Athletics Integrity Unit

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Decision of the Athletics Integrity Unit in the Case of Ms Natalya Kholodilina (the "Athlete")

Factual Background

1. On 16 July 2016 and 9 December 2016, Prof. Richard McLaren published two reports into allegations of a systemic doping scheme in Russia (the First[1] and Second McLaren Reports[2], together the "**McLaren Reports**"). In the McLaren Reports, Prof. McLaren made findings with respect to the scheme and concluded that Russian athletes had been protected over the course of years. In other words, a vast number of positive samples had been officially reported as negative. The three main counter-detection methodologies which were used in Russia, at least between 2011 and 2015, were the so-called (i) Disappearing Positives Methodology ("**DPM**")[3], (ii) the Sample Swapping Methodology[4] and (iii) Washout Testing[5].

2. On 30 October 2017, the World Anti-Doping Agency ("**WADA**") Intelligence & Investigations Department ("**WADA I&I**") secured from a whistleblower a copy of the Laboratory Information Management System ("**LIMS**") data of the Moscow Laboratory for the years 2011 to August 2015 (the "**2015 LIMS**").

3. The LIMS is a system that allows a laboratory to manage a sample through the analytical process and the resultant analytical data. Conceptually, the LIMS is a warehouse of multiple databases organized by year. The most relevant anti-doping data within the LIMS are those

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[1] https://www.wada-ama.org/en/resources/doping-control-process/mclaren-independent-investigation-report-part-i

[2] https://www.wada-ama.org/en/media/news/2016-12/wada-publishes-independent-mclaren-investigation-report-part-ii

[3] Where the initial testing procedure of a sample revealed a Presumptive Adverse Analytical Finding the athlete would be identified, and the Russian Ministry of Sport would decide either to "SAVE" or to "QUARANTINE" the athlete in question. The instruction would typically be sent by email; however, at times, "SAVE" instructions were also known to be given by other means than email, eg. orally or by text message and certain athletes were automatically protected without the need for any instruction. If the instruction was "SAVE", the analysis of the sample would stop and the Moscow Laboratory would report the sample as "negative" in ADAMS.

[4] The Sample Swapping Methodology involved the replacing of "dirty" urine with "clean" urine by removing and replacing the cap on sealed B sample bottles. This was facilitated by the establishment and maintenance of a "Clean Urine Bank" at the Moscow Laboratory.

[5] The Washout Testing was developed in order to determine whether the athletes on a doping program were likely to test positive. The results of the Washout Testing were at times recorded in documents, such as the London Washout Schedules in the lead-up to the 2012 London Olympic Games or the Moscow Washout Schedule in the lead-up to the 2013 IAAF World Championships. Even when the samples screened positive, they were automatically reported as negative in ADAMS. See page 23 and 72 of the Second McLaren Report.

related to sample reception, analysis, and the actions of users within the system. This pertinent data is housed in key tables including: "bags", "samples", "screening", "found" (or "scr_results" prior to 2013), "confirmation", "MS_data" (or "Pro_4" prior to 2013) and "pdf".

4. Subsequently, as part of the reinstatement process of the Russian Anti-Doping Agency ("**RUSADA**"), WADA required that inter alia authentic analytical data from the Moscow Laboratory for the years 2012 to 2015 be provided. Access to the Moscow Laboratory was therefore given to a team of WADA-selected experts, who were allowed to remove data from the Moscow Laboratory, including another copy of the LIMS data for the relevant years (the "**2019 LIMS**") as well as the underlying analytical PDFs and raw data of the analyses reported in the LIMS (the "**Analytical Data**"). The analytical PDFs are automatically generated from the instruments and contain the chromatograms, which demonstrate whether a substance is present or not in a given sample.

5. Further investigations were conducted by WADA I&I in collaboration with forensic experts from the University of Lausanne on the data retrieved from the Moscow Laboratory and evidence of manipulation of the 2019 LIMS was uncovered, in particular, to remove positive findings contained in the LIMS. On that basis, WADA I&I concluded that the 2015 LIMS was reliable (and the 2019 LIMS was not). WADA I&I also identified evidence of deletions/alterations of Analytical Data to remove evidence of positive findings prior to WADA's retrieval mission in January 2019.[6]

6. In the present case, the 2015 LIMS data, the Analytical Data and the McLaren Reports evidence show that one of the Athlete's samples contained a prohibited substance and was not reported as positive as part of the Russian manipulation scheme. More particularly:

Sample 2919882

6.1. On 6 June 2014, the Athlete was subject to an out-of-competition urine doping control. The 2015 LIMS indicates that metenolone was found in this sample.

6.2. Metenolone is an exogenous anabolic androgenic steroid prohibited under Section S1.1A of the 2014 WADA Prohibited List.

6.3. On 11 June 2014, Dr. Sobolevsky (of the Moscow laboratory) sent an email to Dr. Rodchenkov with the following content (EDP0371):

> *"Subject: results*
>
> *2919882, F, athletics, Russia's Championship | 5855, RU Cheboksary, collection 2014-06-06 methenolone substantial"*

[6] See in particular CAS 2020/O/6689, para. 614: "*The Panel finds that, prior to the Moscow Data being retrieved by WADA in January 2019, and during its retrieval, it was subjected to deliberate, sophisticated and brazen alterations, amendments and deletions. Those alterations, amendments and deletions were intentionally carried out in order to remove or obfuscate evidence of improper activities carried out by the Moscow Laboratory as identified in the McLaren Reports or to interfere with WADA's analysis of the Moscow Data*".

6.4. On 11 June 2014, Liaison Person Velikodny sent an email with, amongst others, the following content (EDP0374):

> *"SAVE*
>
> *2919882, Holodilina Natalya, World-Class Master of Sports [WCMS][1], athletics, DOB 21.07.1989, Russia's Championship / Cheboksary, collection 2014-06-06, substantial methenolone"*

6.5. The sample was reported negative by the Moscow laboratory.

Procedural Background

7. By letter dated 28 May 2024, the Athlete was notified by the Athletics Integrity Unit ("**AIU**") of a potential Anti-Doping Rule Violation ("**ADRV**") under the IAAF 2014-2015 Competition Rules and of her right to provide a written explanation or to admit the potential ADRV by 11 June 2024 at the latest (the "**Notice of of Allegation of Anti-Doping Rule Violation**").

8. By return email dated 28 May 2024, the Athlete informed the AIU that she "*did not agree with the violation*" but "*will not dispute anything*".

9. By letter dated 6 December 2024, the AIU maintained its view that the evidence was clear that the Athlete's sample 2919882 contained metenolone and granted her a final opportunity *(i)* to admit the violation and accept the consequences outlined in that letter by 26 December 2024 or *(ii)* to request a hearing by 20 December 2024 at the latest (the "**Notification of Asserted Anti-Doping Rule Violation**").

10. The Athlete failed to respond to the Notification of Asserted Anti-Doping Rule Violation within the given deadline or since then.

Reasoned Decision

A. Applicable Rules

11. Pursuant to Rule 1.7.2(b) of the 2025 World Athletics Anti-Doping Rules ("**2025 ADR**"), anti-doping rule violations committed prior to 1 January 2025 shall be governed by the substantive Anti-Doping Rules in effect at the time the alleged anti-doping rule violation occurred and, with respect to procedural matters, by the 2025 ADR (unless by the Effective Date, the case has already been referred to a hearing body in accordance with Rule 38 of the 2016-2017 IAAF Competition Rules).

12. As the Athlete's anti-doping rule violation occurred in June 2014, they are governed by the rules in force at the time of their commission, viz. the 2014-2015 IAAF Competition Rules (the "**IAAF Competition Rules**").

B. Anti-Doping Rule Violation

13. Per Rule 32.2(b) of the IAAF Competition Rules, the Use of Prohibited Substances constitutes an anti-doping rule violation. The provision adds the following:

> *"(i) it is each Athlete's personal duty to ensure that no Prohibited Substance enters his body. Accordingly, it is not necessary that intent, fault, negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method.*
>
> *(ii) the success or failure of the Use or Attempted Use of a Prohibited Substance or Prohibited Method is not material. It is sufficient that the Prohibited Substance or Prohibited Method was Used, or Attempted to be Used, for an antidoping rule violation to be committed."*

14. Use within the meaning of Rule 32.2(b) of the IAAF Competition Rules can be established "*by any reliable means, including but not limited to admissions, evidence of third Persons, witness statements, experts reports, documentary evidence, conclusions drawn from longitudinal profiling and other analytical information*" (Rule 33.3 of the IAAF Competition Rules).

15. In the present case, the 2015 LIMS data, the underlying Analytical Data and the McLaren Reports evidence show that metenolone was detected in a sample collected from the Athlete in June 2014. This clear and reliable evidence shows that the Athlete used Prohibited Substances in 2014 under Rule 32.2(b) of the IAAF Competition Rules.

16. In addition, the AIU notes that, when confronted with the anti-doping rule violation, the Athlete ultimately informed that "*she will not dispute anything*".

17. In view of the above, it is clear that the Athlete committed an anti-doping rule violation under Rule 32.2(b) of the IAAF Competition Rules.

C. Applicable Consequences

1) Period of Ineligibility

18. Per Rule 40.7(d) of the IAAF Competition Rules, "[f]*or the purposes of imposing sanctions under Rule 40.7, an anti-doping rule violation will only be considered a second violation if it can be established that the Athlete or other Person committed the second anti-doping rule violation after the Athlete or other Person received notice pursuant to Rule 37 (Results Management) or after reasonable efforts were made to give notice of the first anti-doping rule violation; if this cannot be established, the violations shall be considered together as one single first violation and the sanction imposed shall be based on the violation that carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (Rule 40.6).*"

19. In the present case, the anti-doping rule violation relates to a sample collected on 6 June 2014. The Athlete has already been sanctioned with a period of Ineligibility of two (2) years from 22 September 2014 until 21 September 2016 (included), with Disqualification of results from 13 September 2014 for an ADRV commited on 13 September 2014 (the "**First Violation**"). As the present violation was committed before the Athlete was notified of the First Violation, it shall not count as a second violation, and both violations shall be considered together as a first violation.

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20. In this respect, Rule 40.2 of the IAAF Competition Rules sets out that "[t]*he period of Ineligibility imposed for a violation of […] 32.2(b) (Use or Attempted Use of a Prohibited Substances or Prohibited Method) […], unless the conditions for eliminating or reducing the period of Ineligibility as provided in Rules 40.4 and 40.5, or the conditions for increasing the period of Ineligibility as provided in Rule 40.6 are met, shall be as follows: First Violation: Two (2) years' Ineligibility.*"

21. Pursuant to Rule 40.6 of the IAAF Competition Rules, if it is established that "*aggravating circumstances are present which justify the imposition of a period of Ineligibility greater than the standard sanction, then the period of Ineligibility otherwise applicable shall be increased up to a maximum of four (4) years unless the Athlete or other Person can prove to the comfortable satisfaction of the hearing panel that he did not knowingly commit the anti-doping rule violation.*"

22. Examples of aggravating circumstances include the following per Rule 40.6(a) of the IAAF Competition Rules: "*the Athlete or other Person committed the antidoping rule violation as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit anti-doping rule violations; the Athlete or other Person used or possessed multiple Prohibited Substances or Prohibited Methods or used or possessed a Prohibited Substance or Prohibited Method on multiple occasions; a normal individual would be likely to enjoy performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of Ineligibility; the Athlete or other Person engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an anti-doping rule violation.*"

23. In the present case, the fact that the ADRVs were committed as part of the most sophisticated doping and anti-detection scheme in history, aimed at ensuring that Russian athletes who were using prohibited substances would escape any violation or sanction, clearly constitutes an aggravating circumstance. Further, multiple violations were committed by the Athlete.

24. In view of the above, it is clear that aggravating circumstances are present with respect to the Athlete's present anti-doping rule violation. It follows that a period of Ineligibility of four (4) years under Rule 40.6 of the IAAF Competition Rules is warranted and proportionate to the serious offences committed. However, as the Athlete has already served of period of Ineligibility of two (2) years in relation to the First Violation, the period of Ineligibility shall be limited to an additional sanction of two (2) years of Ineligibility.

2) Disqualification

25. Per Rule 40.8 of the IAAF Competition Rules, "[i]*n addition to the automatic disqualification of the results in the Competition which produced the positive sample under Rules 39 and 40, all other competitive results obtained from the date the positive Sample was collected (whether In-Competition or Out-of-Competition) or other anti-doping rule violation occurred through to the commencement of any Provisional Suspension or Ineligibility period shall be Disqualified with all of the resulting Consequences for the Athlete including the forfeiture of any titles, awards, medals, points and prize and appearance money.*"

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26. In the present case, the evidence of the Athlete's anti-doping rule violation was on 6 June 2014. As a result, per Rule 40.8 of the IAAF Competition Rules, all results obtained by the Athlete from 6 June 2014 until 13 September 2014 (i.e. until the start of the period of Ineligibility for the First Violation on 22 September 2014, noting that the Athlete's results between 13 September 2014 and 22 September 2014 were already disqualified as result of the First Violation) must be disqualified, with all resulting Consequences, including forfeiture of any titles, awards, medals, points, prize and appearance money. The AIU sees no reason of fairness justifying otherwise given the severity of the violations committed by the Athlete. In addition, the Athlete has not even sought to argue that the fairness exception should apply.

D. Dispositive

27. In view of all the above, the following decision is hereby rendered (with binding effect on all Signatories to the World Anti-Doping Code, in all sports and countries as per Code Article 15):

    27.1. Ms Kholodilina is found to have committed an anti-doping rule violation under Rule 32.2(b) of the IAAF Competition Rules;

    27.2. Ms Kholodilina is imposed an additional period of Ineligibility of two (2) years starting from the date of this decision;

    27.3. All competitive results obtained by Ms Kholodilina from 6 June 2014 until 13 September 2014 are disqualified, with all of the resulting consequences, including forfeiture of any medals, titles, points, prize money and prizes.

28. The disposition of the matter will be Publicly Disclosed in accordance with Rule 14.3 of the 2025 ADR.

29. This decision is subject to appeal under Rule 13 of the 2025 ADR.

Monaco, 7 Novzember 2025