Athletics Integrity Unit

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Decision of the Athletics Integrity Unit in the Case of Ms Sheila Jepkosgei Chesang

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 Sheila Jepkosgei Chesang ("the **Athlete**") is a 38-year-old marathon runner from Kenya[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/kenya/sheila-jepkosgei-chesang-14372404

5. On 6 October 2024, the Athlete provided a urine Sample In-Competition at the Kuala Lumpur Standard Chartered Marathon held in Kuala Lumpur, Malaysia, which was given code 1465080 (the "**Sample**").

6. On 5 November 2024, the World Anti-Doping Agency ("**WADA**") accredited laboratory in Doha, Qatar (the "**Laboratory**") reported an Adverse Analytical Finding in the Sample based on the presence of Methylprednisolone (the "**Adverse Analytical Finding**").

7. Methylprednisolone is a Prohibited Substance under the WADA 2024 Prohibited List under the category S9. Glucocorticoids. It is a Specified Substance prohibited In-Competition when administered by any injectable, oral[2] 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 for the Methylprednisolone 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 14 November 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 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 accept the Consequences specified by the AIU. The AIU also requested that the Athlete provide an explanation for the Adverse Analytical Finding by no later than 21 November 2024.

11. On 21 November 2024, the Athlete initially explained, in summary, that she had taken medication for pneumonia. She added that she would provide medical documents to confirm her explanation, but because the doctor was away at that time and would return to work on or around 18 December 2024, she requested further time to submit these additional documents.

12. On 29 November 2024, the AIU acknowledged receipt of the Athlete's initial explanation and gave her until 10 December 2024 to submit her full explanation for the Adverse Analytical Finding, and, until 31 December 2024 to submit any supporting medical documents.

[2] Including oromucosal (e.g., buccal, gingival, sublingual).

12.1. On 9 December 2024, the Athlete provided further information, which, in summary, set out that she had been unwell and experienced chest problems, so she visited a hospital and was prescribed medicine to help her recover. The Athlete confirmed that she was unaware that the medicine contained any prohibited substances.

13. To support her explanation, the Athlete submitted a prescription form confirming that, on 12 August 2024, she had been prescribed Cefuroxime, Montel, Myospaz and Voline gel.

14. On 20 December 2024, the Athlete submitted a medical report signed by a Dr Kirwa which indicated that, on 12 August 2024, the Athlete had been diagnosed with lower respiratory infections and prescribed '*antibiotics (cefuroxime), antihistamine (montel) and analgesic (myospaz and voline gel)*' as medication. Dr Kirwa stated that although he had been informed that he was treating an athlete, he nevertheless had prescribed the Athlete montel '*which I didn't know it contains ban substance*'.

15. The AIU noted that (i) none of the medicines prescribed to the Athlete on 12 August 2024 is or contains methylprednisolone, (ii) the medicines had been prescribed to the Athlete almost two months prior to the Sample was collected from her on 6 October 2024 and the Athlete had not disclosed any of these medicines as being ingested in the seven day period before that date.

16. The AIU observed that the Athlete did however disclose "*Panadol*", "*Zulu MR*" and "*VO2 Max*" as being the medicines and supplements that she had taken in the seven days prior to 6 October 2024. However, the AIU also noted that there was no evidence indicating that any of these medicines/supplements is or contained methylprednisolone.

17. The AIU therefore remained satisfied that the Athlete had committed an Anti-Doping Rule Violation as set out in the Rules.

18. On 15 January 2025, the AIU issued the Athlete with a Notice of Charge in accordance with Rule 8.5.1 ADR and Article 7.1 ISRM, and informed her, *inter alia*, that the AIU remained satisfied that she had committed an Anti-Doping Rule Violation under Rule 2.1 ADR, that this Anti-Doping Rule Violation warranted a period of Ineligibility of two (2) years pursuant to Rule 10.2.2 ADR, and invited the Athlete to respond confirming how she wished to proceed with the Charge by no later than 29 January 2025. The AIU also notified the Athlete of the imposition of an immediate Provisional Suspension as of 15 January 2025.

19. The Athlete did not reply within the given deadline.

20. On 4 February 2025, the AIU wrote to the Athlete and exceptionally granted her until 11 February 2025 to respond to the Notice of Charge.

21. On 4 February 2025, the Athlete replied to the AIU and stated that she had already responded on 28 January 2025.

22. On 4 February 2025, the AIU requested the Athlete to resubmit her response to the AIU.

23. On 4 February 2025, the AIU received an Admission of an Anti-Doping Rule Violation and Acceptance of Consequences Form signed by the Athlete.

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Consequences

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

25. 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."*

26. Methylprednisolone is a Prohibited Substance under the WADA 2024 Prohibited List under the category S9. Glucocorticoids. It is a Specified Substance prohibited In-Competition when administered by any injectable, oral or rectal route.

27. 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.

28. On the basis that the Athlete has admitted the Anti-Doping Rule Violation under Rule 2.1 ADR, in accordance with Rule 10.2.1 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:

    28.1. a period of Ineligibility of two (2) years commencing on 15 January 2025; and

    28.2. disqualification of the Athlete's results on and since 6 October 2024, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points, prizes and appearance money.

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

Publication

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

Rights of Appeal

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

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32. Further to Rule 13.2.3 ADR, WADA and the Anti-Doping Agency of Kenya ("**ADAK**") 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.

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

Monaco, 13 February 2025