

DECISION OF THE ATHLETICS INTEGRITY UNIT IN THE CASE OF MS EBESIE AYELE BALCHA

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 Ebesie Ayele Balcha ("the **Athlete**") is a 26-year-old long-distance runner from Ethiopia¹.
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"

¹ <https://worldathletics.org/athletes/ethiopia/ebesie-ayele-15054826>

5. On 12 March 2023, the Athlete provided a urine Sample pursuant to Testing conducted by the AIU on behalf, and under the Testing Authority of, World Athletics, in accordance with the World Athletics Anti-Doping Rules, In-Competition, in Meishun, China, which was given code 6482634 (the “**Sample**”).
6. On 27 April 2023, the World Anti-Doping Agency (“**WADA**”) accredited laboratory in Beijing, China (the “**Laboratory**”) reported an Adverse Analytical Finding in the Sample based on the presence of Metabolites of Testosterone (or Testosterone precursors), specifically, Androsterone, Etiocholanolone and 5BAdiol (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) to justify the presence of Metabolites of Testosterone consistent with exogenous origin 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 7 June 2023, the AIU notified the Athlete, via the Ethiopian Athletics Federation (“**EAF**”), 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 informed of her rights, *inter alia*, to request the B Sample analysis, to request copies of the Laboratory Documentation Package supporting the Adverse Analytical Finding (“**LDP**”) 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. The AIU also requested that the Athlete provide an explanation for the Adverse Analytical Finding.
10. On 5 July 2023, the Ethiopian National Anti-Doping Authority informed the AIU, following contact with the Athlete, that the Athlete “*doesn’t remember how it [the Adverse Analytical Finding] happened*” and that “*she would accept all the possible sanctions*”.
11. Thereafter, the AIU (with assistance of the EAF and the Ethiopian National Anti-Doping Authority) made several attempts to contact the Athlete to confirm how she wished to proceed with the matter in view of the information received from the Ethiopian National Anti-Doping Authority.
12. On 10 August 2023, the Athlete, through EAF, returned a signed Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form (the “**Admission Form**”), to confirm her position set out via the Ethiopian National Anti-Doping Authority on 5 July 2023 that she admitted the Anti-Doping Rule Violations and accepted the Consequences specified in the Admission Form.

CONSEQUENCES

13. This is the Athlete's first Anti-Doping Rule Violation.
14. Rule 10.2 ADR specifies that the period of Ineligibility for an Anti-Doping Rule Violation under Rule 2.1 or Rule 2.2 ADR 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.”*
15. Testosterone is a Prohibited Substance under the WADA 2023 Prohibited List under the category S1.1 Anabolic Androgenic Steroids. It is a Non-Specified Substance prohibited at all times.
16. 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.
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) or more 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 2023, the AIU received the Admission Form signed by the Athlete in which the Athlete admitted the Anti-Doping Rule Violations and accepted an asserted period of Ineligibility of four (4) years.
20. The Athlete shall therefore 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.
21. 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:

- 21.1. a period of Ineligibility of three (3) years commencing on 7 June 2023 (the date of the Provisional Suspension); and
 - 21.2. disqualification of the Athlete's results on and since 12 March 2023, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points, prizes and appearance money.
22. 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

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

RIGHTS OF APPEAL

24. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
25. Further to Rule 13.2.3 ADR, WADA and the Ethiopian National Anti-Doping Authority 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.
26. If an appeal is filed against this decision by WADA or the Ethiopian National Anti-Doping Authority, the Athlete will be entitled to exercise her right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 22 August 2023