
DECISION OF THE ATHLETICS INTEGRITY UNIT IN THE CASE OF MS SALOME JERONO BIWOTT

Introduction

1. In April 2017, the IAAF established the Athletics Integrity Unit ("AIU") whose role is to protect the integrity of the sport of Athletics, including fulfilling the IAAF's obligations as a Signatory to the World Anti-Doping Code. The IAAF has delegated implementation of the IAAF 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. Ms. Salome Jerono BIWOTT is a 36-year old Kenyan long-distance runner who is an International-Level Athlete for the purposes of the ADR (the "**Athlete**"). The Athlete was previously sanctioned for a first anti-doping rule violation in 2012 and received a two (2) year period of ineligibility under the applicable rules.¹
3. This decision is issued by the AIU pursuant to Article 8.4.5 and Article 8.4.7 of the ADR.
4. Article 8.4.5 ADR provides that:

"8.4.5 In the event that the Athlete or Athlete Support Person does not respond to the Notice of Charge by the specified deadline, the Athlete or Athlete Support Person will be deemed to have waived his right to request a hearing and to have admitted the Anti-Doping Rule Violation(s) charged, and to have acceded to the Consequences specified in the Notice of Charge, and, in such event, the Integrity Unit shall promptly issue a decision in accordance with Article 8.4.7."
5. Article 8.4.7 ADR provides that:

"8.4.7 In the event that [...] the Athlete or Athlete Support Person admits the Anti-Doping Rule Violation(s) charged and accedes to the Consequences specified by the Integrity Unit (or is deemed to have done so), a hearing before the Disciplinary Tribunal shall not be required. In such a case, the Integrity Unit:

 - (a) shall promptly issue a decision confirming [...] the commission of the Anti-Doping Rule Violation(s) and the imposition of the Specified Consequences [...];*
 - (b) shall publicly Report that decision in accordance with Article 14; [...]"*

The Athlete's commission of Anti-Doping Rule Violations

6. On 7 April 2019, the Athlete underwent an in competition doping control at the '25th São Paulo International Marathon' held in São Paulo, Brazil. The Athlete provided a urine sample numbered 6375930 (the "**Sample**").

¹ The Athlete provided a urine sample at the Standard Chartered Marathon in Nairobi, Kenya on 28 October 2012, which returned an Adverse Analytical Finding for Norandrosterone resulting in a period of ineligibility of two (2) years being imposed from 25 January 2013 to 24 January 2015.

7. On 24 May 2019, the WADA accredited laboratory in Rio de Janeiro, Brazil reported an Adverse Analytical Finding (the “**AAF**”) for the presence of 19-norandrosterone and 19-noretiocholanolone (“**Norandrosterone**”) in the Sample.
8. Norandrosterone is a Prohibited Substance under the WADA 2019 Prohibited List (S1: Anabolic Agents). It is a non-Specified Substance and is prohibited at all times. The Athlete did not have a TUE permitting the use of Norandrosterone.
9. On 5 June 2019, the AIU notified the Athlete of the AAF and imposed a provisional suspension pending resolution of her case. The Athlete was requested to provide an explanation for the presence of Norandrosterone in the Sample and was afforded the opportunity to request analysis of the B Sample.
10. On 18 and 21 June 2019, the Athlete provided her explanation for the AAF in which she stated that she had had an injection of Depo-Provera (Medroxyprogesterone) two weeks prior to the race. The Athlete did not request analysis of the B Sample.
11. On 24 June 2019, the AIU informed the Athlete that her explanation did not account for the presence of Norandrosterone in her Sample and charged the Athlete with committing a second Anti-Doping Rule Violation pursuant to Article 2.1 ADR (Presence of a Prohibited Substance) and Article 2.2 ADR (Use of a Prohibited Substance).
12. The Athlete was offered the opportunity to either admit the Anti-Doping Rule Violations and accept an eight (8) year period of ineligibility, or to request a hearing before the Disciplinary Tribunal, by no later than 4 July 2019.
13. The Athlete did not reply to the Charge within the given deadline.
14. On 9 July 2019, the Athlete was given a final opportunity to respond to the Notice of Charge and advised that, if she did not do so by 11 July 2019, she would be deemed to have waived her right to a hearing before the Disciplinary Tribunal, to have admitted the Anti-Doping Rule Violations and to have accepted the Consequences for those Anti-Doping Rule Violations specified in the Notice of Charge.
15. The Athlete failed to respond by the specified deadline of 11 July 2019.

Consequences

16. In accordance with Article 8.45 ADR, the Athlete is deemed, to have admitted the Anti-Doping Rule Violations and to have acceded to the Consequences specified in the Notice of Charge.
17. Together, this matter constitutes the Athlete’s second Anti-Doping Rule Violation under Article 2.1 ADR and Article 2.2 ADR.
18. On the basis that the Athlete is deemed to have admitted the Anti-Doping Rule Violations specified above, the AIU confirms by this decision the following Consequences in her case:
 - 13.1 a period of Ineligibility of eight (8) years pursuant to Articles 10.2.1(a) and 10.7.1 commencing on 5 June 2019 for the Athlete’s second violation of the ADR; and
 - 13.2. disqualification of the Athlete’s results since 7 April 2019 with all resulting consequences including the forfeiture of any titles, awards, medals, points and prize and appearance money pursuant to Articles 9 and 10.8 ADR.

Publication

19. In accordance with Article 8.4.7(b) ADR, the AIU shall publicly report this decision on the AIU's website.
20. This decision constitutes the final decision of the AIU pursuant to Article 8.4.7 ADR.
21. Further to Article 13.2.4 ADR, the Athlete, the World Anti-Doping Agency (WADA) and the Anti-Doping Agency of Kenya (ADAK) 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 Article 13.7 ADR.

Monaco, 17 July 2019