Solutions Inc.; counsel to McKenzie Lake Lawyers, LLP and long standing Court of Arbitration of Sport (“CAS”) arbitrator, as the Independent Investigator (“II”) to conduct and chair the O&I Commission’s investigation into the allegations against the IWF and Dr. Aján made in the ARD Documentary. To that end, paragraph 1.1.1 of the O&I Commission’s Terms of Reference states that:

[...]to ensure that the IWF fulfils its investigatory obligations under Article 20.3.10 of the World Anti-Doping Code, and its commitment to cooperation with WADA, to appoint a reputable and highly qualified investigator conduct a full and unfettered investigation into all anti-doping, compliance, ethical and other disciplinary matters arising from the ARD documentary and any other related misconduct found as the investigation continues, as well as into any further issues of concern that arise in



*relation to IWF governance or ethical matters within the IWF and/or otherwise in the sport of Weightlifting that are identified in the course of the investigation (together, the **Matters**), in order:*

*(a) to establish all of the relevant facts in relation to the Matters;*  
*(b) to determine whether any person or member or other body that is subject to the jurisdiction of the IWF has a case to answer for breach of their obligations to the IWF in relation to any of the Matters, whether by contract, under the IWF rules and regulations, or otherwise, including but not limited to:*

*(i) determining whether the IWF anti-doping rules and disciplinary rules, as well as all applicable World Anti-Doping Code provisions, have been properly applied, leading to appropriate adjudication and subsequent consequences, or alternatively whether any anti-doping rule violations have been covered up or otherwise improperly handled (by the IWF and/or others);*

*(ii) determining whether any breaches of the IWF code of ethics and/or other rules of conduct have occurred; and*

*(iii) determining whether the alleged financial improprieties are a matter of malpractice.*

*(iv) Determining whether there was at any time, by any person, any arrangement, collusion or otherwise pressure on any anti-doping agency, with specific attention paid to HUNADO, to manipulate the tests of any athlete, or nation.*

*(v) Determining and identifying the full extent of the modus operandi found in respect of doping manipulation and those involved in such activity.*

*(vi) To identify if there is any other evidence or information relating to President Tamas Aján and / or those acting with him, in respect of any of the allegations raised by the ARD television station, or any other form of inappropriate activity.*

*(vii) To advise the IWF whether any person or member or other body has a case to answer for a breach of their obligations to the IWF."*

Dr. Aján, under pressure from the EB, resigned on certain terms from his position on 15 April 2020. The Acting President took certain steps to terminate the employment of various

members of the Secretariat of the IWF and to move the offices of the federation from their current location of Budapest, Hungary to Lausanne, Switzerland.

Working independently as the II, Professor Richard McLaren was supported by a multi-disciplinary team with proven experience in complex investigations, doping violations, the interviewing of witnesses, forensic analysis, financial investigations, antidoping and laboratory regulation and processes. The II's Team was staffed by the Chief Investigator, Martin Dubbey and members of his staff from Harod Associates, including, Alex Miller, Howard Leather and Greg Kitsell; lawyer, Diana Tesic; and forensic financial investigator, Steven Berryman.

Professor McLaren has significant experience in the world of international sports law. Notably, he was a member of WADA's three-person Independent Commission, led by founding WADA President Richard W. Pound, QC, which exposed widespread doping in Russian Athletics and the corruption at the International Association of Athletics Federations ("IAAF"), as it was then known. Following that assignment, he was appointed by WADA as the Independent Person ("IP") to investigate the allegations of state sponsored doping manipulation during the Sochi Games and more generally within Russian sport. Martin Dubbey was the Chief Investigator in the IP work and served in the same capacity in the IWF work. Professor McLaren has extensive experience in many other international investigations related to doping and corruption in Olympic and professional sport.

Throughout the course of his mandate, the II has personally reviewed all evidence gathered by the MIIT.

This Report was prepared from the collective work of the MIIT. The investigation process is outlined and the many significant aspects that were studied and analysed ultimately provide the evidence and background for findings of fact.

#### **1.4 Summary of the Evidence Gathering Process**

Professor McLaren was appointed to lead this investigation to ensure an unbiased and independent examination of the evidence from which this Report was written. The objective was to ensure that all stakeholders could have confidence in the reporting of a careful, thorough and balanced independent assessment of established facts.

Professor McLaren and his team of investigators were given complete autonomy on how to conduct the investigation; what allegations could or should be tested; and the lines of enquiry to be followed. The mandate was not limited to the allegations described in the ARD documentary. It also granted the MIIT the right to approach and provide authorities with relevant information uncovered during the course of the investigation.

The first phase of the investigation consisted of mapping out the elements described in the ARD allegations. The MIIT created its overall investigative framework based on both the ARD allegations and as a result of its own lines of enquiry. The framework included an

unannounced site visit to the IWF offices in Budapest, key witness interviews, evidence collection and various processing protocols. The framework was a living document and was updated as and when new lines of enquiry were added to the investigation.

The MIIT collected, developed and reviewed thousands of documents, emails, laboratory records, Doping Control Officer (“DCO”) official reports, witness statements, recordings, photographs, conducted cyber and forensic analysis of hard drives, and conducted financial forensic analysis of banking and accounting records.

The II produced two interim Reports to the O&I Commission and the EB. Following a request for extension, necessitated by delays arising from the COVID-19 pandemic circumstances, the time period for the II to produce this Report was extended to 135 days.

This Report contains information and evidence that the II considers to be reliable and firmly established. What is stated in this Report is backed by an enormous volume of material reviewed and examined in the investigation, together with over 50 witness interviews of those who voluntarily came forward and spoke with the MIIT investigators.

## **1.5 Witnesses**

The MIIT conducted interviews with individuals who possessed first-hand knowledge or evidence relevant to the investigation. A number of these individuals are confidential witnesses. While the COVID-19 worldwide pandemic shut down movement and

complicated the MIIT's interview process, it quickly became apparent that certain members of the EB and Presidents of Member Federations were frustrating the evidence gathering more so than the ongoing global pandemic. They acted in contradiction of the Terms of Reference, which required full cooperation. The terms of reference were also explicit on the EB's participation in, and cooperation with, the MIIT:

*"2.2.2 Each of the Members of the IWF Executive Board will provide the same cooperation to the investigator.*

*2.2.3 Any failure to provide the cooperation set out above to the investigator, and/or any attempt to hinder or delay the work of the investigator, including (without limitation) any attempt to withhold potentially relevant information, interfere with witnesses or tamper with or destroy potentially relevant information, will be treated as a serious breach of obligations to the IWF. [...]"*

Despite the required cooperation, only two of five Vice-Presidents, excluding the Acting President, came forward. Two out of eight congressionally elected members of the EB and only one of the five Presidents of Continental Federations came forward, one refused when approached.

Even more surprising was that of 20 Member Federation Presidents and/or General Secretaries who were contacted by the MIIT, only four responded and ultimately only one of those provided information of significant value to the investigation. Some Members actively attempted to deceive and frustrate the investigation process. For example, one senior EB member stated that he was unable to speak to the MIIT because he did not have phone service. When it was put to him that this lack of cooperation would be noted in the Report, he produced a written material and provided it to the MIIT one week prior to the release of this Report.

The appetite for Members and stakeholders of the IWF to come forward was practically non-existent. Only one current athlete spoke with the MIIT investigators. The confidential whistleblower hotline established at the outset of the investigation brought limited responses. Mere days before the release of this Report, intelligence of corruption across all levels of the IWF was sent through the hotline. Some of this material has contributed to this Report and other matters will be referred to WADA and the International Testing Agency (“ITA”).

The MIIT recognises that there are forces at work that inhibited some from providing evidence. However, the turnout does not reflect the passion and desire for change that we heard from some who did come forward. There were a surprising number of individuals, including EB members, who refused to speak with us.

### **1.6 The McLaren Independent Investigation Team’s Visit to the IWF’s Offices**

The investigation team visited the offices of the IWF in Budapest, Hungary between 3-6 March 2020. The visit was unannounced to both the IWF Secretariat and Dr. Aján. The MIIT investigators on their visit to the IWF offices encountered an organisation with the legacy of one man in control of every vital function of the organisation and its Secretariat from who total loyalty was expected. The individuals making up the Secretariat did the bidding of the President and were responsive to his every whim and controlled by him on fear of retaliation. The impression of the MIIT is that the Secretariat worked well together

and supported each other in their various duties. The Acting President of the IWF, Ursula Garza Papandrea was present and accompanied the MIIT into the IWF's offices.

What became quickly evident following the onsite arrival was that Dr. Aján remained very much in control of the office and the Secretariat, despite the EB motion suspending his responsibilities for the duration of the investigation. Nearly 45 days after the suspension of Dr. Aján's duties, he was still carrying on with business as usual, running the office, organising an EB meeting and having meetings with the IWF's financial advisor and external auditors, KPMG.

Dr. Aján effectively blocked the Acting President from fulfilling her position, granted to her by the Terms of Reference, which authorised her management and supervision of the activities of the IWF and of the Secretariat. She did not even have a key to the office of the Secretariat until the day before the visit. Despite assurances to the contrary, Dr. Aján did not provide her signatory authority to the Hungarian OTP account as necessary for the effective running of the organisation. Furthermore, he failed to make a full disclosure of bank accounts to the Acting President and to the MIIT. Perhaps the biggest surprise to the Secretariat and Dr. Aján was the instruction of the Acting President to allow for the download of the IWF's servers.

The MIIT would like to thank the IWF's former legal counsel, Eva Nyirfa, current legal counsel, Lilla Sagi and doping administrative assistant, Reka Foldesi for their assistance and displays of integrity throughout the investigation.

## 1.7 Overall Outcomes of the Independent Investigation

The MIIT had an unfettered mandate to follow the information wherever it may have led. Throughout the course of the investigation the MIIT heard of many rumours and allegations that could not be substantiated. The majority of rumours related to doping practices and cover-ups that were occurring in weightlifting as far back as the 1980s. The perception of everyone with whom the MIIT spoke was that the sport was historically mired in problems of illicit doping and financial malpractice.

Consequently, it was decided early on in the investigation that the focus would be on the period between 2009 - 2019. This decision was made for the following reasons. First, the trigger event, which brought in the IWF's financial reforms of the last decade, occurred in 2009. Second, while the investigation has uncovered evidence of doping practices and the subsequent cover-ups thereof in the 1990s and early 2000s, the II notes that a line must be drawn to demarcate where the IWF's past can no longer have a hold over the future. I hope that this report serves as that demarcation. Weightlifting must face its past and move forward, leaving whatever rumors, allegations, facts, and evidence in the past.

Finally, a new era of accountability and doping control management has already begun to take hold within the IWF as a result of the Clean Sport Commission recommendations in 2018. In 2019, the entire IWF Anti-Doping Control Program was outsourced to the ITA. Most recently, the adjudication of first instance cases as a result of an alleged Anti-Doping Rule Violation ("ADRV") have now been delegated to the Court of Arbitration of Sport Anti-



Doping Division. These changes demonstrate a sport willing to move forward, freeing itself of its conflicts of interest and introducing transparent and trustworthy processes. The following recommendations serve to bolster the momentum that has already begun to reform an organisation whose reputation has been severely and adversely affected by the actions of a single individual.

As the investigation progressed, the MIIT became aware of activities that demonstrated possible criminal conduct, with millions in cash unaccounted for and not entered in the books of the IWF. The MIIT however, has reported separately, on a strictly confidential basis, to the O&I Commission on these matters. A further report may follow in due course. A report of findings in respect of antidoping controls will be filed with WADA and ITA, where appropriate.

The ARD documentary presented specific allegations regarding the testing of the 2019 Weightlifting World Championships held in Thailand. As of 2019, the IWF has outsourced its Anti-Doping Control Program to the ITA in Lausanne, Switzerland. It was the ITA who prepared the Test Distribution Plan and acted as the Testing Authority for the event. At the outset of the investigation, the MIIT established an agreement with Ben Cohen, the Director of the ITA that it would undertake the investigation of this event, given that the IWF did not have administrative control over their Anti-Doping Control Program during the event. The ITA also agreed to investigate the matters relating to the allegations of swapping of samples of Moldovan athletes as referred to in the ARD Documentary. Mr. Cohen provided

an update to the II on 2 June 2020 and indicated that their investigation is incomplete and still ongoing.

The MIIT has identified certain additional suspicious events and has recommended further follow-up and investigation by the IWF.

There was a complete lack of oversight into the finances of the organisation, which allowed for the possible effortless flight of capital from the IWF's bank accounts for impermissible purposes. There are inadequate checks and balances, and those that do exist were not enforced.

The IWF is an organisation in need of resuscitation and fundamental foundational restoration. It has been held together for nearly 45 years by the iron grasp of Dr. Aján, one of the longest serving sports federation presidents. Failure for the organisation to act on the II's recommendations has the potential to cause irreparable harm to an organisation facing constitutional, governance and membership challenges as a result of his reign. Considerable progress has already been made on restoring the IWF's poor image of rampant doping. While the important step of separating the antidoping administration from the organisation has occurred, it will likely be the least of the uncomfortable realities the IWF must face.

The control exerted by Dr. Aján was absolute and infamous. At a macro level, he manipulated the EB, Member Federations and staff to acquiesce whatever authority they

may have been able to exert in their respective roles. The either tacit acceptance or willful blindness to Dr. Aján's methods of control has exposed systemic governance failures at the highest levels of the IWF. Those who challenged him were punished or bullied. Any conduct at the highest levels of a federation that permits the rule by fear, deception and corruption to satisfy personal desires, acts to the detriment of the sport's key stakeholders: the athletes.

## **1.8 Recommendations**

**Arising out of the work of the MIIT are these recommendations, which are tied to the work we undertook. They are divided into two categories: Immediate Action on release of the Report and Overall recommendations.**

### **A. IMMEDIATE ACTION**

- 1. Conduct a full-scale independent forensic audit of the last ten fiscal years, including information uncovered in this investigation and with full access to all accounts. In this regard, an immediate examination of the books and records held in two "safe" cupboards in the Budapest office discovered 2 weeks ago.**
- 2. Alter the method of voting at the upcoming Electoral Congress and ensure effective oversight of the process.**
- 3. Change all email passwords used by everyone in IWF.**
- 4. Do not permit any cash payment of antidoping fines or sums over \$500 USD.**
- 5. Any payment of necessity paid or received in cash must be accompanied by a serial sequentially numbered receipt signed by the recipient. The receipt**

- must be saved to create an audit trail. Two people must witness the receipt, movement and banking of cash funds.
6. All cash received to be immediately deposited in the designated bank account with only a small float maintained in the office for incidental expenses.
  7. The closure of all bank accounts in Budapest banks.
  8. Joint signatures must be put in place and complied with on all bank accounts to be opened or remaining in use.
  9. Hire a full-time financial accountant reporting to a revitalized General Secretary Treasurer position.
  10. Review and reform the financial powers of the President.
  11. Implement professional electronic accounting software.
  12. Takeover and continue the operation of the independent whistleblower hotline established by the MIIT.

## **B. OVERALL RECOMMENDATIONS**

### **i. Constitutional Reform**

1. Redraft IWF Constitution to reduce the number of members of the Executive Board (“EB”) and make it the central legislative body, instead of the Congress, and pass By-Laws based on these recommendations.
2. Congress reviews all actions of the EB but only has legislative powers in respect of finances and antidoping. All other legislative powers to EB.
3. Only one half the EB is elected at each Electoral Congress, thereby necessitating an Electoral Congress every two years. Serve a maximum of 2 terms.
4. EB members to be suspended from their EB position if their National Federation is sanctioned for doping violations.

5. **Publicize a reformed IWF Constitution and By-Laws once the initial recommendations have been implemented to establish renewed trust in the new management and administration.**
6. **Proportional representation on the EB approximating the gender breakdown of the sport.**
7. **Reform the constitution to reserve one seat on the EB for a currently active Athlete.**
8. **Provide for an Integrity Officer with sufficient budget to oversee the IWF's operations.**
9. **Accounts and balances to be updated quarterly to the EB.**
10. **Include in the Constitution a position of Director General and define the role and responsibilities.**

## **ii. Electoral Reform**

1. **Examine one vote for each country voting, with a view to the use of a weighted voting system.**
2. **The Integrity Officer to have sufficient budget to have effective oversight of elections at Electoral Congresses. Establish independent oversight protocols in respect of election monitoring and control.**
3. **Elections to be monitored by independent scrutineers selected by the Integrity Officer.**
4. **Establish a committee responsible to process applications for election of all Vice-Presidents and senior positions in the IWF. Nominees be required to declare business and property interests and how they are funded. Each candidate's suitability to be an electoral candidate to be examined by the Integrity Officer. The committee to obtain a confidential personal report from the Integrity Officer before a candidate can be nominated by the committee for the stated electoral positions.**
5. **All first time elected EB members to undergo EB education training program and IWF orientation and attend a director's education program organised and developed for the IWF. The object of the education to demonstrate the division between a director as policy maker and the management of the operation, which is a function of the full-time paid staff.**

6. **Establish and implement yearly training modules on matters of corruption, bribery, and conflict of interest.**

### **iii. Financial Reform**

1. **Reform Constitution to require General Secretary Treasurer financial oversight. General Secretary Treasurer responsible for the development and use of Budget for major competitions.**
2. **Where possible, the General Secretary Treasurer should be co-located with the Secretariat who is responsible for the administration of the finances.**
3. **Financial responsibilities should be removed from the President and vested in the Director General of the organisation.**
4. **Establish an Investment Management Committee to oversee investments with power to hire, review and terminate the financial managers. Report annually to the General Secretary Treasurer and the EB.**
5. **Establish an internal audit committee reporting to the Director General to conduct an internal audit prior to the external audit.**
6. **All new sponsorship and broadcasting contracts to be analysed and agreed by the EB in advance of implementation or renewal.**
7. **Payments to EB members and others receiving attendance fees by wire and total for each individual published on the IWF website annually.**

### **iv. Governance Reform**

8. **Term limits to two quadrennial periods for all positions (refer to Constitutional reform point 3). Consider age limits for all EB members.**
9. **Integrity Officer to conduct due diligence of all EB members to ensure they meet established qualification criteria. Investigate and review background of those running for election in senior EB positions.**

- 10. Review and revise the Code of Ethics; Disciplinary Code; and Conflicts of Interest Policy to be more comprehensive and oversee the observance of the same by the Director General and Integrity Officer.**
- 11. Establish Integrity Officer with powers to investigate disciplinary code violations and recommend appropriate sanction.**
- 12. Establish an external independent adjudicative body to hear disputes over the Code of Ethics; Disciplinary Code and Conflicts of Interest with appeal to CAS.**
- 13. Adopt the independently operated and monitored confidential whistleblower hotline established by the MIIT to inspire confidence in the system. Allegations of malpractice, where appropriate, to be independently investigated by the Integrity Officer.**
- 14. Redesign the IWF website to be a more effective communication vehicle to promote an open and transparent organisation.**
- 15. Develop a nepotism policy.**

#### **v. Anti-Doping Control Reform**

**The outsourcing of the administration and application of the Anti-Doping Control Program to the International Testing Agency including results management and first instance adjudication by the Court of Arbitration for Sport leaves little for the IWF to do.**

- 16. Proscribe the relationship of the Independent Member Federation Sanctions Panel to the outsourced Anti-Doping Control Program administered by the International Testing Agency. Decisions of the Independent Member Federation Sanctions Panel to be determined by the internal first instance adjudicative panel of the IWF.**
- 17. The role of the Anti-Doping Commission to be revised and described differently in the Constitution. The role is now one of monitoring and reviewing on an annual basis the outsourced actions of the ITA to ensure full compliance with the WADA Code. Provide an annual report to the Executive Board on the outsourced institution's performance. Monitor and respond expeditiously to Member Federation complaints regarding the IWF Anti-Doping Control Program.**

## Chapter 2: The Dr. Aján Presidency

### 2.1 Constitutional Structure & Hierarchy of IWF

The supreme legislative body of the IWF is the Congress (see the attached organisational chart.) The Constitution provides that Member Federations, in their capacity as members of the Congress, oversee the IWF, elect the President and members of the IWF Executive Board (“EB”), supervise the day-to-day operations of the IWF and may issue binding decisions.

The Congress holds annual meetings where it must approve the annual reports on the activities of the President, the General Secretary Treasurer, the Committees, the Commissions and the IWF’s Annual Financial Report. The Congress also holds elections for certain positions in the IWF. Between annual Congresses the affairs of the IWF are managed by the EB through the Secretariat.

Electoral Congresses take place quadrennially, in the year following the Summer Olympic Games and are preceded by the regular Annual Congress. Only Full Members who have paid their membership fee for the year by the end of March may participate or vote at the Congress.<sup>1</sup> At the Congress all members vote by secret ballot for the election of the EB,<sup>2</sup> and seven (out of a total of ten) members of each Committee.<sup>3</sup> The term of all elected and

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<sup>1</sup> IWF Constitution 4.1.4. A requirement not always fulfilled and applied in reality.

<sup>2</sup> Except for the 5 Continental Federations Presidents who are *ex officio* members with full voting rights.

<sup>3</sup> IWF Constitution 8.1.2.



non-elected officials is four years, unless it concludes earlier due to resignation or expulsion as decided by the Congress upon proposal of the EB.

Between annual meetings of the Congress, the daily affairs of the IWF are vested in the EB, the operational decision-making body that governs the IWF. The EB may adopt or modify the By-Laws, the Anti-Doping Policy and the Technical and Competition Rules & Regulations. The EB also participates in financial decisions by monitoring the financial operations of the IWF, considering financial reports, participating in decisions involving economic deliberations and advising the President on financial issues. The EB also functions as a disciplinary body and is responsible for determining penalties and sanctions for breaches of the IWF's policies and regulations, which includes its Anti-Doping Program.

Three Committees work under the IWF EB.<sup>4</sup> Each Committee consists of ten elected members, seven of which are elected by the Congress and three of which are elected by the EB. The Chairperson of each Committee is appointed by the EB upon nomination of the President. These Committees research and develop policies and advise the EB and Congress with respect to their areas of expertise.

Similar to Committees, Commissions are responsible for discrete areas that are of importance to the IWF and the sport of weightlifting. They research, develop policies,

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<sup>4</sup> The Technical Committee is responsible for studying, analysing, monitoring and developing all Technical and Competition Rules related issues of the sport of weightlifting. The Coaching and Research Committee is responsible for overseeing the content and implementation of the IWF Coach Licensing program. The Medical Committee is tasked with safeguarding the health of the athletes involved in the sport of weightlifting, including monitoring the implementation of the IWF Anti-Doping Policy.

oversee IWF competitions and events and advise the decision-making bodies of the IWF with respect to their areas of expertise. However, unlike the Committees, Commissions are not elected. They are established and staffed upon proposal of the President and approval by the EB.

The President does not derive his power from the Constitution but rather through the By-Laws enacted under the Constitution. The By-Laws provide for the President to chair the EB, oversee the IWF's activities and to be the IWF's representative at major weightlifting and international sporting events. The President also holds certain powers over some of the institutions, as an *ex officio* member of all IWF Committees or as a consultative overseer of the Congress.

Much of the President's power is exercised through the office of the Secretariat, which falls under the sole responsibility and authority of the President. The President may staff the Secretariat at his discretion in order to fulfill its duties and has the power to assign each Commission with a Coordinator from the IWF Secretariat. For example, the Anti-Doping Commission Coordinator is the IWF's Legal Counsel.

The Constitution and By-Laws provide that both the President and General Secretary Treasurer have authority over the finances of the IWF, including the signing of financial documents. Both positions are authorized to enter into agreements with third parties on behalf of the IWF. The President however has exclusive authority over the Secretariat, who administers the federation's financial activities and accounts.

Like most organisations, the legal structure established by the Constitution does not conform to the organisation's actual operations and hierarchy. The IWF's Constitution is to a great extent a façade of proper legal structure and operating rules. The reality is that the power in the IWF was usurped by Dr. Aján and executed through the Secretariat, with all staff thereof being personally appointed by the President. He was able to establish an operating methodology that enabled absolute authoritarian rule through manipulation of the Constitution by use of intimidation, fear and retaliation. As a result, the constitutional structure was warped into one that enabled his sole control. How that process was accomplished is explained below. Ultimately, the President was able to consolidate his power through the use of fear-based and retaliatory measures against both Member Federations and his own staff, and to keep this power through manipulated and predetermined elections.

## **2.2 A Half-Century of Unfettered Autonomous Control**

Dr. Aján joined the 115-year-old IWF a half century ago. After an early career as a physical education teacher and lawyer, he served as the General Secretary of the organization from 1975 through 2000. At this time Dr. Aján was elected President, and he occupied that position until his resignation in April 2020.

In the more than two decades prior to his election he was *de facto* President without the title. His influence as General Secretary is demonstrated by his moving the IWF's

headquarters from Austria to Budapest in 1982, despite the fact that the then President was Austrian. Through the years 1989 to 2005 he also served as the General Secretary of the Hungarian Olympic Committee. He was a member of the International Olympic Committee (“IOC”) until 2010 after which he became an Honourary Member of the IOC until he resigned his membership on 5 March 2020, conveniently precluding him from being investigated by the IOC Ethics Commission. Since 1999, he has been a founding member of WADA and a member of the WADA Foundation Board until 2018.

At the time Dr. Aján joined the IWF, weightlifting had been primarily a European sport that was dominated by the USSR. It therefore had a strong influence over the IWF. Hungary was under Soviet control up until the fall of the Iron Curtain in 1991. The 30-year period before ascending to the presidency in 2000 is the crucible in which Dr. Aján developed his management style and assertion of total control over all the affairs of the IWF. The authoritarian management techniques Dr. Aján learned during the era of the USSR can be found to this day in his management style while operating the organization. The relationships that evolved between Dr. Aján and the sports administrators of the former Soviet Republics became his forged alliances and enabled him to exert dominance over the IWF when he stood for the Presidency in 2000 and changed his *de facto* presidency into reality.

After the collapse of the Soviet era at the beginning of the 1990’s, the IOC blossomed, enriched by television revenues and contracts, which enabled it to provide significant financial support to its members. Upon Dr. Aján’s election as President of the IWF, the

financial resources of the IWF were growing, attributable in most part to the support by the IOC. He used his authoritarian ways to take advantage of these new sources of revenue and gain greater control of the organization and structure of the IWF. This control of the organisation continued to the time of the appointment of the Independent Investigator (the “II”) by the IWF’s Oversight & Investigation Committee (“O&I Committee”) in February 2020.

Dr. Aján controlled the IWF’s Member Federations by patronage, reward and punishment using different types of manipulative controls, which guaranteed his 20-year tenure as President. His management style involved limiting the information provided to members of the EB, who operated as a passive stamp of approval of his management, while never being properly informed of what was going on within the IWF organization. Dr. Aján would generously reward Member Federations that supported him and any defiance against Dr. Aján’s position would be met with a near instantaneous rebuke that could in turn have lasting consequences.

Anti-doping control procedures were one of several mechanisms used to consolidate and hold onto his tight control over the IWF. At a macro level it served as one of the control mechanisms. Anti-doping fines, being part of the rules of clean sport in the IWF, provided a convenient pool of cash resources that greased the wheels of consolidating the power structure and enabled the President’s largess during the period examined by the McLaren Independent Investigation Team (“MIIT”). Finally, Dr. Aján used the IWF Electoral Congresses to strengthen his support base and power by distributing the IWF’s cash

resources to Member Federations that promised to vote for him. This ensured his continuing position of power as the President, while poisoning the relations of members of the EB and causing the Board's paralysis in overseeing the organisation.

### **2.3 Presidential Coercion**

Dr. Aján ran the IWF as if it was his own personal fiefdom or private company over which he had absolute control. He made all the top-level decisions, staffed the IWF Secretariat with Hungarian nationals and promoted his son-in-law, Atilla Adamfi ("Mr. Adamfi"), to Director General in 2014. The family circle was a tight one. The very loyal and hardworking Secretariat, on the direction of Mr. Adamfi, would efficiently and effectively administer all of the day-to-day operations of the IWF and execute the decisions of the President when required.

Throughout his presidency, Dr. Aján consolidated and kept his grip on the IWF through a variety of carefully crafted mechanisms. These ranged from:

- (i) bought elections to remain in power;
- (ii) complete financial control of the organisation and its accompanying bank accounts and records including cash deposits and withdrawals;
- (iii) use of administrative powers allowing for the exclusive staffing of the IWF Secretariat; and
- (iv) infiltration of the confidential Anti-Doping Commission.

The discussion that follows describes in greater detail the power controls and administrative tools the President used to enable the operation of the IWF as if it were his own private corporation.

### **i. Cash Control**

The MIIT analysed the cash receipts issued by the organisation during the period of 2009 - 2019 in respect of doping fines, competition and membership fees and multiple other forms of income, such as large cash payments that were often made by sponsors at IWF events to honour their contracts. The process of issuing receipts and collecting cash is dependent upon the accuracy and honesty of the President.

All of these sources of cash were primarily collected by Dr. Aján. He was the only person who controlled the receipts and deposits of cash payments into and out of the IWF's bank accounts. He also withdrew significant cash<sup>5</sup> amounts from the OTP Bank and MKB accounts. Based upon interviews and records reviewed from 2009 through 2019, the investigation reveals that these cash activities totaled approximately \$27.8 Million USD.<sup>6</sup> From this total, the McLaren Independent Investigation Team ("MIIT") have made adjustments to account for Dr. Aján paying out cash at events, and deposits of cash to various IWF bank accounts for example, resulting in a deduction of \$17.4 Million USD from the indicated total amount above.

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<sup>5</sup> In various currencies (USD, Euros, HUF, GBP).

<sup>6</sup> While a vast majority of the cash transactions occurred in US Dollars, cash transactions were also performed in EUR, GBP, and HUF currencies. All calculations were converted to USD based upon historic per day currency exchange rates.

Based on the available records, the MIIT established that approximately \$10.4 Million USD is unaccounted for. The individual reports of the MIIT investigators have been turned over as part of a confidential package of reports to the O&I Commission. The use and abuse of cash is discussed more fully in the next Chapter.

## **ii. Redundant Treasurer**

The Constitution provides that along with the President, the General Secretary Treasurer holds a position of power and influence over the affairs of the IWF and the dual role of administrator and financial overseer of the organisation. The reality was that the two persons who occupied the General Secretary Treasurer position during Dr. Aján's presidency were deliberately chosen by him because he knew that their limitations, be it knowledge of the English language or administrative abilities, would cause them to be ineffective in their role. Thereby continuing his iron grip with little to no interference from the General Secretary Treasurer. As a result, Dr. Aján was able to further curtail the General Secretary Treasurer's authority. For example, the General Secretary Treasurer's financial oversight and reporting role as Treasurer was made superfluous by the President being the only signatory to the IWF's operating account at the OTP Bank, according to all witnesses interviewed by the MIIT.

This exercise of authority is contrary to EB motions regarding extraordinary expenditures above \$50,000 USD requiring two signatories. The two individuals who held the office of



the General Secretary Treasurer during 2009 - 2019 did however sign as dual signatories of the IWF's Swiss account, ostensibly signing bank payment authorisations without completely knowing or understanding the real purpose behind them. The MIIT accepts that there were certainly proper reasons for the bank payments, for example to cover the expenses of running the federation and costs associated with antidoping efforts. However, neither of the former or current General Secretary Treasurers had any insight or knowledge of what occurred following receipt of the wires that they signed for. Thus, the banking affairs of the IWF were effectively in the exclusive control of the Dr. Aján. There was no one in the organisation other than Dr. Aján who reviewed the banking records and had absolute control over the bank accounts and records. This form of autonomous financial control exerted by him further strengthened his powers.

### **iii. Exclusive Financial Control**

Dr. Aján's influence likewise extended to his stewardship of the IWF's financial resources. Given his sole-signatory status of the IWF's operating account at the OTP Bank, he was, with very rare exception, the only person who made cash deposits or withdrawals to and from that account. He also kept secret the existence of certain bank accounts and their use or purpose. To illustrate, during the MIIT's interviews of the IWF Secretariat, the EB, and the IWF's financial advisor and auditors, none of these individuals were aware of any further IWF bank accounts other than initially the UBS and subsequently UBP Banks in Switzerland, and the operating account at the OTP Bank in Hungary. Even the IWF's dedicated part-time bookkeeper when asked about the IWF accounts at MKB, for whatever

reason, was unwilling to discuss the MKB accounts with the MIIT. The part-time bookkeeper admitted that the official IWF financial records kept by her did not include the financial transactions that occurred within the MKB accounts.

In addition to the MKB accounts, the investigation also uncovered a second US Dollar account at the OTP Bank, named Vilag Kupa.<sup>7</sup> This account was also not disclosed to the MIIT. Several requests were made of the IWF to provide the bank statements for this account, which remain outstanding.

The annual reporting of finances is thus severely incomplete and factually misrepresented. The bookkeeper's records form the basis of the internal financial statement prepared by the financial advisor, and those records do not include any transactions from either the Vilag Kupa or MKB accounts. These flawed financial statements are subsequently reviewed by the external auditors and form the basis of their annual opinion on the IWF financial accounting, complying with Swiss law. Therefore, the EB, the IWF's General Secretary Treasurer, the external financial advisor, and its external auditors were unaware of the banking activities and transactions occurring in either the IWF accounts at MKB; or the IWF Vilag Kupa account at OTP (see Chapter 3 for the discussion on the IWF's finances).

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<sup>7</sup> There also exists a Vilag Kupa Euro account.

#### **iv. EB Approval Without Questions**

Dr. Aján also used his administrative organisational powers to exert his control over the IWF. He took the opportunity to appoint people to roles in the organisation as a method of administrative oversight and organisational control. For example, nowhere in the Constitution is there a position of Director General. The President created the post in 2014. He had the EB vote to establish the position and named his son-in-law, Mr. Adamfi, as the first Director General. Similarly, Patrick Schamasch was appointed in 2013 as the Chair of the Anti-Doping Commission. The President was very well acquainted with Dr. Schamasch through their respective roles in the IOC. However, no matter how trusted each of these two men may have been in their roles, their duties and responsibilities were deliberately siloed, inhibiting their ability to have a comprehensive oversight of the IWF. Indeed, the same management style was exerted over the appointments to the Secretariat. The consequence was that only Dr. Aján had a full overview of the operations of the organisation.

#### **v. Cash for votes: Rigging Electoral Congresses**

Dr. Aján is frequently described as a clever person and a seasoned political operative. He was a successful candidate for IWF Presidency every four years since 2000. His successful tenure however has not been the result of a fair or democratic process. To have and maintain a strong power base and control of the administrative hierarchy, Dr. Aján had to ensure his own re-election to the office of President, together with the election of his favoured candidates to the senior positions of influence within the IWF. His re-election was

assured through his supporters causing the manipulation of the results in the Electoral Congresses.

The election results for the office of President and including the positions of the General Secretary Treasurer, 1<sup>st</sup> Vice President and five Vice Presidents were predetermined before any ballot was ever completed. Dr. Aján bent the voting rules in the IWF's Constitution, permitting bribery, exchanged favours, and lavished his supporters with material experiences to ensure his Presidency (see Chapter 4 for a full description of this topic). What follows is a summary overview of this election control mechanism of Dr. Aján designed to ensure maximum administrative and organisational controls.

The event that set the wheels in motion for the successful re-election as the President was the Annual Congress, held in advance of the Electoral Congress. Dr. Aján used the Annual Congress to build his allegiances by accepting late membership payments in cash or not demanding the same, in contravention of the IWF Constitution.<sup>8</sup> In some instances, those who organised the Electoral Congress would be assured of receiving an EB position. The MIIT has uncovered this pattern took that place in at least the two most recent Electoral Congresses, in Moscow 2013 and Bangkok 2017.<sup>9</sup>

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<sup>8</sup> See IWF Article 2. Only Full Members who have paid their membership fees in advance of the March 31<sup>st</sup> of an election year may vote. The annual Congresses occurred in all three, 2009, 2013 and 2017 electoral congresses following March 31.

<sup>9</sup> Though Dr. Aján ran for president unopposed in 2009, there is evidence that Aján bought votes during the 2009 Electoral Congress in Madrid for the election of his favoured candidates to the Executive Board.

## vi. The Presidentially Anointed Executive Board

Dr. Aján strategically and personally selected the senior members to the EB who helped him maintain his power. Without enquiry, the EB approved his management decisions and provided little resistance to his control over the EB and the organisation. These individuals were typically “corrupt persons or status seekers” who were happy to provide him a *quid pro quo* or were completely unaware of what the President was trying to accomplish.<sup>10</sup> See Chapter 4 for a detailed description how Dr. Aján ensured that his preferred candidates would receive the votes necessary to be voted into the EB.

If any of his chosen EB members started to drift out of line, he would warn them with threats. In one historical instance, he stated to a confidential witness that he could turn their athletes’ samples “dirty,” and in another instance he declared to Nicu Vlad, President of the Romanian Weightlifting Federation “do not forget, next time we must decide the countries inside the Olympic games or outside, we will decide who will be in Tokyo and who will not;” a veiled threat that the Romanian Federation may not make it to the Olympics. These warning messages aimed at EB members were control mechanisms to ensure a compliant EB (see the Chapter 5 on Doping).

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<sup>10</sup> The President of a Member Federation described how Dr Aján had a former General Secretary of the federation voted in as one of the Vice Presidents of the IWF. He took advantage of his lack of understanding of the English language by this individual and knowledge of the inner working of the IWF. As a consequence, on individual on several occasions voted as Dr Aján had instructed and, unknowingly, against the interests of his federation.

## **vii. The IWF's Secretariat**

The President has absolute constitutional authority to staff the offices of the Secretariat as he sees fit to fulfill the duties of the IWF. Since 1982, when Dr. Aján moved the office from Austria to Budapest while acting as General Secretary, he staffed the Budapest office of the Secretariat exclusively with Hungarian nationals. Dr. Aján had complete control and power over everyone who worked in the offices of the IWF in Budapest, and they did his bidding.

Since 2014, during the day-to day operations, the Secretariat answered to Mr. Adamfi who was brought on by Dr. Aján to run the sport as the Director General. He is a typical sports bureaucrat running the day-to-day operations of the IWF which include the coordination of the different departments, executing the EB decisions, managing the daily operation of the Federation, and liaising with the IOC's organising committees, technical committees, and sport commission. Prior to his role as Director General, he was the competition and technical director of the IWF. The Anointed EB allowed the appointment despite the position not existing in the Constitution and the obvious issues of nepotism.

As Director General, the Secretariat reported directly to Mr. Adamfi, causing the General Secretary Treasurer to have a diminished position of authority and control over the Secretariat. Interviews with various members of the EB and Secretariat reveal that Mr. Adamfi is the effective day-to-day 'active president'.

Second to Mr. Adamfi was Aniko Nemeth-Mora, the Director of International Relations. She was Dr. Aján's first hire and has remained loyal to him ever since. Other than the duties

associated with her title, she executes the decisions of the President, and functions as the equivalent of corporate secretary of the organisation. She is present at all EB meetings, which are recorded and transformed by her into written minutes.<sup>11</sup>

### **viii. Cash from Doping Fines**

In 2005, the IWF adopted new rules in its Anti-Doping Program that imposed fines on Member Federations for multiple positive doping results in an effort to provide a disincentive to potential dopers. From 2005 until the rule change in 2017, fines were the primary method of sanctioning a Member Federation for doping, and the President collected large sums of cash from these fines. After 2017, Member Federations essentially lost their ability to “buy” their way out of a sanction and now had to serve a mandatory period of suspension in addition to payment of a fine. Fines however could be negotiated, and sanctions could be suspended or delayed for favoured countries (see the discussion on doping fines in Chapter 5).

## **2.4 Infiltration of the Anti-Doping Control Program**

The President appointed the IWF’s first internal Legal Counsel in 2005. This person also held the position of Anti-Doping Coordinator. In that capacity, she would assist the Anti-Doping Commission with the performance of the IWF’s Anti-Doping Program. This included

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<sup>11</sup> Witnesses have described how minutes of meetings have been altered after the fact to suit Dr. Aján’s position, making it appear that the EB had in fact agreed to whatever he was proposing, when in fact the original minutes show no acceptance by the EB.

developing the Test Distribution Plan (“TDP”), the International Registered Testing Pool (“IRTP”), the results-management of Anti-Doping Rule Violation (“ADRV”) cases and functioning as first instance adjudicator.

In the time period investigated by the MIIT, Dr. Aján had open access to what is supposed to be a confidential Anti-Doping Program. As more fully detailed in Chapter 5, during the 1980s and 90s each individual international sport federation (“IF”) recognised by the IOC managed their own antidoping program with their own respective rules. That era was the incubator that enabled Dr. Aján to bring the IWF Anti-Doping Program within in his sphere of influence as a part of his overall control of the organisational structure.

With the introduction of the WADA Code, the world’s first harmonised code on the control of Performance Enhancing Drugs (“PEDs”), the era of doping controls being administered by individual sport federations ended. The WADA Code came into full effect at the outset of the 2004 Olympic Games in Athens. A different era of doping control emerged with a new independent international institution to champion the cause of clean sport worldwide.

Like all IFs, the antidoping control procedures of the IWF changed to accommodate: (i) the harmonised world-wide code with its list of PEDs; (ii) the harmonised worldwide sanctions for violation of the code; and (iii) the structure to support the code through WADA accredited laboratories. As the institution of WADA evolved, it required the IWF to change its methods of antidoping. The strengthening of WADA triggered Dr. Aján’s lesser involvement in the micro administration of the IWF’s Anti-Doping Program and resulted in

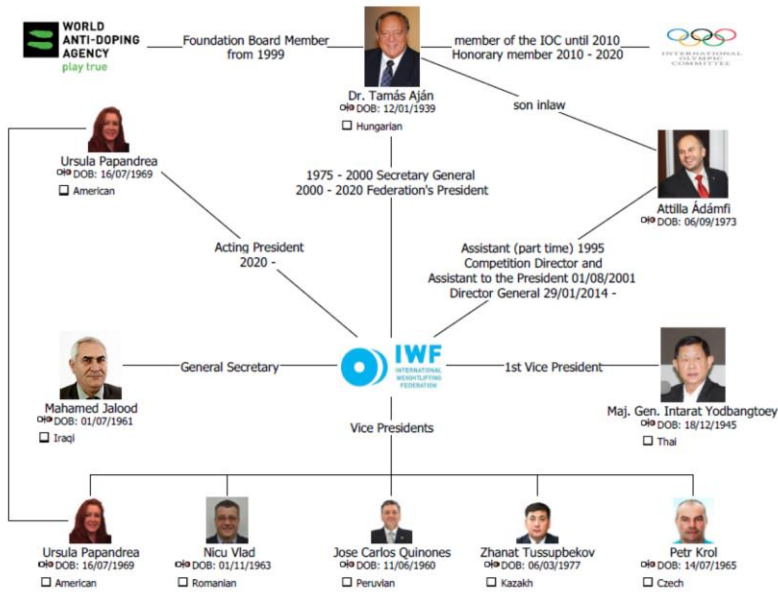


a more macro level of infiltration. While he had to accept certain external oversight, he maintained access to IWF's confidential antidoping department.

As WADA developed as an international regulatory body, a new set of evolving manipulations had to put in place to support the power and control of Dr. Aján. To achieve this end the President would manipulate Member Federations through fear, bluffs and bravado. While Dr. Aján's reach over antidoping had considerably diminished with the onset of the WADA Code, the legend of his control and manipulations kept his Member Federations in fear. Dr. Aján would often stoke the embers of his own legend, for example, by saying he could turn dirty samples clean and clean samples dirty, to ensure his Member Federations stayed loyal and in line.

## **2.5 Conclusion**

The extent to which the President used and abused his powers granted to his office or secured by him is the subject of the following Chapters.



**IWF Executive Board members**

 DOB: 24/08/1949 British	 DOB: 30/06/1968 Finnish	 DOB: 13/10/1971 Greek	 DOB: 29/01/1956 Indian	 DOB: 13/05/1970 Russian	 DOB: 13/09/1970 Uzbek	 DOB: 27/07/1964 Egyptian	 DOB: 24/08/1958 Ecuadorian
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**Presidents of Continental Federations**

 Asia Qatari	 Europe Italian	 Oceania Nauruan	 Pan-America Dominican	 Africa Libyan
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**IWF Anti-Doping Commission**

 Chairman British	 Former Chairman French	 Tunisian	 Cypriot
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## **Chapter 3: The Hijacking of Financial Control**

### **3.1 Introduction**

The McLaren Independent Investigative Team (“MIIT”) has reviewed the financial records provided by the IWF or otherwise obtained by the MIIT. Based on the information available at this time, we conclude that \$10.4 million USD appears to be unaccounted for from the IWF accounts.

### **3.2 Background and Constitutional Financial Framework**

The IWF’s Constitution provides the framework for the management of the Federation’s finances. At its core, it dictates that the goal of all financial operations must be for the ultimate benefit of the sport of weightlifting and the IWF’s Member Federations. It imposes the guiding principles of accuracy, transparency, and accountability on all officers, officials or other parties involved in the financial management and operations of the IWF.<sup>12</sup>

Significant changes occurred to the IWF’s constitutional financial framework in 2009. Historically and under the Constitution currently in place, the very apex of financial control and monitoring is supposed to be the Executive Board (“EB”). It holds the absolute authority to decide on all matters concerning the sport of weightlifting, including financial matters.<sup>13</sup> The EB is required by the Constitution to approve the Budget<sup>14</sup>, monitor the

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<sup>12</sup> By-Law to 11 (1.1).

<sup>13</sup> By-Law to 4.2 (1).

<sup>14</sup> By-Law to 11 (2.2).

financial operations of the IWF, consider the Financial Reports, and participate in decisions involving economic deliberations; as well as advise the President on financial issues.<sup>15</sup>

Under the Constitution that existed in 2009 and earlier, the President had sole responsibility to manage, supervise, and decide on the financial and business activities of the IWF. That version of the Constitution also provided for an Internal Auditors Committee (“IAC”) whose three elected members required “relevant experience in bookkeeping, finance or economics”. The IAC was responsible for performing an audit on the IWF accounts and presenting a yearly report to the EB and Congress.<sup>16</sup> Noticeably absent from those earlier audit reports and audited financial statements pre-2009 were any degree of professionalism or transparency. According to a confidential witness, the yearly “audit” consisted of the IAC going to Budapest, collecting 100 dollars or a bottle of whiskey and Dr. Aján would say *“Here you are, here are the books. Sign them and we go to dinner.”*

In 2009, a watershed incident triggered a constitutional overhaul of the financial framework. The Congress elected three financially competent members to the IAC, who were interested in conducting a proper audit. This new IAC did not perform the traditionally lax audit process with Dr. Aján. Instead, they requested documents, supplementary information and even invited a professional accountant to assist them in completing the audit. All of these requests were either denied or severely hampered by Dr.

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<sup>15</sup> In accordance with Article 11 and By-Law to 4.2 (9).

<sup>16</sup> IWF 2009 Constitution, Article 8.5.

Aján. Their eventual audit report alleged that there were poor accounting practices, undisclosed bank accounts and that the IWF was missing millions of dollars.

The uproar caused by these revelations brought about apparent constitutional reform. Dr. Aján moved to dissolve the IAC and install an external professional auditor and a financial advisor. Constitutional reform provided for the EB to have oversight of all audits of the Federation's financial operations.<sup>17</sup> The difficulty was that despite the changes to the Constitution and By-Laws, Dr. Aján continued on as he had in the past. He did abolish the IAC. The external professional auditor and financial advisor were persons selected by Dr. Aján, who had demanded and received the tacit approval of the EB for their appointment.

As these changes were being introduced by Dr. Aján, the newly elected General Secretary Treasurer, Wenguang Ma, submitted to the EB that the *"EB power and financial management is under one person's power, while this should be separated."* As a consequence, the Constitution and By-Laws do not distinguish or delineate the financial responsibility between the President and the General Secretary Treasurer. As such, they are both required to manage and supervise the financial and business activities of the IWF and decide on its financial matters.<sup>18</sup>

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<sup>17</sup> By- Law to 11 (6.1).

<sup>18</sup> By- Law to 11(2.3 b,d).

Finally, the Secretariat is responsible for administering the financial activities and keeping the accounts of the IWF, under and with the supervision of the President.<sup>19</sup> This means that the IWF President has the sole authority to instruct the bookkeeper as a member of the Secretariat. However, the reality is that the General Secretary Treasurer is excluded from a constitutional supervisory role over the Secretariat's administration of financial activities.

### 3.3 Illusory Reform

The reforms that took place only changed the paperwork of the Constitution, while in reality the *status quo* remained unchanged. Absolute control of the IWF's finances remained in the iron grip of Dr. Aján. He continued to create and control an orchestrated financial reality. Not a single individual involved in the financial administration of the organisation, from the internal bookkeeper, the external auditor, the financial advisor, and even the EB, had any real or factually complete understanding of the IWF's finances. At best, the EB only received information in the form of progress reports or skeletal financial summaries. Dr. Aján achieved this control and blocked the EB through a series of mechanisms including, but not limited to:

- (i) exclusive control over bank cash deposits, withdrawals and transfers of funds,
- (ii) singular knowledge of all bank accounts operating in the name of the IWF,
- (iii) dismissing challenges for greater examination of financial activities, by relying on the fact that it was now overseen by external auditors KPMG and financial advisor,

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<sup>19</sup> By- Law to 7 (11).

Alain Siegrist, and withholding papers, filibustering and refusing to engage in debate on the subject

- (iv) directing and instructing the bookkeeper's entries into the IWF's books and records, and
- (v) the exclusive authority over the collection of different cash payments, including the selective receipting and documentation of the same.

All of these manipulations allowed Dr. Aján to usurp the financial control that, under the Constitution, rightly belonged to the EB. It is what ultimately allowed for \$10.4 million USD in the past decade to be unaccounted for.

### **3.4 Bank Accounts and Money Flow**

The IWF generates the majority of its revenues from its share of the International Olympic Committee's ("IOC") distribution of broadcast and marketing rights. The other major sources of income are from sponsorship and marketing arrangements, doping fines levied against Member Federations who have contravened the IWF's Anti-Doping Program, competition revenues, and to a lesser extent membership fees, accreditation fees and merchandise sales. The revenues flow into the IWF bank accounts in one of two ways: either via wire transfers or cash.

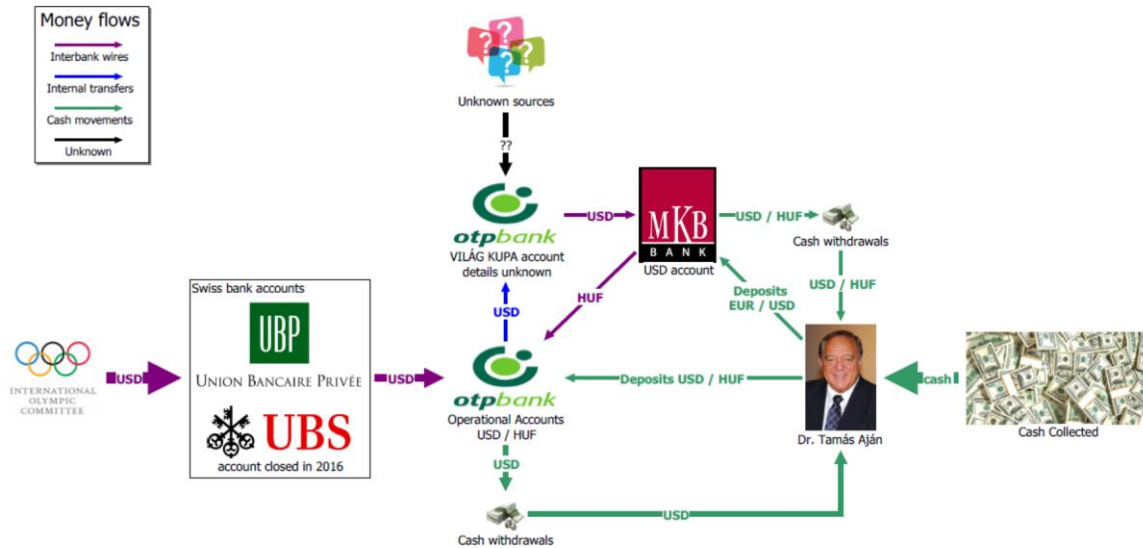
At the outset of the investigation, the MIIT requested that the IWF Secretariat provide a full set of bank account statements from all of the IWF's financial institutions during the 2009 -

2019 period. The MIIT was informed and assured by both senior IWF personnel and Dr. Aján that historically, the IWF only had investment accounts at the Swiss banks Union de Banques Suisses (UBS) and Union Bancaire Privée (UBP), and operating accounts at the OTP Bank in Hungary. Based upon the subsequent financial investigation conducted by the MIIT, this representation of the entirety of the IWF accounts turned out to be blatantly and wholly untrue.

Considerable time and effort were taken to obtain the UBS, UBP and OTP bank statements, causing delays to the MIIT's investigation. The Secretariat attempted to comply in a timely fashion, however the initial statements that were sent to the MIIT were seriously incomplete. This made it nearly impossible to conduct the forensic tracing techniques necessary to determine the flow of funds in and out of the accounts. As the statements trickled in, the MIIT was able to perform an initial analysis that revealed the existence of additional bank and credit card accounts that were never disclosed to investigators by anyone at the IWF. Without the missing financial records, the form, source and disposition of these funds could not be properly and completely identified.

The diagram below demonstrates the flow of funds around IWF and cash holdings. The paragraphs thereafter describe how the flow worked.





- MIIT Money Flow Chart

### .i. The Legacy of Flawed Accounting - Missing Cash Pre- 2009

The catalyst for the financial constitutional reform that took place between 2009 – 2011 was the widely reported complaint by Dr. Antonio Urso, President of the European Continental Federation, to both the IWF and IOC that many millions were missing from the IWF’s Swiss accounts. The IAC, of which Dr. Urso was a member, in the course of their audit conducted a review of the available balance sheets and the revenues paid into the Swiss bank accounts and had determined that funds were missing from these accounts. The IOC Ethics Commission refused to take on the matter stating that it was an issue for the individual federation.<sup>20</sup>

<sup>20</sup> CAS 2011/A/2474 Urso and Casadei v IOC. The matter was taken to the CAS, and it determined that it did not have jurisdiction to hear the matter.

Although this period was not the MIIT's priority focus, an overview for the period from 1992 – 2009 was undertaken to develop a baseline understanding of the universe of funds available at the start of 2009. The IOC independently confirmed to the MIIT that over the period from 1992 – 2008 they wire transferred a total of \$23,255,471 USD into the IWF's Swiss account<sup>21</sup> and some smaller amounts into the Hungarian OTP operating account. Some smaller IOC honorarium payments to Dr. Aján were additionally paid to the MKB account.

The IOC payments were not fully declared in the balance sheets provided to the EB at that time. Moreover, the review of EB meeting minutes confirmed that the EB had been aware of the Swiss account at least since 2005 where they were discussed by Dr. Aján at an EB meeting. No declaration was made by him of the MKB account, operating since at least 2007 and possibly as early as 2000, according to Dr. Aján.

Separately, the IWF provided the MIIT with an expenditure sheet for the period of 1992 – 2009. These amounts were reconciled with the balance sheets for each respective year. These expenditure amounts roughly balanced with the money wire transferred by the IOC.

Subsequent to the appointments of the external auditor and financial advisor, after the ruckus of 2009, the EB was provided with more detailed yearly financial information. Those records appeared to show that the total investments in the Swiss account were

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<sup>21</sup>The investment bankers for the IWF were originally the UBS of Zurich. The UBP Swiss account also existed prior to 2009. In 2016, UBS closed the IWF's accounts, and all balances on investments were transferred to UBP.

considerably less than the funds received from the IOC. However, the records also proved to be incomplete, as they did not include, for whatever reason, the IOC payment for 2008. Accounting for the error, it appears that the Swiss account reflected the correct corresponding amounts that were wire transferred by the IOC. Therefore, Dr. Urso's complaint to the IOC was founded on an incorrect financial premise.

While the premise of the IAC's allegations, that funds had disappeared from the Swiss account is incorrect, the MIIT has determined that their suspicions of unaccounted for money is likely correct, but not for the reasons they stated. Other than the initial review of the IOC's transfers into the IWF's Swiss account, the MIIT did not conduct any analysis on movement of funds prior to 2009. However, the MIIT's analysis demonstrates that the real flight of funds occurs not out of the Swiss account, but instead, after the money is transferred to the IWF accounts in Hungary.

The Swiss accounts on which Dr. Urso and the IAC placed so much emphasis may have been a 'red-herring'. These funds are subsequently allowed to cascade down into the Hungarian OTP account and appear to be for legitimate purposes, while the real problem exists within the Hungarian OTP and MKB accounts. To determine if a similar process was in place prior to 2009, a further investigation of these points with access to bank statements is required. The MIIT was never given these records.

## **ii. The Swiss Accounts**

Historically, the IWF has held accounts at UBS in Zurich, Switzerland (closed in 2016), and at UBP in Geneva, Switzerland. These Swiss accounts were funded solely by the IOC's distribution of broadcasting and marketing rights, and where applicable, positive income attributable to investment profits. The account also functions as a repository of the significant and varied investments of the IWF.

Even though no signature cards were provided, witnesses have confirmed that the Swiss accounts require dual signatories of the President and the General Secretary Treasurer. The General Secretary Treasurer's sole involvement into oversight and administration of the IWF's finances was, upon the request of Dr. Aján, to sign wire transfers authorising fund movement from the Swiss account to the IWF's operating OTP account. The signature was made without knowledge or understanding of the reason or purpose behind the transfers.

The MIIT applied forensic tracing techniques on the accounts that were made available. Wire payments were traced from the IOC to the IWF's Swiss bank accounts, and subsequent wire transfers therefrom to the IWF's operating OTP account in Hungary. On the limited material examined pertaining to the Swiss accounts of the IWF, the MIIT could not find any irregular wire transfers, missing, or unallocated funds from the period between 2009 - 2020.

### **iii. The Flow of Funds to the known Hungarian Accounts**

The IWF holds their operating account at OTP Bank in Budapest where it has US Dollar (USD), Hungarian Forint (HUF), and various other foreign currency accounts. The only person that had any signatory rights or oversight of the Hungarian OTP account was Dr. Aján.

During the 2009 to 2019 period, Dr. Aján personally withdrew approximately \$12.5 million USD in cash from the OTP operating account without any corresponding explanation for the withdrawals in the internal bookkeeping records.<sup>22</sup> It is accepted that some of this money was used for legitimate purposes including costs relating to the running of the organisation and competitions. However, this amount of cash extends well beyond the necessity of small amounts of insignificant expenses.

### **iv. Hidden Hungarian Accounts (Vilag Kupa and MKB)**

As previously stated, the MIIT requested copies of bank statements of all IWF accounts, and at first it was believed they had been produced in their entirety. However, during financial analysis of the OTP Bank records, the MIIT soon discovered that the IWF had at least two additional accounts at OTP Bank under the name of IWF Vilag Kupa, and numerous accounts at another Hungarian financial institution called MKB. During the course of

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<sup>22</sup> Of this amount approximately \$1.8 million USD consisted of entries that were identified as presidential honorarium payments that Dr. Aján withdrew in cash.

interviews of the Secretariat and the initial interview Dr. Aján, none of these newly discovered accounts were disclosed.

Numerous requests were made of the IWF over the course of the investigation by the MIIT and the Acting President to provide all of the IWF's bank statements. Only certain transactions related to the hidden accounts were identified in the statements made available, thus these accounts and their contents and purpose remained hidden from investigators. Eventually, when the MIIT specifically asked for the secret MKB account statements, they were finally produced, less than a month before the issuing of this Report. The OTP Vilag Kupa account statements have never been produced.

The MIIT finally received the MKB monthly statements for the period of 2010 through early 2020 in the final month of its investigation. These statements show that the account was funded with approximately \$4.7 million USD in cash deposits in various types of currencies (USD, Euro, GBP, and HUF, converted on a per day historic basis) and approximately \$8.5 million USD in electronic wire transfers. The vast majority of the wire transfers originated from the IWF's OTP Vilag Kupa USD account.

After initially denying the existence of any other IWF accounts, besides the operating OTP accounts and the Swiss accounts, in a follow up interview with the MIIT, Dr. Aján admitted to the existence of the MKB accounts. Its sole purpose, he presented, was to facilitate a more favorable foreign currency exchange rate for US dollars. The records demonstrate that Dr. Aján would transfer US dollar funds from the OTP operating account or from the

undisclosed OTP Vilag Kupa account, and made cash deposits to undisclosed MKB account(s). The MKB would then convert the transferred funds into Hungarian Forint. Then only a portion of those converted HUF funds would be wired back to the IWF's OTP HUF operating account. Once the MKB HUF wires were in the OTP HUF operating account, the funds were used to pay the local operating expenses of the IWF.

Dr. Aján's currency exchange rate explanation is supportable, but the records prove there was more going on. Excluded from that explanation was the other purpose of the off-record MKB accounts, from which Dr. Aján would make regular and recurring cash withdrawals of the converted HUF funds that remained in the accounts at MKB. During 2010 - 2020, Dr. Aján personally withdrew cash in local currency a total of 2,079,500,000 HUF (equivalent to approximately \$8.3 million USD). The undisclosed MKB accounts and constant withdrawal of cash from them, further highlights the significant flaws in financial reporting, disclosure, and transparency of the IWF as a whole.

The IWF bookkeeper admitted to not having access to any records of these transfers and withdrawals, nor was she provided any information by Dr. Aján regarding the same. Therefore, any financial transactions that were conducted within the MKB or OTP Vilag Kupa accounts are neither entered on to the IWF accounting records, nor subsequently included in the IWF's annual financial statements. The movement of funds is why neither KPMG nor Alain Siegrist would have been informed of the existence or purpose of the MKB and Vilag Kupa accounts.

### **3.5 Tyranny of Cash**

The use of cash in any organisation is problematic. Depending on what is done with cash it is difficult, if sometimes impossible, to trace. Other than Dr. Aján, no oversight existed over the use of cash within the IWF, which caused incomplete records being maintained by the IWF bookkeeper. The IWF's cash management and standard of accounting is surprisingly amateur for a sports federation. It is abysmal at best.

The IWF has several cash revenue streams. They are generated from doping fines, paid for by Member Federations who have contravened antidoping regulations and subject to either one or both of athlete or country fines. The IWF also collects accreditation and license fees from National and Continental Federations who organise and plan competitions. These fees are generally collected in cash. From time to time, revenues from sponsorship deals with sport equipment manufacturers, oil companies and food supplement manufacturers are also collected in cash. The audit trail for all these cash transactions is a receipt, which the President whimsically issues from a book with triplicate carbon copies.

Large amounts of these cash revenues have been collected by Dr. Aján while fulfilling his Presidential duties at international competitions. There is no way to determine whether the receipts he issued are for the correct amount of cash or if a receipt was issued at all.

An analysis of available cash receipts that were issued concludes that during the period from 2009 - 2019, approximately \$6 million USD was collected in cash by Dr. Aján. In addition to the amount of collected cash already stated, unknown amounts of cash may



have been collected by him or his personnel with no applicable record of a receipt being issued.<sup>23</sup> This is the inherent risk of cash based transactions.

There is no way of actually knowing exactly how much cash was collected by Dr. Aján during this period. It is unknown whether he issued any receipt at all, recorded the correct amount received, or receipted all cash transactions. Then there is the problem as the sole reporter of information to the part-time bookkeeper Livia Budavari, whether he informed her to make a booking keeping entry in the official accounting ledger. The issuing of receipts and the collection of cash was entirely dependent upon the accuracy and honesty of Dr. Aján. Witnesses to this enquiry indicated that Dr. Aján was in complete control of cash and would supply some receipts and not all to the bookkeeper for entry into the IWF accounts.

### **3.5.1 President's Use of Cash**

#### **i. Collection of cash: To deposit or not to deposit**

Dr. Aján issued at least 574 cash receipts between 2009 - 2019. The total of these receipts is approximately \$6 million USD. The receipt books are numbered consecutively and the MIIT's analysis shows that there are potentially 133 receipts missing from books, generally held solely by Dr. Aján. The hard copy receipt books for the entire period from 2009 - 2018

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<sup>23</sup> Atilla Adamfi advised that on occasion he had collected \$ 13,000 USD. On his return from abroad he turned over the cash to the President. No receipt was given to him for the money.

have been destroyed by the IWF. The actions of Dr. Aján is an offence under the IWF's Code of Conduct By-Law, 2.2.2 (e).

All declared receipts were tracked to the IWF ledgers and a confirmed entry was made. However, from 2013 onwards, none of the declared receipted funds were deposited into IWF's declared OTP operating account. The only person knowledgeable of where the money went is Dr. Aján.

Several cash analyses were conducted to determine the frequency of which the receipted cash was deposited, including doping fines, travel expenses, and attempts of reconciling the accounting ledger against the actual bank deposits. These analyses reveal that there were severe deficiencies in the management and deposit of cash.

## **ii. Country Fines**

The MIIT conducted an in-depth analysis of the Member Federations who paid their doping fines in cash. The purpose of which was to reconcile the amounts the Member Federations apparently paid with the receipts they were issued by Dr. Aján. Several requests were made of 20 Member Federations who had paid their fines in cash. Out of these requests, the Armenian Weightlifting Federation responded that they had destroyed those records, the Turkish Federation provided uninformative information, the Iraqi Federation provided limited information and the Russian Federation provided information where accessible. 16 other Member Federations did not respond at all. The attempt to reconcile the cash

deposits with the original receipts could therefore not be conducted. Thus, many Member Federations are in direct violation of 2.2.2 and 2.2.3 of the terms of reference in their failure to cooperate.

The Romanian Weightlifting Federation was the only Member Federation that provided the MIIT its original receipts for cash payments to Dr. Aján. The examination of their receipts revealed unexplained anomalies. The total receipted amount of three cash payments provided by the Romanian Weightlifting Federation equaled \$100,000 USD. However, the corresponding receipts provided by the IWF had completely different amounts than those of the receipts provided to MIIT by the Romanian Member Federation. The destruction of the receipt books precludes the MIIT from reconciling the discrepancies.

The anomalies continued in the analysis of the Russian Weightlifting Federation's ("RWF") doping fines. In this instance, it is a case where no receipt has been issued and no record can be found of the transaction in the IWF's ledgers. The MIIT requested that the RWF examine how much it paid in doping fines. It provided excerpts from its accounts that showed it paid the IWF \$120,000 USD in cash over the period examined. No trace of these funds can be found in the receipts or ledgers of the IWF. Maxim Agapitov, the current President of the RWF, described to the MIIT that on one occasion the RWF's former President Syrtsov, travelled to Budapest with \$50,000 USD to pay a doping fine. This amount was paid directly to Dr. Aján. The MIIT has not been able to locate a receipt for these funds and no entry corresponding to this payment was made in the IWF's accounting ledger. Effectively, there is no proof of the payment within the records of the IWF.

The Albanian Weightlifting Federation's doping fine payment provides an example of Dr. Aján's insistence on the use of cash to pay doping fines. A confidential witness described an incident during the Rio Games where he was approached by Stavri Bello, the Albanian National Olympic Committee's Secretary General. Mr. Bello proceeded to tell the witness that he was *"very upset with Tamas Aján and the IWF, this is unacceptable, this is an outrage. He [Dr. Aján] called the President of our weightlifting federation and told him that if you don't bring your suitcase with \$100,000 cash to pay your doping fine, your team will not go to Rio 2016."*

Mr. Bello described to the confidential witness that a group of four individuals, led by Agron Haxhihyseni, Secretary General of the Albanian Weightlifting Federation, divided \$100,000 USD between them and drove the payment from Tirana, via Belgrade to Budapest. Mr. Bello indicated to the witness that carrying such amounts of cash over the border and not declaring it was in violation of the national laws of both Albania and Serbia.<sup>24</sup>

Examination of the records of the IWF indicates that the Albanian Weightlifting Federation wire transferred \$25,000 USD to the IWF on the 13 November 2015 and that a subsequent cash payment of \$73,910 USD was made on the 22 July 2016.<sup>25</sup> Thus, clearing their doping

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<sup>24</sup> <https://www.iatatravelcentre.com/AL-Albania-customs-currency-airport-tax-regulations-details.htm>;  
<https://www.iatatravelcentre.com/RS-Serbia-customs-currency-airport-tax-regulations-details.htm>

<sup>25</sup> Stavri Bello denied all knowledge of the payment of the fine, despite having told a confidential witness that the cash was delivered to Dr. Aján. The Albanian Weightlifting Federation initially agreed to assist the MIIT, but after

fine allowing their participation in Rio. The MIIT recovered photographic evidence of this cash payment to Dr. Aján, which took place in a restaurant in Budapest in the presence of Mr. Haxhihyseni. A copy of the IWF receipt is also photographed and accompanies this report.



*-Photograph of Dr Aján issuing a cash receipt to Albanian Weightlifting Federation*

Dr. Aján explained that it was necessary to allow Member Federations the option to pay their fines, and other fees, in cash. He stated that some countries do not have the ability to wire money electronically for various reasons, political or otherwise. The MIIT's review of

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several attempts to contact them refused to do so. Thus the discrepancy between the cash payment received and the \$100,000 USD doping fine could not be reconciled.

Member Federation doping fine payments disproves this theory. Only two out of 194 Member Federations have not paid via wire transfers. In fact, even Member Federations of countries with restricted banking systems or under political sanctions prohibiting their use of the US dollar, such as Venezuela or Iran, have all successfully made wire transfer to the IWF's accounts. A number of federations after having previously paid by bank transfer have later paid their doping fines in cash. Evidence suggests that the methods used to make these payments are maybe a matter of choice but could be a matter of requests by Dr. Aján.

The practice of transporting cash is a risky business to the person and to the owner thereof. It isn't safe, may be illegal in certain circumstances, and puts personnel at risk of theft, embezzlement or attack. The MIIT's money laundering expert indicated that the movement of cash also puts the Secretariat and federation personnel at risk of money laundering offences.

### **iii. Travel Expenses**

The practice of double counting travel costs is a common way to embezzle funds from an organisation. It appears that this was also practiced by Dr. Aján. The MIIT recovered from the IWF server two photographs of invoices issued by the IWF for reimbursements of service and travel costs. These two invoices are for the amounts of \$5,536 and \$6,800 USD, respectively and both are signed indicating that cash had been received for those amounts, yet no corresponding entry exists in the IWF's accounting ledger. Mr. Adamfi stated that he

collected and passed the cash to Dr. Aján, but cannot prove it. No receipt was issued to Mr. Adamfi by Dr. Aján.

A confidential witness described another travel related incident where Dr. Aján had paid the witness an official visit, during which, Dr. Aján presented the witness with an invoice of his airfare totaling \$14,955 USD and demanded payment thereof. The witness was shocked but paid the amount. Although the witness did not get a receipt from Dr. Aján for this payment, the MIIT has a copy of the invoice issued for the airfare. Mr. Adamfi followed shortly after Dr. Aján and also presented the witness with an invoice for his airfare, which the witness also paid. The completely inadequate records of the sport did not enable the MIIT to conduct a complete analysis and evaluation of the travel expenses to determine, for example, whether these airfare expenses were also covered by the IWF. However, these examples are illustrative of how the double payment of travel expenses could be an illegitimate drain on the IWF's resources.

#### **iv. Unexplained Cash**

There are other examples of cash being paid to Dr. Aján, but not fully explained. In January 2020, at the EB meeting in Doha, the President of the Asian Continental Federation, Mohamed Yusef Al Mana made the below comments. The entire EB meeting is customarily recorded by the Secretariat and his statement is retrieved from that recording.

*Have you see now. He don't want to step down. He don't want you to be acting president. He wants to control the commission and because he told he's innocent. There is no evidence as **[unintelligible 03:25:17]** said. No, there's evidence if you want, I can give you the evidence for all of you. I have evidence if you want, but this is very shameful to show it to him or to show it to anyone. If you want a copy from it, I can give you a*

*copy. You see it, don't take any picture from it. We have it and we know him very well. We cover him, it's okay, we support him, it's okay, but we know him. I know him very well. I know him from 1997, not 1998, 1997 until now I know him very well. We have everything. Let us agree to this point, we can. I have two slips by \$200,000, he received from somebody and I have the original, not the fake, original. Until he knows this, we don't want to use it against him because we don't want him to make any scandal.*

Mr. Al Mana was contacted on three occasions to provide the “two slips by \$200,000” to which he was referring in the recording and explain his other comments. Mr. Al Mana regrettably declined the opportunities to be interviewed contrary to the terms of reference previously quoted.

#### **v. Cash Withdrawals**

The IWF's part-time bookkeeper indicated to the MIIT that she never handled any cash collected by the President nor did she withdraw cash from the OTP Bank. In her opinion, the reason Dr. Aján's name repeatedly appears on the OTP Bank statements for cash withdrawals is because he was the only one who withdrew money from that account. She did not include Dr. Aján's name next to the withdrawals on her ledger given that it was obvious to her that he withdrew the cash. He was the only person authorised to withdraw funds from the OTP operating account.

It was explained that since Dr. Aján did not give her receipts or records evidencing how the cash he withdrew was spent, she could not subsequently account for its use. Dr. Aján did not deposit the cash he received from Member Federations into the IWF's operating



account at the OTP post-2013 because it charged banking fees on both USD cash withdrawals and deposits.

According to the IWF's ledger, and confirmed by bank statements, Dr. Aján withdrew a total of \$12.5 million USD from the OTP operational account between 2009 - 2019. No conclusive audit trail exists evidencing the purpose or use of those funds. The MIIT has identified several occasions when large sums were withdrawn in advance of Continental elections and Electoral Congresses, where it is alleged that Dr. Aján used the IWF's resources to buy votes (see Chapter 4 on Electoral Congresses). Given that the bookkeeper was not directly informed of the MKB account, she could not include any deposits or withdrawals made from that account in the IWF ledger.

The cash withdrawals and related bookkeeping practices have resulted in a completely inaccurate understanding of the IWF's revenues and expenses. Since the bookkeeper was only on occasion provided with receipts demonstrating how the withdrawn cash has been spent, it is impossible to know what percentage was used for legitimate IWF operations. Furthermore, withdrawals from the MKB account did not factor into her reporting of withdrawals made by Dr. Aján.

Several witnesses identified that Dr. Aján kept the cash in a safe in his office. However, on 8 May 2020 when his safe was eventually opened in front of the IWF's legal counsel, Dr. Lilla Sagi, there was no cash contained within the safe at all. In fact, it was completely empty.



*-Picture of Dr. Aján's empty safe at the IWF office in Budapest*

### **3.6 Financial Reporting: Misrepresented Reality**

The foundation of any accurate financial record keeping system is the truth of the books of account used to provide the dataset from which the financial accounting records are built. The financial accounts are then drawn together in the form of financial statements. It is those documents upon which the oversight, management and analysis of an organisation's financial affairs are considered. At its core, the IWF's bookkeeping process was fundamentally flawed.

During the ten-year timeframe under review, the IWF employed one part-time bookkeeper that worked under the sole direction and supervision of Dr. Aján. She relied upon records provided to her by Dr. Aján to populate the IWF spreadsheet file with the IWF's revenues and expenses. This spreadsheet served as the basis upon which the IWF's annual financial records were prepared by the financial advisor and presented to external auditor and ultimately the EB.

After interviewing the bookkeeper, it was discovered that the IWF intentionally omitted and obscured thousands of transactions within the IWF spreadsheet file, the overall net effect of which concealed more than \$10 million USD in unaccounted for cash. Specifically, millions of dollars in cash withdrawals conducted by Dr. Aján were never recorded, while certain electronic funds transfers paid in Hungarian Forint were grouped together, converted to USD and recorded as cash expenditures. The cumulative effect of these confounding entries produced an approximate difference between cash revenues and cash expenses of \$10.4 million USD over the period under review. A domino effect of accounting reporting failures resulted from this flawed process of recording entries in the IWF's books and records. Further details of the Cash Analysis have been provided to the O&I Commission on a confidential basis as described in the Executive Summary in Chapter One.

## **i. Constructing Accounting Data**

The yearly financial statements were drawn from the bookkeeper's flawed spreadsheets. When this incomplete accounting dataset was presented to the new independent 'checks' on financial impropriety as a result of the erstwhile constitutional reforms, it was accepted on face value. Therefore, the resulting financial reports were not properly informative and therefore misleading. This is Code of Conduct offence as previously set out.

## **ii. Misleading the EB**

The allegations surrounding financial mismanagement and corruption that have arisen within the IWF, stem at least in part from the total lack of oversight and governance over the IWF's bank accounts. Dr. Aján was the singular person with complete knowledge of the IWF's assets. The EB was regularly shown incomplete, inaccurate and rudimentary documents thereby denying it the ability to fulfill its constitutional oversight role. From time to time an EB member would question or request of Dr. Ajan more in depth explanations of finances, and they would be told "Do not ask about the IWF finances."<sup>26</sup> Indeed, there was no financial control at the EB level. The reforms of the IWF Constitution and By-Laws were continually ignored by Dr. Aján and provided him the easy access to potentially acquire the funds belonging to the IWF.

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<sup>26</sup> A confidential witness described to the MIIT that after several requests for greater detail, the EB member was told by a member of the Secretariat to refrain from asking about finances again.

### **3.7 Crossing International Borders with Undeclared Cash**

EU regulations require that declaration on the transporting of the 10,000 EUR or more across international boundaries. Dr. Aján initially said that he did not carry amounts larger than 10,000 EUR and if he needed to move cash in excess of the limit, he spread it among staff members traveling with him. The MIIT notes that Dr. Aján holds a Hungarian Diplomatic passport and a confidential witness has attested that Dr. Aján is prepared to use its associated status to avoid searches by customs officials.

An analysis of cash receipts has been compared against events Dr. Aján attended. The snapshot of this work shows that on 29 occasions during the period 2009 - 2019 Dr. Aján collected in excess of \$40,000 USD at the various events, totaling \$3.7 million USD, related mainly to doping fines. For example, between the 6 - 15 April 2013 he was at the IWF Youth Games in Tashkent. There, he issued receipts for the collection of \$234,300 USD, some of which, the MIIT concedes may have been spent locally. Given the nature of the cash reporting, it was not possible to verify the books for any legitimate expenditures.

Between 5 - 6 March 2014 Dr. Aján issued 18 receipts totaling \$444,675 USD while attending the South East Asian Weightlifting Congress and the Asian Junior Championships. To transport this amount back to Hungary would have required it to be split among 45 staff. All of the IWF staff interviewed by the MIIT denied carrying cash in large amounts on behalf of Dr. Aján.

A Confidential witness explained that Dr. Aján's nephew, Akos Umaru Jolathy, travelled with Dr. Aján to many international competitions and was accredited as an IWF 'financial assistant'. One of the roles of that position was to transport cash for his uncle, Dr. Aján.

### **3.7.1 Subject Matter Expert Money Laundering**

The MIIT consulted a subject matter expert in money laundering and provided him with spreadsheets of the IWF's cash collections and deposits. In his expert opinion report to the II he described the evidence *"as completely unbelievable"*, adding that *"His [Dr. Aján's] modus operandi is indicative of cash collections and delivery to his home country is something that I have seen on many previous occasions and I associate this methodology as symptomatic of corruption or criminal activity."* It could be argued, he explained, that the activity breaches the Criminal Code of Hungary in respect of 1.1.1 Embezzlement and 1.1.2 Misappropriation of Funds.

The conclusions above are based upon many factors, which are explained within his statement, which had been provided on a confidential basis to the O&I Commission. But the main points are:

*"(1) The lack of any declarations of any cash.*

- a. He has knowledge of the cash declaration procedures and the threshold amounts but no evidence of any legitimate declarations.*
- b. There is a complete lack of an audit trail.*
- c. There are much safer, secure and auditable methods to move large volumes of cash using traditional banking systems.*

- d. *Dr. Aján has ready access to federation bank accounts but still chooses to hand carry significant cash amounts despite the high risk of loss or detection by enforcement authorities such as Customs at a border entry point.*
- e. *...*
- f. *The complete recklessness of hand carrying cash in these volumes without any travel, personal or business insurance to cover the amounts in case of loss or theft is in the expert's view, implausible."*

### **3.8 Financial Methodology**

The development of a baseline understanding of the types of revenues and expenses within the organisation was the starting point of the investigation. This was accomplished by downloading the Financial Reports available on the IWF website. Analysis of these public documents provided a window into the various assets held by the IWF and ideas as to where other accounts might possibly exist.

The IWF provided the MIIT records of annual financial statements, which were then compared against the public financial reports. In parallel, an analysis of the minutes of various Congresses and EB meetings was conducted to anticipate and record financial matters being discussed. Extracted from these analyses were records related to interest earned, balances in the Swiss accounts, doping fine revenues, bank charges, doping control costs and other expenses of the IWF.

An analysis of the yearly KPMG Audit Reports followed to determine if the external auditors had identified any issues or problems in the completion of their annual audits.

The compiled data from all of the above analyses instructed the investigators how to structure future interviews and formed the themes under which questions were developed. Interviews were conducted with the external auditors and the IWF's Financial Advisor during a site visit to the headquarters of the IWF in early March. Both KPMG and Alain Siegrist limited the time available to be interviewed, resulting in significantly abbreviated and therefore, incomplete interviews.<sup>27</sup> The part-time bookkeeper was noticeably absent from the headquarters, and access to her was blocked. The MIIT was granted access to interview her over a month later, following the site visit. The internal accounting records were provided to the MIIT in advance of her interview.

As described earlier, the IWF internal accounting spreadsheets prepared by the bookkeeper were rudimentary in nature and scope, resembling a simple general ledger. The information from these spreadsheets was sorted and filtered using different variables. Financial transactions of interest or out of the ordinary amounts were identified and extracted to create the MIIT's own working documents. An analysis of the indicated accounting codes was also conducted. A vast majority of the large cash withdrawal transactions that appeared on the IWF spreadsheet did not have an associated accounting code. These transactions were later determined to be the cash withdrawals listing Dr. Aján as the transactor.

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<sup>27</sup> When approached by the MIIT at a later date, KPMG would not provide information or interviews without the team signing a document that would have rendered any information gleaned unusable. Needless to say, the MIIT did not accept their terms, additional auditor documents were not provided, and a second interview was never carried out.



This work was conducted as the MIIT waited for the requested bank records to be produced. Up to this point no actual bank records had been examined. It was late March, nearly a month after the MIIT first requested the bank statements, that it was supplied with the first actual bank records from the Swiss UBS and UBP accounts and the OTP Bank in Hungary. The UBS records were either missing or virtually useless. The majority of the records consisted of year-end summaries of investments without individual transactions of deposit and withdrawals. Only a single year of the UBS accounts was usable. The OTP statements however, proved useful in developing an understanding of the flow of the IOC funds out of that particular account. Together with IWF spreadsheet, the MIIT was able to reverse-engineer transactions originating from the UBS account. Despite the MIIT's multiple requests for the UBS account monthly statements, these were never provided. Therefore, no tracing was conducted on this account.

A forensic tracing analysis was conducted against the Swiss UBP records. In addition to the investment and trading activity, the UBP statements evidenced the wire transfers of IOC revenue payments into the account and subsequent smaller amount wire transfers to the IWF OTP USD account in Hungary.

Four thousand pages of OTP bank and credit card statements from 2009 - 2019 were reviewed and analysed. These records were cross-referenced with the earlier analysis of the IWF spreadsheets. The review and analysis focused on cash deposits and withdrawals, intrabank transfers to other OTP accounts and credit cards, identification of legitimate IWF

operating expenses, tracing of interbank wired funds to determine the existence of undisclosed IWF accounts and the overall source and use of funds to determine possible indicia of corruption and money laundering. In addition, several analytical projects were completed to support the rest of the investigation. These included cash transactions, doping fine payments from Iran, cash paid for votes at Electoral Congresses, movement of IOC funds to the IWF, IWF support and development funds, IWF officials' credit card usage, antidoping related payments to the Independent Testing Agency ("ITA"), funds paid to an otherwise unknown legal counsel, Dr. Banos Csaba (Karoly), researching cash receipts to bank records, research related to an IWF bank account in Colorado, USA, and Dr. Aján presidential honorarium payments.

The foregoing conducted analyses revealed two accounts that were never disclosed to the MIIT by anyone within the IWF. One is a USD account at OTP Bank under the name of IWF Vilag Kupa. Analysis of this account was not possible since it was never provided to the MIIT, despite its multiple requests.

In early April, the MIIT advised the IWF that they knew about the existence of accounts at the MKB Bank. It was only on 8 May 2020, less than a month before this Report was due, that the IWF finally produced the MKB records. Those records were analysed using the same procedures that had been applied against the OTP accounts. None of the MKB banking transactions are explicitly recorded in the IWF's books of account. Another flaw in the process of keeping book records was revealed. The undisclosed, and therefore unaccounted

for MKB transactions left an inexplicable record in the prepared financial statements. This further aggravates the flawed recording system discussed earlier.

### **3.9 Principle Outcomes**

The overall outcome of all of the foregoing work is reflected in the table on the next page. It shows that, based on the records available to the MIIT at this time, there is approximately \$10.4 million USD in cash that cannot be accounted for.

As of 3 June 2020, the IWF has failed to provide complete financial records for 2009 through 2019. Until all relevant records are provided for analysis by the IWF and Dr. Aján, the 'Unaccounted For Cash' amount indicated in the table below will have the potential to increase or decrease.

<b>IWF CASH REVENUES (2009 through 2019)</b>	
CASH FEES & FINES COLLECTED AT CONGRESSES, TOURNAMENTS, etc. (Per IWF bookkeeping records)	6,156,733
CASH WITHDRAWN FROM IWF OTP ACCOUNTS (Valued in USD)	12,571,609
CASH WITHDRAWN FROM IWF MKB ACCOUNTS (Valued in USD)	9,128,608
	<b>27,856,950</b>

<b>IWF CASH EXPENDITURES (2009 through 2019)</b>	
EXPENSES PAID IN CASH (Per IWF bookkeeping records)	<b>11,040,438</b>
CASH DEPOSITED TO IWF OTP ACCOUNTS (Valued in USD)	<b>1,668,610</b>
CASH DEPOSITED TO IWF MKB ACCOUNTS (Valued in USD)	<b>4,743,974</b>
	<b>17,453,022</b>

<b>UNACCOUNTED FOR CASH</b>	
TOTAL CASH REVENUES	27,856,950
TOTAL CASH EXPENDITURES	<b>(17,453,022)</b>
<b>TOTAL UNACCOUNTED FOR CASH*</b>	<b>10,403,928</b>

## Chapter 4: Electoral Corruption - Cash for Votes

### 4.1 Introduction

Dr. Aján has sustained an iron grip on the IWF's electoral results for at least the past decade of his 20-year tenure as the President. One of the fundamental conclusions from the McLaren Independent Investigation Team ("MIIT") is that the presidential and other elections that took place during the period from 2009 - 2017 were astonishingly bribery prone. Corruption was rife with rampant cronyism and outright bribery. The buying of votes was accomplished through individuals acting on behalf of the President as "vote brokers." A confidential witness described the bribery approach to him in a hotel room after the midnight hour by a then senior member of one of the Continental Federations. He requested \$5,000 USD based on an alleged prior agreement to support the "African countries". The request was dismissed.

Dr. Aján always maintained a cadre of individuals close to him through the appointment of friends and associates without proper regard to their qualifications. Witnesses described such individuals as the "President's Team". They were, in effect, the President's cronies. They were often members of the Executive Board ("EB") and IWF hierarchy who sought status for themselves or *quid pro quo* favours for their support and the status of being on the President's Team. From time to time, generous support payments were bestowed on his cronies, some of whom would have received cash for votes. Typically, some of these individuals would act as the vote brokers. Through them, the President was not only able to

distance himself from the dirty business of exchanging money for votes, but also coordinate a bought and predetermined election result by leveraging these individuals' allies and ties to their own continental Member Federations. The President's political prowess and clout among Member Federations resulted in corrupted and undemocratic elections that Member Federations seemingly accepted as the norm, despite their protestations to the contrary. This Chapter describes the methods by which Dr. Aján was able to sustain this ultimate control over the IWF to ensure his own re-election to the office of President.

## **4.2 Preparations for the Electoral Congress**

### **4.2.1 The Anointed EB**

Dr. Aján's power base and control of the Secretariat and the EB of the IWF were dependent on his own re-election as well as the election of his favoured candidates to senior influential positions within the international organisation: the General Secretary Treasurer, the 1<sup>st</sup> Vice President and the other 5 Vice-Presidents (the "Anointed EB"). He would then exploit his cronies in the operation of the IWF. The Constitution rules are explicit: members of the EB are to be elected, except for the 5 Continental Federation Presidents who are *ex officio* members, but with full EB voting rights. The election of the Anointed EB however was neither fair nor democratic. In advance of the Electoral Congress, Dr. Aján would evaluate and personally select the members to the EB that would form his team, strategically choosing individuals that are either "corrupt and status seekers" or completely

unaware and oblivious to what he was trying to accomplish.<sup>28</sup> On at least one occasion an individual from the Anointed EB was untruthful with the MIIT as to his accepting and giving of bribes. This process for maintaining power was replicated at each of the 2009, 2013 and 2017 Electoral Congresses. Evidence of this process has been corroborated through both witness and documentary evidence. The integrity provisions of the Code of Ethics are highly deficient because the buying of votes is not an offence. However the behaviour of vote brokers is in violation of section 1.4.1 of the Integrity provisions.

Dr. Aján's influence was not limited to selecting the senior positions for the "elected" EB members. His influence could also affect the elections of the Continental Federations' Presidents. Members of Dr. Aján's team would travel to the Continental Federations' elections and work as vote brokers, bribing members to vote for a specific individual, who, if successful, would take up a seat on the EB as a Continental Federation President. Thus, the buying of votes was not limited to the quadrennial Electoral Congresses (discussed below) but existed as a pattern of systemic behaviour that was accepted throughout the organisation.

With Dr. Aján's Team stacking the senior EB positions, he could leverage those alliances for votes at the Electoral Congress and ensure compliance of the EB. As a result, members on the EB would intentionally **not fulfill** their critical responsibilities of approving Presidential actions, reviewing and assessing management plans, including committee appointments, finances and the doping program. Without resistance from his cronies on

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<sup>28</sup> See footnote in Chapter #2 footnote 10.

the EB, Dr. Aján was able to assert and maintain his complete control over the organisation. More importantly, his re-election, which was key to his control, was assured through his team causing the manipulation of the results in the Electoral Congresses of the IWF. This is the pattern the MIIT has uncovered. A more detailed report of this process and the events in this Chapter was drafted by the MIIT and has been given to the O&I Commission on a confidential basis.

#### **4.2.2 Setting up the voting bloc with bribes**

Parallel to Dr. Aján's strategic selection of his Anointed EB was the process of ensuring the availability of cash for bribes and voting members at the Electoral Congresses. The Annual Congress, which always occurs prior to the Electoral Congress, is where the groundwork is ostensibly laid. During these election-year annual congresses, the MIIT's analysis of cash receipts, cash withdrawals, and IWF internal spreadsheets show a flurry of activity surrounding cash payments of both current membership fees and those in arrears. On its face, the activity seems innocuous. However, the timing of the payments turns a seemingly innocent membership payment into something more illicit.

Only Full Members who have paid their membership fees by the end of March in the year of the Electoral Congress may participate and vote (see 2.1 of Constitution). However, the Annual Congresses took place after the end of March in all of the 2009<sup>29</sup>, 2013 and 2017 election years. Therefore, a strict application of the Constitution would have prohibited late

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<sup>29</sup> While Dr. Aján ran unopposed during the 2009 election, the process of strategically selecting and voting in his cronies to senior EB member positions through bribes occurred.



paying members from participating and voting in the Electoral Congresses. Nevertheless they did vote. The majority of such members who paid late were members of the Weightlifting Federation of Africa or Asian Weightlifting Federation.<sup>30</sup> To build his allegiances and ensure he had the numbers in his voting bloc, Dr. Aján actively subverted the rules of voting set out in the Constitution and accepted late membership payments in cash or, in some instances, did not demand them at all.<sup>31</sup> Such conduct is not a violation of By-Law 12, clearly demonstrating the necessity of significant revision.

At the Electoral Congresses vote brokers had funds in their possession to encourage voting for the President. The former General Secretary, Mr. Ma Wenguang stated that Dr. Aján was able to use the full weight of the IWF resources to get re-elected, while opponents had to use their own limited personal resources. The only person with exclusive control of the IWF bank accounts, collection and handling of cash membership fees and member doping fines, and the ability to withdraw cash from the IWF bank accounts was Dr. Aján. Documentary evidence supported through witness testimony, indicates that a considerable amount of cash was spent at the 2013 Moscow and later the 2017 Bangkok Electoral Congresses in order to guarantee votes for Dr. Aján and his team through bribes.

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<sup>30</sup> At the 2017 Annual Congress in Bangkok, numerous African nations (including Congo, Ethiopia, Sierra Leone, and Uganda) paid their IWF annual membership fees of \$500 in cash. The annual membership fees paid by the African Member Federations were all for prior years. While many of these same federations voted in the Electoral Congress, their membership fees due for 2017 were not paid until 1 June 2017.

<sup>31</sup> Minutes of the 2009 Electoral Congress confirm that 129 National Federations were given voting rights but according to the IWF's accounting records only 90 federations had paid any membership fees in 2009, with many of these paying for historic years only, not including payment for the election year.

Dr. Aján's presidency was secured by paying Member Federations cash bribes ranging from \$5,000 - \$30,000 USD to vote for him and his team of cronies. The financial forensic tracing of the IWF bank accounts show that that the President had the total of \$405,000 USD<sup>32</sup> and \$218,000 USD available to him at the time of the Moscow and Bangkok Electoral Congresses, respectively.<sup>33</sup> The MIIT has spoken to several confidential witnesses regarding the events leading up to the vote during these Congresses. The oral evidence provided by these witnesses is corroborative with the MIIT's forensic financial analysis of the IWF bank accounts. See Chapter 3 for the detailed description surrounding Dr. Aján's control over the finances of the IWF including the bank accounts and handling of cash.

With the cash available to the vote brokers for distribution at the election and the circumvention of the Constitution to ensure the numbers available to create a bribed voting bloc, Dr. Aján effectively safeguarded his Presidency during the period examined by the MIIT. The following section describes how the election was bought in practice. Once again, there is greater detail in the MIIT investigator report provided confidentially to the O&I Commission.

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<sup>32</sup> On 22 April 2013, Dr. Aján withdrew \$182,000 USD from the OTP account. On 15 May 2013, in the days leading up to the IWF Electoral Congress in Moscow, the President withdrew another \$223,000 USD.

<sup>33</sup> Tamas Aján would personally withdraw amounts from the Hungarian OTP USD account. There is no corresponding reference or notation in the IWF's accounting ledgers that records the purpose of the withdrawals preceding the Electoral Congresses. The MIIT notes that some, but not all, of this cash was used to pay attendance fees and other costs of the Congress.

### 4.3 How a Presidency is Bought

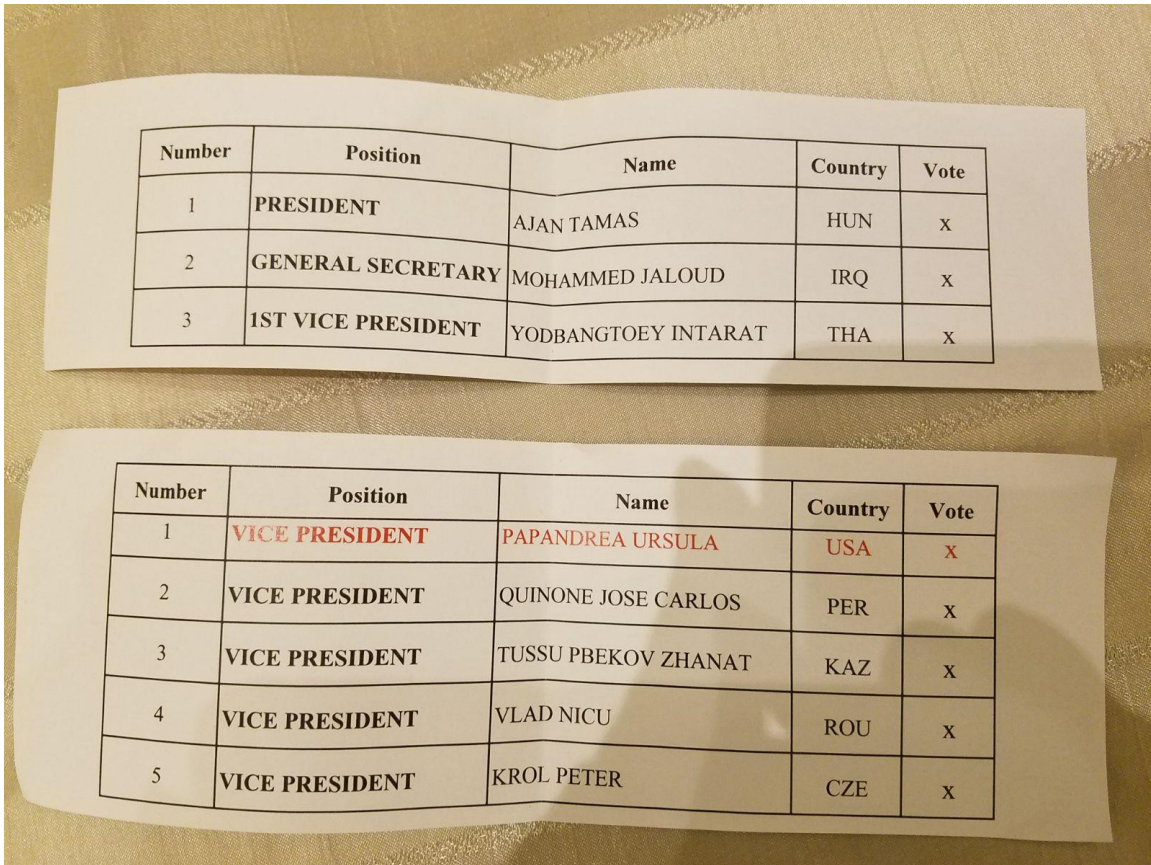
Preparations to ensure an electoral victory for Dr. Aján and the Anointed EB members commence by drafting a list of ‘preferred’ candidates to fill the top roles within the EB. This list included the names, allocated positions, countries and to which Continental Federations these individuals belong, with some of the lesser EB positions remaining blank. The MIIT identified the process through the forensic examination of Atilla Adamfi’s hard drives where the evidence was retrieved. The evidence consists of one version of the Anointed EB list and a second slightly varied<sup>34</sup> version of the same, photographed 1 month and 3 days in advance of the 2017 election, respectively. Thus, evidencing this process and revealing that the results of the election were predetermined well before any voting took place.

Once the future makeup of the Anointed EB and Dr. Aján’s team was finalised, these lists were converted into, what the MIIT labeled, an *aide memoire*: a document created to ensure that those delegates who had been subjected to the bribery, did not make any mistakes in the voting booth when entering their choices on the ballots. The *aide memoire* was forwarded to the bribed voting bloc. It indicated the top eight senior EB member positions (Dr. Aján as President and the other seven senior EB roles). These positions were listed on 2 slips of paper and next to each position was printed the names of Dr. Aján and his preferred candidates. To further ensure that there could be no doubt as to how the bribed voting bloc should vote, in the final column titled ‘VOTE’, a printed ‘X’ was placed against each of the candidates’ names. The names entered on the *aide memoire* for the top eight

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<sup>34</sup> There was only a single name that differed between both versions.

positions were not only similar to draft lists extracted from Mr. Adamfi’s hard drives, but more importantly, also matched exactly the final ballot result as published subsequently by the IWF. See photo below.



*-Photograph of the “aide memoire” retrieved from the IWF servers.*

Through interviews with confidential witnesses, the MIIT has learned that the Asian, African and Oceanic Member Federations were the swing votes, which Dr. Aján could influence and bribe. For example, in the 2013 election the Asian federations voted against Dr. Aján while the Oceanic federations voted in favour. However, in 2017 Dr. Aján secured his Presidency through an agreement with certain African and Asian federations, who were originally standing against him. The bribes ranged from \$5,000 - \$30,000 USD per vote and,

specific to the 2017 election, members were lavished with trips on private cruise ships and stays in 5-star hotels prior to the election. As a result, Dr. Aján was elected as the President for another 4-year term to end in 2021. His resignation in April 2020 brought that term to an end.

The MIIT's documentary evidence indicates that the delegation of bribed officials had passed through Doha on 27 May 2017 travelling as a group with Qatar Airlines to Thailand. Upon their arrival, this bribed voting bloc was driven to a different hotel from the one where all other members attending the Congress were staying. For the 2017 Congress, the bribed voting bloc was kept quarantined from the rest of the Electoral Congress until the very morning of the election to curb any possibility of the members switching their vote at the last minute. The morning of the election they were bussed to the hotel where the Electoral Congress was taking place. Their quarantine however included a per diem, dinners and a trip on a cruise boat in Bangkok.

The bribed voting bloc, armed with their personal *aide memoire*, was instructed to photograph their completed ballot thereby evidencing for whom they voted. Therefore, establishing their entitlement to a bribe. A confidential witness provided the MIIT with the photograph he had been sent of a delegate photographing his ballot paper with a mobile phone. Together, two confidential witnesses corroborated that camera flashes could be seen coming from inside the voting booths. A photo of this procedure is included below.



*-Photograph of a member at the 2017 Electoral Congress photographing their ballot.*

While the bribery remained a constant at the 2009, 2013 and 2017 Electoral Congresses, the process of cash distribution by the vote brokers and the methods of ensuring that the bribed voting bloc voted as directed, evolved throughout the years. Earlier, an honour system was applied, but it was discovered that some members, having been swayed in their vote, were using erasable ink, or asking for a second ballot to change their votes after taking a picture as proof of their submitted ballot. This resulted in a change in the voting procedure in the 2017 election, requiring the use of an ink stamp rather than a pen to mark the ballot.

Once the ballot had been submitted and the photo had been verified as a correct ballot by the vote broker, the delegate would receive their cash payment. In prior years, witnesses

described that the vote broker would deliver the payment to the hotel room of the member who had been bribed.<sup>35</sup> In 2017 however, witnesses observed delegates queuing in a corridor at the hotel following the vote to get their promised cash. The vote broker distributing the \$5,000 USD cash bribe from a bag in his possession in 2017 was said to be Major General Intarat Yodbangtoey, the 1<sup>st</sup> Vice President of the IWF.<sup>36</sup> Many witnesses who spoke to the MIIT stated that it eventually became common knowledge among all the Congress members which group had been bought by Dr. Aján and that he would win before the ballots were even counted. Indeed, Dr. Aján was elected as the IWF President in each of the 2013 and 2017 elections, as were his preferred candidates for the senior EB positions.

A consequence of these corrupted elections was that candidates standing against Dr. Aján would have a false sense of security and purpose that perhaps they could dislodge his dynasty. One witness advised that the night before the 2013 vote at approximately 1:00 am, a delegation came to his hotel room requesting that he withdraw his nomination. The delegation, which had previously agreed to support the candidate, indicated that something had changed. They made it clear to the witness that they could no longer work with him and he would not get their vote. In another instance, a witness who was standing for a position on the EB also independently described the same approach having been made the night prior to the 2017 election. According to the witnesses, it appeared that their minds

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<sup>35</sup> In one instance, a vote broker knocked on the hotel room door of the President of Bahrain's National Olympic Committee, mistakenly thinking he was part of the African delegation and handed him an envelope with \$30,000 USD. The mistake was quickly realised and no payment was turned over to the person whose identity was mistaken.

<sup>36</sup> Major General Intarat Yodbangtoey was overheard by confidential witnesses telling the Ugandan Weightlifting Federation's President Salim Musoke Ssenkungu that the money had run out and that he would have to come back later. Mr. Ssenkungu responded by saying "I want my money now; I've voted for you."

had been changed and they had all decided to vote for someone else. It then became obvious that they had resolved to elect Dr. Aján and his team. Despite their warning of failure and ensuing embarrassment, both witnesses refused to withdraw from the presidential race and the EB, respectively. After the votes were counted, Dr. Aján still remained the IWF President and his Anointed EB was elected.

The general acceptance of rampant bribery at Electoral Congresses was underscored by an email chain retrieved from the IWF's servers by the MIIT. Following the 2017 Electoral Congress, correspondence exchanged between the IWF Director General, Mr. Adamfi, and an assistant of a Continental Federation President further supported the MIIT's evidence of cash for votes at the most senior levels within the IWF. In the exchange, Mr. Adamfi questioned the Continental President's motives for continuing to support Dr. Aján's opponent, Dr. Antonio Urso, given that he had lost to Dr. Aján in 2013 and again in 2017. The assistant to the Continental Federation's President replied that in addition to issues surrounding financial support for the Continental Federation, the Continental Federation President had been offered a bribe in return for supporting Dr. Aján, and that this was against his principles. Mr. Adamfi forwarded the correspondence to Peruvian's Weightlifting President, Jose Quinones, whose single-sentence response was *"You offer him a bribe?"* This response elicited what appears to be a 'tongue in cheek' response from Mr. Adamfi stating, *"I was sure it was you.... for votes to Antonio:)"*.



## 4.4 Conclusion

The extent of vote brokering at Electoral and Continental Congresses demonstrates a shocking and scandalous level of institutionalised corruption. The members of the organisation seem to accept it as part of the culture of the IWF, and little, if anything has been done to stop these corrupt practices. Unfortunately, those positioned, and oftentimes required, to stamp out corruption are the beneficiaries of this institutionalised corruption and show little inclination to do so. Finally, the emails show the jocular way in which senior members of the IWF think of and refer to the vote brokering and bribery practices. While not part of the investigation of the MIIT, there are suggestions that the practices described in this Chapter have continued at the Pan American Federation elections in February of this year after the investigation was launched. The IWF needs fundamental reform and rebuilding from the foundations upwards to affect a shift in culture. The objective should be a fair and democratic election, free of bribery and favouritism.

## Chapter 5: Anti-Doping Over the Decades

### 5.1 Introduction

Weightlifting has been vulnerable to the allure of performance enhancing drugs throughout its history. The sport requires perfect technique, which is important, but physical strength is paramount. Like athletes in most sports, weightlifters have tried to circumvent the physical limitations of their bodies by succumbing, knowingly or not, to performance enhancing drugs (“PEDs”) since the earliest Olympic Games. Their apparent drug of choice being strength building steroids.

The ARD documentary that triggered this investigation is not the first time that weightlifting has found itself at the center of doping allegations. Dr. Aján, in his capacity as either General Secretary or President, has presided over the many decades of doping scandals that have affected the sport. The McLaren Independent Investigation Team (“MIIT”) investigated allegations presented by both the ARD’s documentary and other witnesses. These included accusations that results of positive tests had been intentionally delayed, hidden or manipulated in order to protect certain ‘favoured’ athletes or countries from detection and punishment. These supposedly favoured countries were those who supported the President and would allegedly also benefit from either less out-of-competition testing (“OOC”) and/or knowing the dates of OOC tests in advance. It was alleged that they were able to circumvent the normal doping control procedures through either payment of bribes to Doping Control Officers (“DCO”), the Sample Collection

Authority (“SCA”), and/or the IWF itself, perhaps with arrangements made or condoned by Dr. Aján.

Dr. Aján was a member of WADA’s Foundation Board since its inception in 1999 where he helped shape the organisation and the WADA Code. His inside knowledge of WADA has been the source of much speculation. It was alleged that from this position within WADA he could exert his power over the Anti-Doping Program of the IWF. Before the existence of the 2004 WADA Code, Dr. Aján might have had the ability to personally affect the doping program.<sup>37</sup> However, as WADA developed as the international regulatory body, the ability of the sport to govern its own antidoping program was significantly reduced. The new reality of a global antidoping regulator severely restricted Dr. Aján’s potential capabilities to manipulate antidoping in the IWF.

Through the course of its investigations, the MIIT found that many of the above allegations were unsubstantiated. Instead, what Dr. Aján appears to have done is leverage the rumours and stories of his doping manipulations to instill a sense of fear of what *could* happen if Member Federations challenged his authority. Dr. Aján’s image and reputation was his weapon of tyranny and the source of the fear of retaliation. Thus, the legend of his power grew over time as those within the organisation fueled its flames and refused to accept a much different reality.

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<sup>37</sup> There is much spoken about the incident where Dr. Aján provided advanced notice to the Greek Weightlifting Federation in 1997. While visiting Corfu, Greece the President wrote on a napkin the dates of three future out-of-competition doping tests and provided it to the Greek Federation’s President. See the discussion in section 5.2 related to doping in the 1990s.

The period under investigation, between 2009 – 2019, was the worst decade of doping the sport of weightlifting has ever experienced. There were 58 weightlifting positive tests on the retesting of samples from the Beijing and London Olympic Games. At the time of those announcements in 2016 it was also learned that there were 24 positive results at the Houston World Championships in 2015. Over the decade there have been at least 615 confirmed Anti-Doping Rule Violations (“ADRVs”). Throughout this time Dr. Aján, was a proud member of the WADA Foundation Board, boasting about his clean sport while presiding over one of the dirtiest decades in the sport’s history.

This chapter describes a brief historical perspective to provide context for the present difficulties of doping control in weightlifting. What follows is the MIIT’s investigative results into allegations surrounding Dr. Aján’s transgressions and manipulations of the Anti-Doping Control Program (“ADCP”) of the IWF.

## **5.2 The 1980s & 1990s**

These two decades might be characterized as the wild west of doping in many sports, including weightlifting. Antidoping regulations were either nonexistent or in their infancy. Because each sport administered its own particular antidoping regime, the regulations that did exist were highly inconsistent between sports. Inconsistencies in the rules for drug testing and analysis of specimens were also prevalent. The most notable included:

- (i) prohibited substances in one sport that were not prohibited in others;

- (ii) inconsistent sanctions applied to PEDs use violations (for example, penalty for use of the same prohibited substance varied from public warnings to life bans for a first offence); and
- (iii) unannounced, OOC testing applied in some countries and international federations and not in others.

The only sporting body with some consistency and rationale to its antidoping rules was the Medical Commission of the IOC who had jurisdiction over antidoping at the Olympic Games.

During the 1980s and the 1990s weightlifters were consistently breaking World and Olympic records, a fact that did not go unnoticed by the IOC. Dr. Aján was the General Secretary throughout this period and became an IOC member in 2000 (see Chapter 2 on his Presidency). Following the 1988 Games in Seoul, where Hungary, Korea and Bulgaria withdrew their weightlifting teams after a string of positive doping results, the IOC threatened to ban the IWF from the Olympic program until it could prove it was taking doping control seriously.<sup>38</sup> The IOC's early warning triggered a move by the IWF to restructure its weight classes in 1992, eliminating questionable World and Olympic records. The change took effect at the beginning of 1993. A further and similar restructuring occurred in 1997. Doping was so pervasive in the 1990s that had the IWF not acted, the records established during that period would likely remain unbroken up to the present.

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<sup>38</sup><https://www.nytimes.com/2000/09/23/sports/sydney-2000-weight-lifting-drug-scandal-goes-bulgarian-team-ousted-games.html>

### 5.3 Weightlifting Scandals Morphed into the Twenty-first Century

The measures of previous decades to reset the playing field did little to stop the doping activity leading up to the Olympic Games in 2000, 2004 and 2008. The Bulgarian and Romanian weightlifting teams were expelled from the 2000 Olympic Games in Sydney for doping and the Bulgarians were forced to return their medals. At the 2004 Summer Olympics in Athens, a Greek weightlifter was stripped of his medal for taking banned substances. Bulgaria, a repeat offender, was forced to withdraw its entire weightlifting team from the 2008 Beijing Games after 11 athletes tested positive for steroids. Meanwhile, Greece only sent four weightlifters to the Beijing Games after 11 were suspended for doping prior to the Games.<sup>39</sup> The calls became even more shrill and demanding for the IOC to drop weightlifting from the Olympic program.

Prior to 2005, there was a single person coordinating the organisation's Anti-Doping Program. As the new WADA Code started generating more sophisticated requirements, an in-house lawyer was hired for the first time in 2005. This person took over as the Coordinator of the Anti-Doping Commission ("ADC"). In 2008, Nicu Vlad, the President of the Romanian Weightlifting Federation, was the Chairman of the IWF's ADC, preceding the appointment of Patrick Schamasch in 2013. In 2006, Hungary created its own National

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<sup>39</sup> Hungarian Anti-Doping Group Non-profit Ltd ("HUNADO") DCO Barbara Kallo conducted the doping control mission where these positive samples were collected.

Anti-Doping Agency (“NADO”), the Hungarian Anti-Doping Group Non-Profit Ltd (“HUNADO”).<sup>40</sup>

#### **5.4 A Dirty Decade in the Twenty-first Century**

Little progress was made following the embarrassments of the early 2000s. The period from 2009 - 2019 is one of the dirtiest periods in the sport’s history. It continued the pattern of negative results from the decade before and brought on its own unique contributions. In November 2015, the IWF held its marquee event, the World Championships in Houston, Texas. It has the regrettable and unfortunate distinction of being the dirtiest World Championships in the IWF’s history, with an unprecedented 24 positive ADRVs. Just as these results were being made known in early 2016, the IOC was ramping up its retesting of samples from the 2008 and 2012 Olympics. Dr. Aján had previously promised clean Olympics in 2008 and 2012. The IOC’s retesting made those statements ring a sour note with nearly 60 weightlifters being found to have competed dirty at either or both the Beijing and London Games. The sport is second only to Athletics<sup>41</sup> for having the greatest number of dirty athletes at the Olympic Games.

Once again, the IOC reacted to these abysmal statistics, threatening the removal of the sport from the Olympic program. The Clean Sport Commission (“CSC”) established in 2017 at the

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<sup>40</sup> HUNADO’s constating documents state that it was created in 2006. It became operational in 2007. Up until that point there was a department within the Ministry of Sport that performed that anti-doping control. That department was eventually re-modeled to become the independent NADO.

<sup>41</sup> See the WADA Independent Commission Report in 2015 examining the Anti-Doping antics in Athletics.

behest of the IWF President was an effort to respond to the IOC's pressures arising from these despicable results. The move to establish the CSC staved off, at least temporarily, the threat to the sport. The CSC Report concluded that the doping problems in the sport were concentrated in a handful of high-risk countries, where doping is systemic across all sports. Part of the CSC's recommendations was to outsource the ADC's responsibilities. In 2019, the International Testing Agency ("ITA") took over the test distribution planning, sample collection and results management of cases, and earlier this year the Court of Arbitration for Sports Anti-Doping Division ("CAS ADD") was appointed to perform first instance adjudication of results management. These findings and changes were welcomed by the IOC and have ensured weightlifting's participation up to at least the Olympic Games scheduled for Paris in 2024.

## **5.5 Legal Structure and Operation of the Anti-Doping Commission**

The IWF ADC is a standing body within the organisational structure of the IWF. It is responsible for the administration of the IWF ADCP and is required to meet biannually. Its responsibilities include creating and populating the International Registered Testing Pool ("IRTP")<sup>42</sup> and developing the yearly and monthly Test Distribution Plans ("TDP").

Under the Constitution, each Commission is assigned a Coordinator from the IWF Secretariat who is exclusively appointed by the President. The Coordinator for the ADC has, since at least 2005, been the legal person within the Secretariat (the "AD Coordinator").

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<sup>42</sup> Where words are capitalised in this chapter it is either because they are defined terms in the WADC and its accompanying International Standards or they are required to be capitalised in ordinary English language usage.



The role and powers of any Commission Coordinator are not set out in the Constitution or the By-Laws.

The ADC is composed of the Chair and two other appointed members. The Constitution provides that the President recommends and the EB approves the appointment of the members and the Chairperson. Dr. Aján has appointed and anointed the Chairperson and the EB has confirmed the appointments, without active enquiry. In 2012, the EB approved the President's appointment of Dr. Schamasch,<sup>43</sup> the former IOC Medical Director (1993 - 2012), as the Chairperson of the ADC.<sup>44</sup> He held that position until 15 April 2020 when he was dismissed following Dr. Aján's resignation. In accordance with the Constitution, the Chairperson is solely entitled to sign all agreements connected with the ADCP.

The function of the ADC, with the assistance of the Secretariat, is to *"advise, assist and support the IWF AD Coordinator in the implementation of the IWF AD Program."* The ADCP requires that the Secretariat *"together with the AD Commission manages and monitors the IWF ADP"*.<sup>45</sup> The AD Coordinator holds particularly important role in the oversight and implementation of the ADCP. On the front end, the ADC will *"direct the IWF AD Coordinator regarding the In-Competition and Out-of-Competition Testing Program"*, while on the results management side, the AD Coordinator *"... shall inform the Chairperson of the ADC of the*

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<sup>43</sup> Dr. Schamasch held appointments with Russian Athletics Federation; Russian Biathlon, International Association of Athletics Federations (IAAF).

<sup>44</sup> According to the IWF's website, the 1st official meeting of the Independent IWF Anti-Doping Commission was held on 29 January 2014 in Budapest in presence of Dr. Patrick Schamasch, Dr. Michael Petrou, Dr. Monika Ungar and Dr. Magdolna Trombitas.

<sup>45</sup> By-Law 7.11 to the IWF Constitution.

*closed Result Management processes*".<sup>46</sup> The underlined phrase means that up until the point that the case is closed; it remains confidential to everyone except for the Coordinator. Therefore, the AD Coordinator is the only person that ought to have a complete understanding of the application and results of the ADCP.

The ADC in effect should function as an independent body executing the IWF's ADCP. Under the current and previous WADA Code ("WADC"), the IWF must be able to perform the following:

- (i) plan and implement a TDP<sup>47</sup> from gathered intelligence;
- (ii) engage in target testing; and
- (iii) conduct investigations into any possible ADRVs.<sup>48</sup> The WADC requires that all Anti-Doping Organisations (which include International Federations) *"have policies and procedures in place to ensure that antidoping intelligence captured or received is handled securely and confidentially, that sources of intelligence are protected" ... and that the intelligence is "used and disclosed only for legitimate anti-doping purposes."*<sup>49</sup>

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<sup>46</sup> By-Law 6.1.2 to the IWF Constitution.

<sup>47</sup> The contents of the TDP is the responsibility and duty of the Testing Authority (IWF) in accordance with the ISTI. A Doping Control Officer plays no role in the selection of who is to be tested.

<sup>48</sup> WADC (2015 version) Article 5.

<sup>49</sup> ISTI, 2018 para 11.2.2 Anti-Doping Organisations shall have policies and procedures in place to ensure that antidoping intelligence captured or received is handled securely and confidentially, that sources of intelligence are protected, that the risk of leaks or inadvertent disclosure is properly addressed, and that intelligence shared with them by law enforcement, other relevant authorities and/or other third parties, is processed, used and disclosed only for legitimate antidoping purposes.

On the instruction of the Chairperson of the ADC, representing the IWF as the Testing Authority, HUNADO played a key operational role in the implementation of the ADCP as the Sample Collection Authority chosen by the IWF to conduct the vast majority of its testing missions. The ADC outsourced the functions of sample collection and subsequent sending of samples to a WADA laboratory for analysis to HUNADO on its formation in 2007. The role of HUNADO was the subject of commentary by the ARD's documentary.<sup>50</sup> The operation of HUNADO is described in greater detail below.

Following the receipt of a WADA accredited laboratory notification that a weightlifting athlete has produced an adverse analytical finding ("AAF"), atypical finding, or adverse biological passport findings, the ADC on behalf of the IWF is required by the WADA Code to investigate the results<sup>51</sup> and determine if an ADRV under the Code has occurred. If so, it proceeds to propose the applicable sanction on the athlete, who then has rights of appeal.<sup>52</sup>

It was well understood by members of the IWF interviewed by the MIIT, including the former ADC Chairperson, the past and present AD Coordinators, and Dr. Aján, that the ADC should function as an independent and autonomous body of the IWF. Ultimately, the integrity of the ADCP and confidentiality thereof is critical to its successful implementation.

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<sup>50</sup> The response of HUNADO to the allegations may be found in the Internal Audit Report dated 20 April 2020 and available at <https://drive.google.com/drive/folders/1-uqW6MEJQ33efDZICPJnteOa2MMvjobB?usp=sharing>. Accessed 30 April 2020.

<sup>51</sup> WADC Article 7.4 & 7.5.

<sup>52</sup> The AD Coordinator is the legal person in the Secretariat. As the legal counsel they would look at the information they had, including a response by the athlete and any aggravating circumstances and then decide on the sanction period. They are both the prosecutor and the judge in the process when those functions are required.

The assignment of all functions to the ITA has terminated this dual role of the legal counsel who were also regarded by some members of the IWF EB as harsh in their sanction determinations. For example, one Member Federations was upset about a 2.5 year ban of one of their athletes.

## 5.6 The IWF as Testing Authority

The MIIT reviewed and analysed the IWF's instructions as the Testing Authority on the mission's instructions it issued to HUNADO. The purpose was to establish whether any evidence existed to support allegations that the federation itself was complicit in any of a range of potentially corrupt activities that would enable 'favoured' athletes and/or federations to avoid ADRV sanctions.

The analysis involved examining:

- (i) whether in certain cases sample manipulation took place either at the point of testing or later in the sampling process;
- (ii) whether there was advanced notification of out-of-competition testing;
- (iii) what the instructions were to the SCA on the mission orders;
- (iv) what the instructions were to the WADA accredited laboratories; and finally,
- (v) should all the other options have failed, whether there were delays, manipulation or disappearance of the results management of positive samples.

The MIIT obtained evidence from various sources to test these lines of enquiry. It requested documents from the IWF and HUNADO, as well as the WADA accredited laboratories at Cologne, Montréal and Rome. Interviews were conducted with the director of HUNADO, Dr. Agnes Tiszeker and HUNADO Doping Control Officer ("DCO") Barbara Kallo as well as with Hans Geyer, the deputy head of the Cologne laboratory. WADA's ADAMS database was reviewed, which revealed that the instructions to both the HUNADO and the WADA accredited laboratories followed all proper protocols. The procedures followed by

Ms. Kallo as DCO were also confirmed to be correct and in accordance with the WADA Code. The MIIT did not interview any other DCOs, but was satisfied that Dr. Tiszeker and Ms. Kallo performed their duties to the standards required by the WADA Code.

The areas of concern, however, were the ability of Dr. Aján, in his role as the President, to gain access to the ADC's confidential information, which could be used in some capacity to give advance notice of OOC testing and manipulate the results management of cases. These areas are described in greater detail in the following section.

## **5.6 Presidential Meddling in Antidoping**

While the majority of the allegations the MIIT examined proved to be unsubstantiated, it realised that, in the course of testing those allegations, there were transgressions happening quite apart from the rumours being repeated by members of the organisation. The behaviour of Dr. Aján is what the MIIT refers to generally as “meddling”. The President would gain access to the confidential and independent functioning of the ADC, in order to frustrate its operations. This action is a breach of the confidentiality provisions of the confidentiality provisions of By-Law 12 of the disciplinary and ethics procedures at 1.5.1 and 1.5.2.

The source of any abuse or improper conduct in the application of the ADCP of the IWF begins with the power of Dr. Aján to influence the ADCP as it applies to Member Federations. As described in Chapter 2, Dr. Aján used his threats of antidoping

manipulation to exert his power over Member Federations. He leveraged this power by using the ADCP as a vehicle of control and tyranny within the overall IWF organisation. Despite the operation of the ADCP, the IWF is at the mercy of its Member Federations who may carry out their own domestic controls of weightlifting within their countries and at national competitions.<sup>53</sup>

Dr. Aján's control was, in part, backstopped by the IWF's Constitution, which creates an appointment structure that is one of grace and favour at the behest of the President. He staffed the Secretariat at his discretion, which included the legal person within it. Dr. Aján appointed the legal person in the Secretariat to the role of AD Coordinator. That person was then seconded to the ADC and given a pivotal role in carrying out the instructions of the presidentially appointed Chairperson, Dr. Schamasch. The EB in theory, functions as a check on all these appointments by its approval role. However, the reality is that the EB exercised no effective approval control over appointments of either the Chairperson, the other two members of the ADC, or its Coordinator. It simply accepted the appointments Dr. Aján presented.

### **5.6.1 Test Distribution Plans**

As discussed above, WADA mandated that all information and intelligence held by the ADC should remain confidential and only disclosed for legitimate antidoping purposes. In

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<sup>53</sup> The Egyptian Weightlifting Federation was suspended in 2019 following an internal investigation which revealed that coaches were supplying their junior and senior female lifters with steroids on a regular basis. See <https://www.insidethegames.biz/articles/1088667/egyptian-coaches-jailed-over-doping>.

particular, the OOC TDP is a confidential document restricted in circulation and which is only supposed to be known to the ADC, who creates it on a yearly basis and updates it monthly to administer the IWF's ADCP. The confidentiality of this document is paramount in order to execute a legitimate antidoping program.

Dr. Aján's meddling in the affairs of the ADC frustrated the confidential function belonging to the IWF ADC in violation of the previously discussed confidentiality provisions in By-Law 12. The IWF's first internal legal counsel, Monika Ungar shared with the MIIT that Dr. Aján had knowledge of, and access to, the annual TDP. He would regularly demand to see the TDP and its updates. With the evolution of the WADA Code and with each successive legal counsels' knowledge and appreciation of how important the TDP was to the successful functioning of a legitimate ADCP, Dr. Aján's ability to have access to the TDP became restricted.<sup>54</sup> This enraged him and he made continuous attempts to regain his access.

Evidence provided by Eva Nyirfa, the AD Coordinator from the years 2015 - 2017, detailed how Dr. Aján wanted to know where and when the ADC was going to test and what NADO it would deploy. These requests happened continuously, creating a constant pressure to provide the OOC TDP. While the IWF President liked to emphasize publicly that the antidoping program was independent, he did not mince his words when he told Dr. Nyirfa that he, as the President, had the real authority and could not care less about how the antidoping program was supposed to function.

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Most of the time the legal counsels would refuse to provide Dr. Aján with the TDP, by saying “No, we are not providing it [TDP].” However, on at least two occasions the pressure became so intense that in order to diffuse the tension and resist the pressure, Dr. Aján was provided with a version where the testing dates of the TDP were modified. The legal counsel changed the dates indicated on the TDP but left the country location and the SCA intact. While the OOC TDP did not contain the names of athletes, sufficient information remained to know what countries were targets.

### **5.6.2 Interference in Results Management**

Several witnesses described instances where the President interfered or attempted to interfere in the results management of cases. For example, Dr. Aján regularly demanded that the legal counsel’s adjudication of the positive cases resulting from the Beijing and London sample reanalysis be discussed with him. This period was incredibly embarrassing for the IWF as the reanalysis of samples eventually concluded that 58 weightlifting athletes competing at either the 2008 and/or the 2012 Games had positive AAFs. He would threaten her rightful noncompliance with dismissal in an attempt to influence her decisions. These details prompted the MIIT to examine further the possibility of Dr. Aján’s interference into the results management process.



## **i. Delay of Results Management: A Case Study of Azeri Lifters**

In the forensic examination of the IWF's servers, the MIIT discovered a previously deleted letter addressed to Dr. Aján from the Azerbaijan National Olympic Committee's President dated 2016. The letter thanked Dr. Aján for delaying the suspensions of certain Azeri weightlifters that had tested positive for PEDs so that it would not interfere with the Islamic Games that were held in Baku. This discovery prompted the MIIT to examine in greater detail the circumstances surrounding these delayed suspensions. A pattern quickly emerged showing that the IWF did not notify 18 Azeri athletes of their respective ADRVs for months following laboratory notification of the same to the IWF, thus allowing these athletes to compete and in some instances win medals at various competitions, including the World Championships and the Baku Grand Prix.

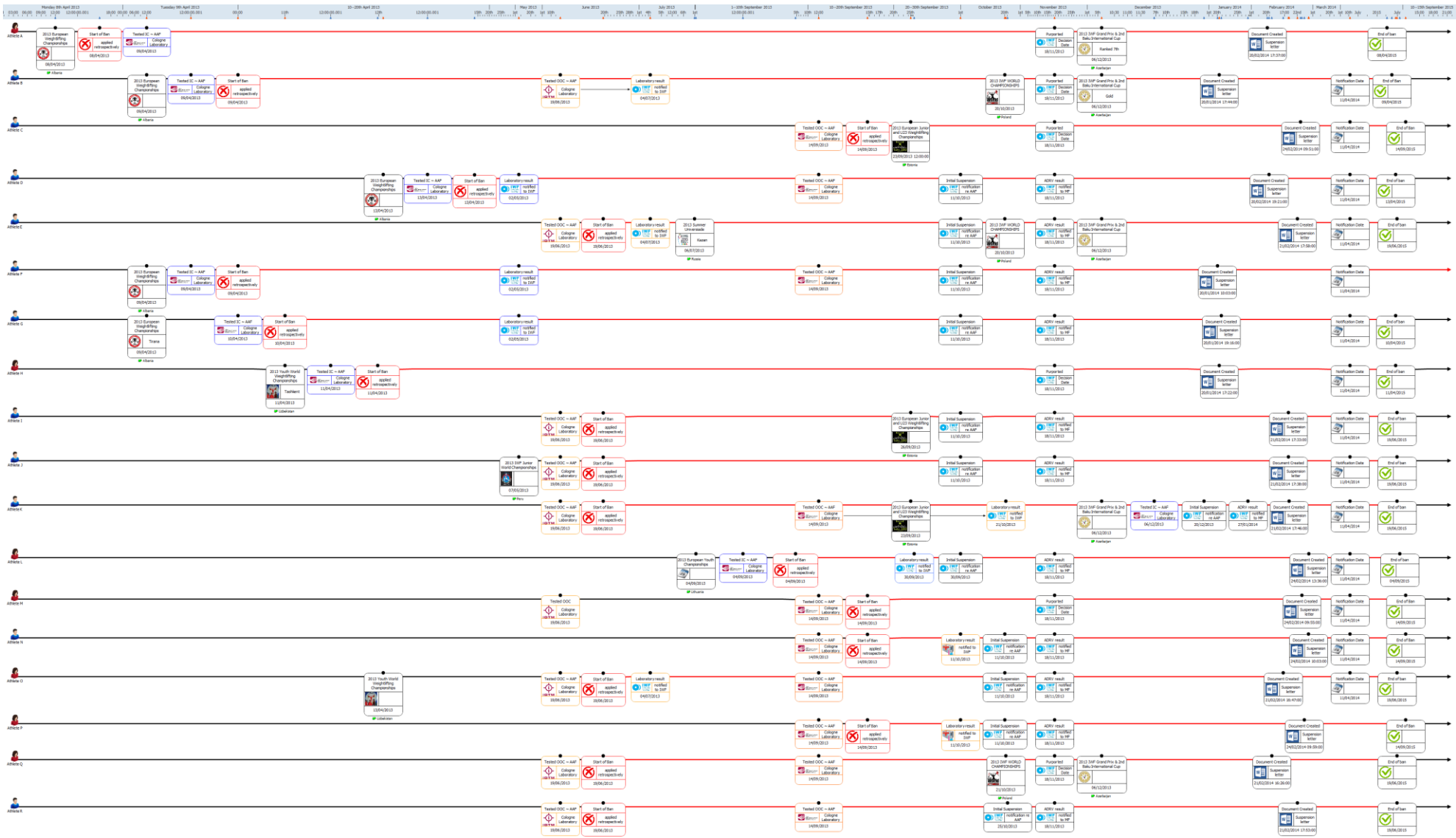
The timeline of Valentin Snejev Hristov, a Bulgarian born Azeri weightlifter, illustrates a particularly egregious case of delay. The athlete had tested positive following an in-competition sample he provided on 9 April 2013 at the European Championships. He later provided an OOC sample on 19 June 2013, which also produced an AAF. Despite having been informed by the Cologne Laboratory of the AAF on 4 July 2013, the IWF did not immediately notify the athlete of the result. He then competed in the World Championships in Poland on 20 October 2013, and at the Azeri organized Baku IWF Grand Prix and 2nd Baku International Cup, held on the 6 December 2013, where he won a gold medal. The IWF finally notified the athlete of the AAF and corresponding provisional suspension on 11 April 2014, with the suspension beginning 9 April 2013. This was nearly a full year after he provided his first positive sample.

There were discrepancies identified during the forensic examination of the IWF's servers, relating to the notification letter sent to the athlete, which was dated 18 November 2013.<sup>55</sup> Had the athlete been legitimately notified of the AAF on that date, he should have been subject to a provisional suspension, precluding him from competing at the Baku competitions. The metadata of the document properties however evidences that the document was actually created on 20 January 2014, two months after the purported notification date. In addition to Hristov, four other athletes' had the same discrepancies in the notification letter process, where it was created after it was dated. This discrepancy could not be explained by Dr. Ungar, the AD Coordinator at the time and she equally had little recollection of these positive cases.

According to the letter sent to Dr. Aján from the Azeri NOC's President, it appears that notification of these 18 athletes' AAFs were deliberately delayed and planned to be released at some point following the Baku Games. This intentional delay allowed these 18 athletes to compete in various championships, distorting the competition results and denying other athletes the opportunities to legitimately compete and win medals. See graphic timeline entitled 'Azerbaijan 18' showing the gap between the test date and initial notification is set out below. The MIIT confirmed that the IWF was the Testing Authority for all these cases.

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<sup>55</sup> These same discrepancies were identified in the notification letters for an additional 5 Azeri weightlifters.



The MIIT interviewed Dr. Monika Ungar who was the AD Coordinator at the time of this incident. She could not explain how these delays in results management could have occurred. When she was asked if the Azeris have been shown favoritism, she replied “they are not my favourites.” When asked whether Azerbaijan was a favourite of Dr. Aján’s, she had no response.

## **ii. Missing Positives Results**

The MIIT recovered from the IWF’s servers, a spreadsheet that had been sent to the IWF from WADA identified a number of antidoping cases that potentially remained unresolved. The document entitled “IWF pending 2009-2013” listed 109 samples which had produced an AAF and appeared not to have been finalized and the results subsequently uploaded to ADAMS.

Parallel to this discovery the MIIT was provided with an email from September 2016, sent from WADA Results Management to Ms. Nyirfa, the IWF’s AD Coordinator and legal counsel. The email related to 45 outstanding cases between 2009 and 2014, where it again appeared that no decision had been rendered and related results not uploaded in ADAMS. A number of the samples from both the WADA spreadsheet and the emails related to Turkish weightlifters. The MIIT conducted an analysis of all the outstanding cases to establish whether the recorded AAFs had been properly finalised and where required, a sanction applied. While it was able to

reconcile many, the Turkish, and some other cases remained outstanding and triggered a more in depth review.

The MIIT requested the assistance of the IWF Secretariat, HUNADO and the WADA accredited laboratory in Cologne, to provide documents surrounding five testing missions between 2010 and 2012 where these 26 outstanding Turkish samples were collected.<sup>56</sup> The IWF searched its own records and those of ADAMS for these samples. The results established that the AAFs had been recorded against the athletes' names and no further entries had been made in either the IWF records or ADAMS database to indicate how or whether the results management had been completed.

The IWF Secretariat member who performed the search alerted the MIIT to the possibility that these initial AAFs may have been the result of national missions conducted by the Turkish Weightlifting Federation rather than the IWF. Therefore, although the IWF should have been notified, it was not its responsibility to update the details on ADAMS database. Dr. Ungar<sup>57</sup>, the IWF's AD Coordinator and legal counsel at the time of these sample reporting issues, echoed this sentiment. Her recollection was that these were missions that the IWF agreed to conduct on behalf of the Turkish Weightlifting Federation. She believed a notation on the mission

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<sup>56</sup> 21 athletes provided these 26 samples.

<sup>57</sup> She also denied any knowledge of, or involvement in any corrupt practices that, should they prove to be IWF missions, prevented the AAF results from being properly logged in the records and the relevant sanctions being implemented against the athletes and if appropriate, the national federation.

instructions to HUNADO would so indicate. Therefore, these missions would be considered a national mission, the results of which would not necessarily be recorded by the IWF, unless the results of the mission were notified to it by the national member federation.

The MIIT subsequently received the laboratory documentation from the Cologne Laboratory where the Turkish samples had been tested. It confirmed that all the samples had produced an AAF and that the results were notified to the IWF and addressed to Dr. Aján. HUNADO provided the mission order request for the mission where the vast majority of positive samples were collected. The mission order request confirmed that the IWF had indeed been the Testing Authority for that particular mission. Indicated on the bottom of the request however, was a handwritten note “for TUR”.<sup>58</sup>

The specific recollection of Dr. Ungar, the AD Coordinator who issued the mission order to HUNADO, appears to be confirmed by the mission request. The IWF is in fact the Testing Authority regardless of what is written on the mission order or the agreement made between itself and the Turkish Federation. Therefore the IWF bares an equal responsibility with the Turkish Federation to follow the results management of these positive samples or, at the very least require the national federation to do the same. This inaction by the IWF caused some devastating

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<sup>58</sup> The mission however was paid for by the IWF.

consequences to international competitive results since most of these athletes would have likely served suspensions as a result of their AAFs.

To illustrate, two high profile Turkish lifters were among the 21 athletes who also provided a sample resulting in an AAF during an OOC test on 3 September 2010. Both athletes went on to compete at the World Championships in Antalya, Turkey on 17 September 2010 and subsequently at the European Championships in Kazan, Russia in April 2011. One of them<sup>59</sup> won gold on both occasions and the other won silver at the World Championships.<sup>60</sup> The athletes retained their medals from these competitions. A timeline is attached below, showing how both in and out-of-competition testing was interspersed with attendance at competitions.

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<sup>59</sup> The athlete later provided a positive OOC sample on 26 October 2011, for which she received a 2-year ban.

<sup>60</sup> Both athletes were also found guilty of doping in 2016, when their Beijing 2008 samples were found positive during the IOC reanalysis.



In addition to the Turkish examples, the MIIT has identified 41 hidden cases and 10 possible other cases where the AAFs have not been followed through. These cases have been forwarded to WADA for investigation.



## 5.7 Doping Fines

The IWF has had various differing rules over the years that permit fines to be imposed on athletes and countries.<sup>61</sup> Those fines can be paid by wire or in cash. This aspect of the ADCP extends further power to Dr. Aján when the fines are paid by cash. He is the only person who receives cash fines, with some rare exceptions when other members of staff acted on his behalf. It has been established during this investigation that Dr. Aján is the sole person making all cash deposits into the IWF's Bank accounts. Between 2009 - 2019 the amount of doping fines collected by wire transfer is approximately \$4.9 million USD, and in cash is approximately \$3 million USD (see Chapter 3 for further discussion.)

## 5.8 Role of HUNADO

The Hungarian Anti-Doping Group Non-profit Ltd was established in 2006 as a legal entity and began operations in 2007. Since that time it has been recognized as compliant and regulated by WADA. HUNADO is a service provider that is contracted by a Testing Authority to collect urine samples on their behalf. HUNADO has been one of the SCAs for the ADC of the IWF, in their capacity as the Testing Authority. It performed in accordance with the WADC on behalf of the IWF, who issued the mission instructions. HUNADO was guided exclusively by the Testing Authority's mission orders and could not act beyond those boundaries. HUNADO could also act, and did act, from time to time, as the Testing Authority of National Member

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<sup>61</sup> The MIIT confirms that the Azerbaijan Weightlifting Federations paid \$500,000 USD in 2014.

Federations and major event organisers of the IWF. The MIIT concludes that HUNADO, in its position as Sample Collection Authority, has no influence to determine which weightlifters are to be tested.

The allegations relating to HUNADO's complicity in sample manipulation either through external pressure or financial incentives has been investigated by the MIIT. Interviews were conducted with Agnes Tiszeker, HUNADO's Director and Ms. Kallo, a senior DCO within the organisation. Following the ARD's documentary, HUNADO commissioned a comprehensive internal audit of its operations to establish the veracity of the allegations made against them.<sup>62</sup> This report has been reviewed by the MIIT and analysed against witness testimony and documentary evidence obtained from various other sources. It is a thorough document.

There are currently 45 DCOs who could be assigned by the HUNADO Director to a specific mission. The ARD's documentary focused on one person, Ms. Kallo, who the MIIT has since interviewed. It is satisfied that other than meeting as necessary to perform her role as a DCO, she has no connections with Dr. Aján and no attempts have been made by him to influence her in the course of carrying out her work as a DCO for HUNADO. Ms. Kallo has a permanent job in the health care field in Budapest and acts as a DCO on a contract basis as needed. The reason she is staffed on many of the HUNADO missions for the IWF for doping control purposes is because she

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<sup>62</sup> See Internal Audit Group Report: *"Conducted on the Basis of the Claims Concerning HUNADO in the Documentary Film 'Lord of the Lifters'/'Herr der Heber'"*. 20 April 2020.

speaks Russian, English, German, Polish, and some Italian and Spanish as well as understanding all of the Slavic languages, due to her mother tongue being Polish.

The MIIT has no evidence that any of the other 45 DCOs who could be assigned by HUNADO to carry out an IWF mission, engaged in conduct not compliant with their obligations under the WADA Code. In reaching this conclusion, the MIIT notes that HUNADO DCOs have attended the summer Olympic Games in both London and Rio de Janeiro. They have partnered twice with United States Anti-Doping Authority (“USADA”) since the partial assignment with them at Houston 2015, and most recently at Los Angeles in 2019. Furthermore, they have been the DCOs in attendance at events hosted by Hungary (including the FINA World Championships in 2017, the EOC EYOF 2017 and the GAISF World Urban Games in 2019). None of these event organisers have reported any misconduct to the MIIT; nor could we find any evidence of such misconduct from open source enquiries. MIIT have concluded that there is no evidence available to suggest that HUNADO’s DCOs miscondacted themselves in contravention of the WADA Code while acting as the SCA on behalf of the IWF.<sup>63</sup>

Taking all the above points into account, it is the opinion of the MIIT, that whilst rumours continue to persist, there is no available evidence to support any allegations of HUNADO’s complicity in sample manipulation. Indeed, it is clear that

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<sup>63</sup> A very late arriving piece of intelligence regarding direct observation of sample swapping at the World Cup in Georgia in 2019. The information will be passed to WADA. It was too late in the investigation for the MIIT to examine the evidence.

some information that was used as the foundation of the allegations against them, was twisted to support a narrative upon which there is little or no basis in fact.<sup>64</sup>

Overall, the MIIT found HUNADO to be cooperative, fully compliant and helpful with these inquiries. A significant amount of assistance was requested of them by the MIIT to complete its investigation to which they fully cooperated. The information provided by and the questions answered from both Dr. Tiszeker and Ms. Kallo was found to be beyond reproach. Over the years, HUNADO has been responsible for collecting hundreds of samples that proved to be positive. Their systems, structures and record keeping were found to be fully in order as prescribed by WADA standards.

It has been suggested that there is something extraordinary in the fact that HUNADO is commissioned by the AD Chairperson to carry out in excess of 75% of the total missions requested by the IWF. While the MIIT did not attempt to examine the validity of the percentage it does note that there are many valid reasons for this to be the case<sup>65</sup> without raising suspicions.

The MIIT is satisfied that the IWF's extensive use of HUNADO was based on a combination of language skills, knowledge of the sport and value for money. No evidence was found to contradict this. Questions surrounding the rumours and stories regarding allegations of HUNADO's improper behaviour were answered to

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<sup>64</sup> See the Internal Audit Report, *supra*, at 4.1.9 and 4.1.10.

<sup>65</sup> See the explanations in the Internal Audit Report, *supra*, at parts 4.1.3 through 4.1.5.

the MIIT's satisfaction. Furthermore, it is accepted that HUNADO was not influenced in any way by Dr. Aján and that no personal relationships existed between him, Dr. Tizeker or Ms. Kallo.

The MIIT concludes that there is absolutely no evidence to indicate that HUNADO determined who was to be tested. It acted strictly on the mission instructions received from the Testing Authority. If there is to be any selectivity as to who is tested it only applies in a narrow set of circumstances while they are testing in-competition samples.<sup>66</sup>

It has been further suggested that samples collected in the field are sent to the laboratory via the HUNADO office in Budapest, the inference being that manipulation of the collected samples could occur on site. DCOs who have obtained samples in certain Eastern European countries, are restricted in shipping the collected samples by courier directly to WADA accredited laboratories. Some of their national laws prohibit the movement of biological specimens outside its borders. In those circumstances, and at some personal risk to themselves, the DCOs would bring the samples back to Budapest with them. The samples would be briefly stored in a sealed refrigeration area at the head office of HUNADO, before being forwarded to a WADA accredited laboratory which, in the case of IWF missions, was

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<sup>66</sup> The in-competition TDP requires the DCOs to test 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> place finishers. In addition, 4<sup>th</sup> place is typically tested. This accounts for approximately half of the tests. The remaining half are a combination of the Testing Authority specifically requesting certain athletes be tested and the HUNADO's discretion to ensure that each country attending is represented equally in the tests.

frequently the Cologne Laboratory. While there would be an opportunity to manipulate a sample in these circumstances, the security and other integrity measures implemented by HUNADO make it highly unlikely in the mind of the MIIT that anything illicit occurred. There is certainly no evidence or suggestion that this would be the case.`

#### **i. HUNADO at Houston World Championships 2015**

This event appears to be a watershed in the saga of weightlifting positive results. A total of 24 athletes tested positive at the event. Dr. Aján had been reluctant to hold the World Championships in the United States. Dragomir Cioroslan was instrumental in finding new sponsors for the Local Organising Committee to host these championships, after a fake bidding process described by a confidential witness pushed the cost of the event to over \$1.2 million USD. That sum was triple the \$400,000 USD other host countries had paid in the past. In the rush for the IWF share of the money (competition fees are split between the IWF and the event organising committee), Dr. Aján tried to ensure that HUNADO and USADA would share equally the role of SCA. This was not satisfactory to USADA. Ultimately, after lengthy discussions and positioning and with WADA's intervention, the Sample Collection Authority was designated to by USADA with HUNADO DCOs involvement being limited to technical advice, athlete notification and translation where needed. The TDP for Houston was entirely created by the IWF as the Testing Authority. The

contract called for the transport of urine samples to the Montreal WADA accredited laboratory and blood samples to the Salt Lake City WADA accredited laboratory.

The MIIT interviewed USADA officials concerning Houston 2015. That organisation was highly co-operative and provided emails and negotiation documents in the lead-up to the event and all documents relating to the antidoping control process at Houston. The MIIT reviewed thoroughly the circumstance leading up to and at the competition in Houston. We find that there was a joint effort between HUNADO and USADA and the positive testing results were a product of that joint-effort and not the sole success of USADA or illustrative of a deficiency in the operation of HUNADO as has been alleged. Indeed, USADA was sufficiently satisfied with the joint venture that they have partnered with HUNADO for subsequent events, including The World Championships in Anaheim in 2017. The MIIT notes that the positive tests at Anaheim in 2017 resulted in only four positive tests, although many countries had been banned from participating because of prior positive results. The joint venturing between USADA and HUNDAO continues to this day.

## **ii. Suspicious Out-of-Competition Test Results prior to Houston**

The underlying problem which has been flagged regarding the 24 positives at Houston is the fact that many of the 24 athletes that tested positive in-competition

had undergone OOC testing a relatively short time before the event.<sup>67</sup> Many of the OOC sample collections were conducted by IDTM. All of those athletes whose tests were positive at Houston, were clean in their OOC tests carried out by the Cologne Laboratory, which carried out a full-menu analysis against their samples.<sup>68</sup> The vast majority of the 24 athletes tested positive for the anabolic steroid, Turinabol.

It is apparent that those OOC tests collected prior to Houston are dubious. When put to Dr. Geyer, the Deputy Head of the Cologne Laboratory, he confirmed that it was highly irregular that they would have tested clean prior to the event and positive at the event in such a short time frame. Indeed, he admitted that the statistics worried him since it was Cologne who conducted the sample analysis on the OOC samples. Tests on samples taken both at Houston and OOC were subsequently re-analysed by the Cologne Laboratory. Their analysis confirmed that their testing capability to detect the long-term metabolites of Turinabol was, at that time, more sensitive than the Montréal Laboratory, and certainly more than sufficient to have identified the AAFs in the OOC samples. The heads of Montréal and Cologne Laboratories are therefore unable to explain what may have happened.

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<sup>67</sup> The vast majority of the athletes tested positive for the anabolic steroid, Turinabol, and mainly represented Azerbaijan, Kazakhstan, Russia, Moldova, and Belarus.

<sup>68</sup> Azeri Athletes Silviya Angelova, Valentin Snejev Hristov, Elkhan Aligulizadi, Intigam Zairov, Firidun Guliyev were all positive at Houston, and were a part of the delayed 18 Azeri samples in 2013. All five athletes produced AAF's when analysed by the Montreal Laboratory. They were subsequently banned from competition for periods ranging from four to eight years.



The MIIT has not been able to establish how these significant discrepancies in the in-competition and OOC test results could have occurred. The working hypothesis provided to the MIIT by Dr. Geyer is that the manipulation of samples occurred at some stage during the in-the-field OOC testing process. The most likely explanation is that urine had been swapped. Indeed, as a result of his re-analysis of Houston samples and out-of-competition samples, the Cologne Laboratory found that samples provided by two Moldovan athletes indicated that the DNA in the OOC sample was not theirs. The MIIT makes no findings here and leaves it to the two laboratories and WADA to examine this issue more thoroughly

## **5.7 Conclusion**

All of the inadequacies of the IWF operations of the ADCP have become historical. In a recent press release by the Acting President Ursula Papandrea recently said:

*“[i]n a desire to decrease the perception or potential interference by the IWF in any and all antidoping processes, the Board has voted unanimously to hand over the appointing of all members of both the Anti-Doping Commission and the Member Federations Sanctioning Panel. Discussions and an agreement are still pending. These actions by the Board exemplify the intent and desire to achieve external and independent bodies’ involvement in our antidoping efforts. To conclude, yesterday we signed the agreement with CAS ADD to hear and decide antidoping cases as a first*

*instance authority upon written delegation of powers from the IOC, ITA, and other WADA signatories.”*