

DECISION OF THE ATHLETICS INTEGRITY UNIT IN THE CASE OF MS NATSINET AMANUEL

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. Ms Natsinet Amanuel (“the **Athlete**”) is a 29-year-old long-distance runner from Eritrea¹.
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 16 October 2022, the Athlete provided a urine Sample In-Competition at the ‘TCS Amsterdam Marathon’ in Amsterdam, the Netherlands, (the “**Sample**”).
6. On 2 December 2022, the World Anti-Doping Agency (“**WADA**”) accredited laboratory in Ghent, Belgium (the “**Laboratory**”) reported an Adverse Analytical Finding in the Sample based on the

¹ <https://worldathletics.org/athletes/eritrea/natsnet-amanuel-14935358>

presence of Testosterone and its Metabolites Androsterone, Etiocholanolone, 5 α -androstane-3 α ,17 diol (“**5 α Adiol**”) and 5 β -androstane-3 α ,17 diol (“**5 β Adiol**”) consistent with exogenous origin (the “**Adverse Analytical Finding**”).

7. The AIU reviewed the Adverse Analytical Finding in accordance with Article 5 of the International Standard for Results Management (“**ISRM**”) and determined that:
 - 7.1. the Athlete did not have a Therapeutic Use Exemption (“**TUE**”) that had been granted (or that would be granted) for the Testosterone and its Metabolites consistent with exogenous origin found in the Sample; and
 - 7.2. 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.
8. Therefore, on 9 December 2022, 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.
9. The Athlete was also informed on 9 December 2022 of her rights, inter alia, to request the B Sample analysis, to request copies of the laboratory documentation supporting the Adverse Analytical Finding and to admit the Anti-Doping Rule Violations and potentially benefit from a one-year reduction in the period of Ineligibility pursuant to Rule 10.8.1 ADR.
10. On 15 December 2022, the AIU received an e-mail from the official World Athletics e-mail address of the Eritrean National Athletics Federation sent in the Athlete’s name including her explanation for the Adverse Analytical Finding. In summary, the Athlete set out that, to her knowledge, the Adverse Analytical Finding could have been caused by supplements that had been sent to her by a relative from the USA².
11. On 19 December 2022, the AIU informed the Athlete that to sufficiently corroborate her explanation, she would need to purchase new (sealed) supplements from the same batches as those that she believed could be responsible for the Adverse Analytical Finding and submit those sealed supplements, together with the original supplements that she identified in her explanation, for analysis for the presence of any Prohibited Substances. The Athlete was asked to confirm that she would do so by no later than 3 January 2023. However, the Athlete failed to respond by that deadline.
12. Therefore, on 12 January 2023, the AIU issued the Athlete with a Notice of Charge in accordance with Rule 8.5.1 ADR and Article 7.1 ISRM confirming that she was being charged with Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR (“the **Charge**”) and that the Consequences included (i) a period of Ineligibility of four (4) years and (ii) disqualification of her results on and since 16 October 2022.

² The AIU also received the same explanation directly from the Athlete’s e-mail address on 16 December 2022. The Athlete did not request the B Sample analysis or any laboratory documents that support the Adverse Analytical Finding. The AIU therefore confirmed that it considered the Athlete to have waived her right to the B Sample analysis and that she did not request any of the Laboratory Documentation Packages.

13. The AIU invited the Athlete to respond to the Charge confirming how she wished to proceed by no later than 22 January 2023. The letter confirmed that, should the Athlete fail to challenge the AIU's assertion of the Anti-Doping Rule Violations or the Consequences, or fail to request a hearing, then she would be deemed to have waived her right to a hearing, admitted the Anti-Doping Rule Violations and accepted the Consequences set out in the Charge.
14. On 23 January 2023, the Athlete returned a signed Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form confirming that (i) she admitted the Anti-Doping Rule Violations and accepted the asserted period of Ineligibility and (ii) waived any further rights she had to contest, challenge or dispute the Anti-Doping Rule Violations and/or applicable Consequences.

CONSEQUENCES

15. This is the Athlete's first Anti-Doping Rule Violation.
16. 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.*”
17. Testosterone (when administered exogenously) is a Prohibited Substance under the WADA 2022 Prohibited List under the category S1.1 Anabolic Androgenic Steroids (AAS). It is a Non-Specified Substance prohibited at all times.
18. The 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.
19. 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.
20. However, Rule 10.8.1 ADR provides that an athlete potentially subject to an asserted period of Ineligibility of four (4) years or more 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.”

21. The Athlete was issued with a Notice of Charge on 12 January 2023. On 23 January 2023, (11 days after receiving the Charge) the Athlete returned a signed Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form confirming that she admitted the Anti-Doping Rule Violations and accepted the asserted period of Ineligibility.
22. The Athlete shall therefore receive a one (1) year reduction in the asserted period of Ineligibility pursuant to Rule 10.8.1 ADR.
23. 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:
 - 23.1. a period of Ineligibility of three (3) years commencing on 9 December 2022 (the date of Provisional Suspension); and
 - 23.2. disqualification of the Athlete’s results on and since 16 October 2022, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points prizes and appearance money.
24. 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

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

RIGHTS OF APPEAL

26. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
27. Further to Rule 13.2.3 ADR, WADA and the Eritrean National Olympic Committee 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.
28. If an appeal is filed against this decision by WADA or the Eritrean National Olympic Committee, the Athlete will be entitled to exercise her right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 26 January 2023