

DECISION OF THE ATHLETICS INTEGRITY UNIT IN THE CASE OF MR YOUSEF KARAM

INTRODUCTION

1. World Athletics has established the Athletics Integrity Unit ("**AIU**") whose role is to protect the integrity of the sport of Athletics, including fulfilling World Athletics' obligations as a Signatory to the World Anti-Doping Code ("the "**Code**"). World Athletics has delegated implementation of the World Athletics Anti-Doping Rules ("**ADR**") to the AIU, including but not limited to the following activities in relation to International-Level Athletes: Testing, Investigations, Results Management, Hearings, Sanctions and Appeals.
2. Mr Yousef Karam ("the **Athlete**") is a 28-year-old sprinter from Kuwait¹.
3. This decision is issued by the AIU pursuant to Rule 8.5.6 ADR, which provides as follows:

"8.5.6 In the event that the Athlete or other Person either (i) admits the violation and accepts the proposed Consequences or (ii) is deemed to have admitted the violation and accepted the Consequences as per Rule 8.5.2(f), the Integrity Unit will promptly:

- (a) issue a decision confirming the commission of the violation(s) and the imposition of the specified Consequences (including, if applicable, a justification for why the maximum potential sanction was not imposed);*
- (b) Publicly Report that decision in accordance with Rule 14;*
- (c) send a copy of the decision to the Athlete or other Person and to any other party that has a right, further to Rule 13, to appeal the decision (and any such party may, within 15 days of receipt, request a copy of the full case file pertaining to the decision)."*

THE ATHLETE'S COMMISSION OF ANTI-DOPING RULE VIOLATIONS

4. Rule 2 ADR sets out that the following shall constitute an Anti-Doping Rule Violation:
 - "2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample*

[...]
 - 2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method"*
5. On 28 January 2021, the Athlete provided a urine Sample, In-Competition, at the World Athletics Indoor Tour Meeting in Karlsruhe, Germany, which was given code 4413031 (the "**Sample**").

¹ <https://worldathletics.org/athletes/kuwait/yousef-karam-14370397>

6. On 5 March 2021, the World Anti-Doping Agency (“WADA”) accredited laboratory in Lausanne, Switzerland (the “Laboratory”) reported an Adverse Analytical Finding in the Sample for the presence of Ibutamoren (the “Adverse Analytical Finding”).
7. Ibutamoren is a Prohibited Substance according to the WADA 2021 Prohibited List under the category S2 Peptide Hormones, Growth Factors, Related Substances and Mimetics. It is a non-Specified Substance prohibited at all times.
8. The AIU reviewed the Adverse Analytical Finding in accordance with Article 5 of the International Standard for Results Management (“ISRM”) and determined that:
 - 8.1. the Athlete did not have a Therapeutic Use Exemption (“TUE”) that had been granted (or that would be granted) for the Metabolites of Testosterone found in the Sample; and
 - 8.2. there was no apparent departure from the International Standard for Testing and Investigations (“ISTI”) or from the International Standard for Laboratories (“ISL”) that could reasonably have caused the Adverse Analytical Finding.
9. Therefore, on 30 March 2021, the AIU notified the Athlete of the Adverse Analytical Finding in accordance with Article 5.1.2.1 of the ISRM, including that the Adverse Analytical Finding may result in Anti-Doping Rule Violations pursuant to Rule 2.1 ADR and/or Rule 2.2 ADR and of the imposition of an immediate Provisional Suspension.
10. The Athlete was also informed of his rights, *inter alia*, to request the B Sample analysis, to request copies of the laboratory documentation supporting the Adverse Analytical Finding, that the mandatory Consequences included a period of Ineligibility of four (4) years² and to admit the Anti-Doping Rule Violations and accept the mandatory Consequences and to potentially benefit from a one-year reduction in the period of Ineligibility pursuant to Rule 10.8.1 ADR.
11. Between 30 March 2021 and August 2021, the Athlete and the AIU engaged in correspondence with respect to the determination of the matter (including with respect to potential suspension of the period of Ineligibility in part under the ADR) and the Athlete provided the AIU with his explanation for the Adverse Analytical Finding which included, in summary, the following:
 - 11.1. following an injury in December 2020, the Athlete sought specific strength and conditioning advice and met an individual at the gym and began training with them. The Athlete explained that this individual gave him pills/supplements “to help [his] injury” and informed him that the pills were “totally legal” and were “multivitamins”;
 - 11.2. when informing the Athlete to take pills/supplements for his injury, the individual showed him two supplement bottles, one that clearly stated “BANNED BY WADA” on the label and another that did not contain any notice to this effect. The Athlete confirmed that he took only the supplement that did not contain any notice on the label and that he took this supplement from 20 December 2020 until shortly after a doctor’s appointment on 14 January 2021;

² The AIU also expressly reserved the right to seek an increase in this mandatory period of Ineligibility on the basis of the application of Aggravating Circumstances in accordance with Rule 10.4 ADR.

- 11.3. following receipt of the Notice of Allegation, the Athlete spoke with the individual again and the individual confirmed that the pills that had been given to him were not multivitamins and that they contained Ibutamoren. The Athlete also asserted that the individual did not know that Ibutamoren was prohibited and that he did not believe that the Athlete would find out that the pills contained Ibutamoren.
12. On 10 August 2021, the AIU issued the Athlete with a Notice of Charge which confirmed that, following review of the Athlete's explanation for the Adverse Analytical Finding as summarized above, the AIU remained satisfied that the Athlete had committed Anti-Doping Rule Violations pursuant to Rule 2.1 ADR and Rule 2.2 ADR, and invited the Athlete to confirm how he wished to proceed with the matter.
13. On 16 August 2021, the Athlete wrote to the AIU and confirmed that he admitted Anti-Doping Rule Violations for the presence and use of Ibutamoren and accepted the Consequences specified by the AIU. The Athlete enclosed a signed Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form.

CONSEQUENCES

14. This is the Athlete's first Anti-Doping Rule Violation.
15. Rule 10.2 ADR specifies that the period of Ineligibility for an Anti-Doping Rule Violation under Rule 2.1 or Rule 2.2 shall be as follows:
- “10.2.1 Save where Rule 10.2.4 applies, the period of Ineligibility will be four years where:*
- (a) The anti-doping rule violation does not involve a Specified Substance or a Specified Method, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional.*
 - (b) The anti-doping rule violation involves a Specified Substance or a Specified Method and the Integrity Unit can establish that the anti-doping rule violation was intentional.”*
16. Ibutamoren is a non-Specified Substance on the 2021 Prohibited List and the applicable period of Ineligibility to be imposed is therefore a period of four (4) years, unless the Athlete demonstrates that the Anti-Doping Rule Violations were not intentional.
17. The Athlete has not demonstrated that the Anti-Doping Rule Violations were not intentional. Therefore, the mandatory period of Ineligibility is a period of Ineligibility of four (4) years.
18. However, Rule 10.8.1 ADR provides that an athlete potentially subject to an asserted period of Ineligibility of four (4) years may benefit from a one (1)-year reduction in the period of Ineligibility based on an early admission and acceptance of sanction:
- “10.8.1 One year reduction for certain anti-doping rule violations based on early admission and acceptance of sanction.*

Where the Integrity Unit notifies an Athlete or other Person of an anti-doping rule violation charge that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Rule 10.4), if the Athlete or other Person admits the violation and accepts the asserted period of

Ineligibility no later than 20 days after receiving the Notice of Charge, the Athlete or other Person may receive a one (1) year reduction in the period of Ineligibility asserted by the Integrity Unit. Where the Athlete or other Person receives the one (1) year reduction in the asserted period of Ineligibility under this Rule 10.8.1, no further reduction in the asserted period of Ineligibility will be allowed under any other Rule.”

19. On 10 August 2021, the AIU issued the Athlete with a Notice of Charge for Anti-Doping Rule Violations under Rule 2.1 and/or Rule 2.2 and informed him that the AIU would seek the mandatory period of Ineligibility of four (4) years.
20. On 16 August 2021, the AIU received an Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form signed by the Athlete in which the Athlete admitted the Anti-Doping Rule Violations and accepted the asserted period of Ineligibility of four (4) years.
21. The AIU therefore considers that the Athlete may receive a one (1) year reduction in the asserted period of Ineligibility pursuant to Rule 10.8.1 based on an early admission and acceptance of sanction.
22. On the basis that the Athlete has admitted the Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR, in accordance with Rule 10.2.1 ADR and the application of Rule 10.8.1 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:
 - 22.1. a period of Ineligibility of three (3) years commencing on 30 March 2021 (the date of his Provisional Suspension); and
 - 22.2. disqualification of the Athlete’s results since 28 January 2021, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points prizes and appearance money.
23. The Athlete has accepted the above Consequences for his Anti-Doping Rule Violations and has expressly waived his right to have those Consequences determined by the Disciplinary Tribunal at a hearing.

PUBLICATION

24. In accordance with Rule 8.5.6(b) ADR, the AIU shall publicly report this decision on the AIU's website.

RIGHTS OF APPEAL

25. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
26. Further to Rule 13.2.3 ADR, WADA and the Kuwait National Anti-Doping Organisation have a right of appeal against this decision to the Court of Arbitration for Sport in Lausanne, Switzerland, in accordance with the procedure set out at Rule 13.6.1 ADR.

27. If an appeal is filed against this decision by WADA or the Kuwait National Anti-Doping Organisation, the Athlete will be entitled to exercise his right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 18 August 2021