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## DECISION OF THE ATHLETICS INTEGRITY UNIT IN THE CASE OF MS VIKTORIYA KHAPILINA

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### Introduction

1. In April 2017, World Athletics<sup>1</sup> 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. World Athletics has delegated implementation of its 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. Viktoriya Khapilina is a 28-year-old Ukrainian long-distance runner who is an International-Level Athlete for the purposes of the ADR (the "Athlete").
3. This decision is issued by the AIU pursuant to Rule 8.4.7 ADR which provides that:

*8.4.7 "[i]n 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 [...], a hearing before the Disciplinary Tribunal shall not be required. In such a case, the Integrity Unit [...] shall promptly issue a decision confirming [...] the commission of the Anti-Doping Rule Violation(s) and the imposition of the Specified Consequences [...]"*

### The Athlete's commission of Anti-Doping Rule Violations

4. On 11 October 2020, the Athlete was subject to in-competition Testing at the 'Wizz Air Sofia Marathon' held in Sofia, Bulgaria. The Athlete finished first in the women's marathon event and provided a urine sample numbered 4546163 following the race (the "Sample").
5. On 10 November 2020, the World Anti-Doping Agency ("WADA") accredited laboratory in Seibersdorf, Austria, reported an Adverse Analytical Finding (the "AAF") for the presence of recombinant erythropoietin ("EPO") in the Sample.
6. EPO is a Prohibited Substance under the WADA 2020 Prohibited List (S2: Peptide Hormones, Growth Factors, Related Substances and Mimetics). It is a non-specified substance prohibited at all times.
7. The Athlete did not have a Therapeutic Use Exemption ("TUE") permitting the use of EPO.
8. On 13 November 2020, the Athlete was notified of the AAF and informed that the AIU considered that the Athlete had committed violations of the ADR pursuant to Rule 2.1 ADR (Presence) and Rule 2.2 ADR (Use). The AIU also confirmed that the Athlete was immediately subject to a Provisional Suspension pending resolution of the case.

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<sup>1</sup> Formerly the International Association of Athletics Federations ("IAAF")

9. The Athlete was requested to provide an explanation for the presence of EPO in the Sample by no later than 20 November 2020 and was afforded the opportunity to request analysis of the B Sample.
10. On 19 November 2020, the Athlete confirmed to the AIU that she did not wish for the B sample to be analyzed and that she admitted to Anti-Doping Rule Violations for the Presence and Use of EPO. On 21 November 2020, the Athlete signed and returned an Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form to the AIU.

### **Consequences**

11. Taken together, the Anti-Doping Rule Violations pursuant to Rule 2.1 ADR and Rule 2.2 ADR constitute the Athlete's first Anti-Doping Rule Violation under the ADR.
12. On the basis that the Athlete has admitted to committing Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:
  - 12.1. a period of Ineligibility of four (4) years commencing on 11 October 2020 pursuant to Rule 10.2.1(a) ADR and Rule 10.10.2(b) ADR; and
  - 12.2. disqualification of the Athlete's results since 11 October 2020 with all resulting consequences, including the forfeiture of any titles, awards, medals, points and prize and appearance money pursuant to Rule 9 ADR and Rule 10.8 ADR.
13. The Athlete has accepted the above Consequences for her Anti-Doping Rule Violations and has expressly waived her right to have those Consequences determined by the Disciplinary Tribunal at a hearing.

### **Publication**

14. In accordance with Rule 8.4.7(b) ADR, the AIU shall publicly report this decision on the AIU's website.
15. This decision constitutes the final decision of the AIU pursuant to Rule 8.4.7 ADR.

### **Rights of Appeal**

16. Further to Rule 13.2.4 ADR, WADA and the National Anti-Doping Organization of Ukraine 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 13.7.2 ADR.
17. If an appeal is filed against this decision by WADA or the National Anti-Doping Organization of Ukraine, the Athlete will be entitled to exercise her right of cross-appeal in accordance with Rule 13.9.3 ADR.

**Monaco, 14 December 2020**