Athletics Integrity Unit

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Decision of the Athletics Integrity Unit in the Case of Mr Yimer Bililign

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. Mr Yimer Bililign ("the **Athlete**") is a 28-year-old road runner from Ethiopia[1].

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 an Anti-Doping Rule Violation

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*

[1] https://worldathletics.org/athletes/ethiopia/yimer-bililign-15051027

5. On 23 June 2024, the Athlete provided a urine Sample In-Competition in Jakarta, Indonesia, which was given code 1152231 (the "**Sample**").

6. On 24 July 2024, the World Anti-Doping Agency ("**WADA**") accredited laboratory in Bangkok, Thailand (the "**Laboratory**") reported an Adverse Analytical Finding in the Sample based on the presence of prednisone and prednisolone (the "**Adverse Analytical Finding**").

7. Prednisone and prednisolone are Prohibited Substances under the WADA 2024 Prohibited List under the category S9. Glucocorticoids. They are Specified Substances prohibited In Competition when administered by any injectable, oral (including oromucosal, e.g., buccal, gingival, sublingual) or rectal route.

8. The AIU reviewed the Adverse Analytical Finding in accordance with Article 5 of the International Standard for Results Management ("**ISRM**") and determined that:

   8.1. the Athlete did not have a Therapeutic Use Exemption ("**TUE**") that had been granted (or that would be granted) for the prednisolone or prednisone found in the Sample;

   8.2. 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; and

   8.3. it was not apparent that the Adverse Analytical Finding was caused by an ingestion of the relevant Prohibited Substance through a permitted route.

9. Therefore, on 7 August 2024, 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.

10. The Athlete was informed of his 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 accept the Consequences specified by the AIU.

11. The AIU invited the Athlete to provide his written explanation for the Adverse Analytical Finding by no later than 14 August 2024 and informed him that in circumstances where a Provisional Suspension may be imposed upon him pursuant to Rule 7.4.2 ADR, he also had until 14 August 2024 to make a written submission demonstrating why a Provisional Suspension should not be imposed upon him in accordance with Rule 7.4.4 ADR.

12. On 7 August 2024 the Athlete wrote to the AIU stating that he did not use anything for doping and asked for clarification of whether the positive result was his and of the analytical results. The AIU responded by e-mail the same day confirming that analysis of the Sample had revealed the presence of prednisone and prednisolone and that these were glucocorticoids prohibited In Competition. The Athlete replied stating that he only took painkillers.

13. On 8 August 2024, the Atlhete wrote to the AIU stating that he was not sure that the Adverse Analytical Finding related to him, that he used only "*arcoxia*" (and asked if this was prednisone or prednisolone) and that he had forgotten to disclose this on his Doping Control

Form (in addition to "*diclo-denk*" which he had disclosed). The Athlete also requested the B Sample analysis.

14. On 13 August 2024, the Athlete wrote to the AIU again by e-mail stating that he used only the painkillers "*Diclo denk*" and "*Arcoxia*" (and submitted pictures of the blister packaging of these medicines) and reiterated his request for the B Sample analysis.

15. On 22 August 2024, the B Sample opening and analysis occurred at the Laboratory in the presence of the Athlete's appointed representative.

16. On 27 August 2024, the Laboratory reported that its analysis of the B Sample had confirmed the Adverse Analytical Finding for prednisolone and prednisone in the A Sample.

17. On 5 September 2024, the AIU informed the Athlete of the results of the B Sample analysis and gave him until no later than 6 September 2024 to provide any additional information or explanation that he might wish to submit in relation to the presence of prednisolone and prednisone in the Sample.

18. On the same day, the Athlete wrote to the AIU by e-mail stating "*I still can't process how the result came in like this because to my knowledge I haven't taken anything besides the two medicines I took which are Diclo denk and Arcoxia both are proven to be a non-steroid drug. If the result came positive with prednisolone and prednisone I will accept whatever the decision is [...]*".

19. Following a review of the above, on 6 September 2024 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 he was subject to a Provisional Suspension effective immediately and that he was being charged with an Anti-Doping Rule Violation under Rule 2.1 ADR (Presence) ("the **Charge**"). The Athlete was informed that the Consequences for this Anti-Doping Rule Violation included a period of Ineligibility of two (2) years (from 6 September 2024, the date of Provisional Suspension) and disqualification of his results on and since 23 June 2024.

20. On 19 September 2024, the Athlete sent an e-mail to the AIU with the subject REQUESTING A HEARING. However, the body of the Athlete's e-mail maintained that he did not know how the Adverse Analytical Finding had occurred, that he had no explanation for it and that he would "*accept all the charges*" and "*accept whatever the decision is*". The Athlete stressed that he wanted the AIU to know that he had not intentionally ingested any prohibited substances.

21. Therefore, on 26 September 2024, the AIU responded to the Athlete's e-mail of 19 September 2024 to clarify how he wished to proceed with his case. The AIU confirmed that it was not (at that stage) pursuing a case that the Athlete had committed the Anti-Doping Rule Violation intentionally (as that term is defined in the ADR).

22. The AIU also set out what it considered the Athlete's position to be under the ADR, namely, that he had not provided an explanation for the Adverse Analytical Finding and that he was therefore not entitled to any reduction to the period of Ineligibility of two (2) years on the basis of No Fault or Negligence or No Significant Faultor Negligence because he could not meet the strict requirement to demonstrate the origin of the prednisone and prednisolone in the Sample set out in the definitions of those terms in the ADR.

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23. The AIU confirmed that on this basis, if the matter proceeded to a hearing, it would seek a period of Ineligibility of two (2) years against the Athlete. The AIU also informed the Athlete that instead of requesting a hearing, he may admit the Anti-Doping Rule Violation and accept the Consequences specified by the AIU in the Charge (including a period of Ineligibility of two (2) years) by 3 October 2024.

24. On 2 October 2024, the AIU received an Admission of Anti-Doping Rule Violation and Acceptance of Consequenes Form signed by the Athlete.

Consequences

25. This is the Athlete's first Anti-Doping Rule Violation.

26. Rule 10.2 ADR specifies that the period of Ineligibility for an Anti-Doping Rule Violation under Rule 2.1 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.*
>
> *10.2.2 If Rule 10.2.1 does not apply, then (subject to rule 10.2.4(a)) the period of Ineligibility will be two years."*

27. Prednisolone and prednisone are Prohibited Substances under the WADA 2024 Prohibited List under the category S9. Glucocorticoids. They are Specified Substances prohibited In Competition when administered by any injectable, oral (including oromucosal, e.g., buccal, gingival, sublingual) or rectal route. There is no evidence that the Athlete ingested prednisone or prednisolone via a permitted route.

28. The AIU has no evidence that the Anti-Doping Rule Violation was intentional and the period of Ineligibility to be imposed is therefore a period of two (2) years.

29. On the basis that the Athlete has admitted the Anti-Doping Rule Violation under Rule 2.1 ADR, in accordance with Rule 10.2.2 ADR and the application of Rule 8.5.6 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:

    29.1. a period of Ineligibility of two (2) years commencing on 6 September 2024 (the date of Provisional Suspension); and

    29.2. disqualification of the Athlete's results on and since 23 June 2024, with all resulting Consequences, including the forfeiture of any medals, titles, awards, points, prizes, prize money and appearance money.

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30. The Athlete has accepted the above Consequences for his Anti-Doping Rule Violation and has expressly waived his right to have those Consequences determined by the Disciplinary Tribunal at a hearing.

Publication

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

Rights of Appeal

32. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6.

33. Further to Rule 13.2.3, WADA and the Ethipoian Anti-Doping Agency ("**ETH-ADA**") 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.

34. If an appeal is filed against this decision by WADA or ETH-ADA, the Athlete will be entitled to exercise his right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 2 October 2024