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# Decision of the Athletics Integrity Unit in the Case of Mr Ronald Kimeli Kurgat

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## 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 Ronald Kimeli Kurgat ("the **Athlete**") is a 39-year-old road runner from Kenya<sup>1</sup>.
3. This matter concerns the Athlete's first and second Anti-Doping Rule Violations.
4. 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

5. 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"*

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<sup>1</sup> <https://worldathletics.org/athletes/kenya/ronald-kurgat-14526658>

[...]

2.2 *Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method*

6. On 27 October 2024, the Athlete provided a urine Sample In-Competition at the Standard Chartered Nairobi Marathon held in Nairobi, Kenya, which was given code 1324392 (the “**First Sample**”) pursuant to Testing conducted under the Testing Authority of World Athletics – AIU.
7. On 2 December 2024, the World Anti-Doping Agency (“**WADA**”) accredited laboratory in Lausanne, Switzerland reported an Adverse Analytical Finding in the First Sample for the presence of Triamcinolone acetonide (the “**First Adverse Analytical Finding**”).
8. The AIU reviewed the First 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 Triamcinolone acetonide found in the First Sample; and
  - 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 First Adverse Analytical Finding.
9. Therefore, on 4 December 2024, the AIU notified the Athlete of the First 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 (the “**First Anti-Doping Rule Violation**”). The Athlete was also informed of his rights, inter alia, to request the B Sample analysis, to request copies of the laboratory documentation supporting the First Adverse Analytical Finding and to and to provide an explanation for the First Adverse Analytical Finding by no later than 11 December 2024.
10. The Athlete failed to respond to the Notice of Allegation of 4 December 2024 by the given deadline (11 December 2024) or at all.
11. On 15 December 2024, the Athlete provided a urine Sample In-Competition at the Hainan Danzhou Marathon held in Danzhou, China, which was given code 8038546 (the “**Second Sample**”) pursuant to Testing conducted under the Testing Authority of World Athletics – AIU.
12. On 18 December 2024 and on 6 January 2025 the AIU wrote to the Athlete to extend his deadline to submit a reply to the Notice of Allegation of 4 December 2024.
13. On 6 January 2025 an AIU representative also spoke with the Athlete by phone in relation to the Notice of Allegation of 4 December 2024 and his response. He was advised to respond by no later than 13 January 2025.
14. On 9 January 2025, the WADA-accredited laboratory in Beijing, China reported an Adverse Analytical Finding in the Second Sample for the presence of Triamcinolone acetonide (the “**Second Adverse Analytical Finding**”).

15. The AIU reviewed the Second Adverse Analytical Finding in accordance with Article 5 of the ISRM and determined that:
  - 15.1. the Athlete did not have a Therapeutic Use Exemption (“**TUE**”) that had been granted (or that would be granted) for the Triamcinolone acetonide found in the Second Sample; and
  - 15.2. there was no apparent departure from ISTI or from the ISL that could reasonably have caused the Second Adverse Analytical Finding.
16. On 21 January 2025, noting that the Athlete had still failed to respond to the Notice of Allegation of 4 December 2024, the AIU wrote to the Athlete and further extended his deadline to respond until 24 January 2025.
17. In addition, on 20 February 2025, the AIU notified the Athlete of the Second Adverse Analytical Finding in accordance with Article 5.1.2.1 of the ISRM, including that the Second Adverse Analytical Finding may result in Anti-Doping Rule Violations pursuant to Rule 2.1 ADR and/or Rule 2.2 ADR (the “**Second Anti-Doping Rule Violation**”)<sup>2</sup> and of the imposition of an immediate Provisional Suspension. The Athlete was also informed of his rights, inter alia, to request the B Sample analysis, to request copies of the laboratory documentation supporting the Second Adverse Analytical Finding and to and to provide an explanation for the First and Second Adverse Analytical Findings by no later than 27 February 2025.
18. The Athlete failed to respond to the Notice of Allegation of 20 February 2025 by the given deadline.
19. Therefore, on 6 March 2025, the AIU notified the Athlete that his deadline to submit a reply to the Notice of Allegation of 20 February 2025 had been extended to 19 March 2025.
20. On 7 March 2025, following a request for assistance from the AIU, a representative of Athletics Kenya (“**AK**”) confirmed that they had spoken with the Athlete by phone and that he had said he would check his emails.
21. The Athlete still failed to respond to either of the Notices of Allegation that had been issued to him by the AIU by their extended deadlines of 19 March 2025 (or at all).
22. Moreover, further, repeated attempts by a representative of AK to contact the Athlete went unresponded and unanswered.
23. Therefore, in the absence of an explanation for the First Adverse Analytical Finding and Second Adverse Analytical Finding, the AIU remained satisfied that the Athlete had committed the First and Second Anti-Doping Rule Violations.

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<sup>2</sup> in accordance with Rule 10.9.3(a), the Second Adverse Analytical Finding constitutes a Second Anti-Doping Rule Violation since the Second Sample was collected on 15 December 2024 after the Athlete was notified of the First Adverse Analytical Finding and potential Anti-Doping Rule Violations arising therefrom on 4 December 2024.

24. On 25 June 2025, the AIU consequently issued the Athlete with a Notice of Charge in accordance with Rule 8.5.1 ADR and Article 7.1 ISRM notifying him that (i) he was being charged with the First and Second Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR (“**the Charge**”) and that (ii) the Consequences that the AIU was seeking included a period of Ineligibility of six (6) years and Disqualification of his results since 27 October 2024.
25. The AIU invited the Athlete to respond to the Charge confirming how he wished to proceed with the matter by no later than 9 July 2025. The AIU informed the Athlete that if he failed to respond by that deadline, that he would be deemed to have waived his right to a hearing, admitted the Anti-Doping Rule Violations and accepted the Consequences set out in the Charge.
26. The Athlete failed to respond to the Charge by 9 July 2025.
27. Therefore, on 10 July 2025, the AIU wrote to the Athlete noting that:
- 27.1. he had failed to respond to the Charge within the given deadline and, by operation of Rule 8.5.2(f) ADR, was therefore deemed to have (i) waived his right to a hearing, (ii) admitted the Anti-Doping Rule Violations and (iii) accepted the Consequences set out in the Notice of Charge; and
- 27.2. he had until 15 July 2025, should he wish to return a completed Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form enclosed with the Charge to benefit from a one (1)-year reduction under Rule 10.8.1 ADR, and that, if he failed to do so, then the AIU would proceed by issuing a final decision in his case, including imposing a six (6)-year period of Ineligibility.
28. The AIU requested assistance from AK in contacting the Athlete directly in relation to the Charge and, on 14 July 2025, AK confirmed that all of their attempts to contact the Athlete by phone had been unanswered.
29. The Athlete failed to respond to the Charge or to return an Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form signed by 15 July 2025.

## Consequences

30. This constitutes the Athlete’s First and Second Anti-Doping Rule Violations in accordance with Rule 10.9.3(a)<sup>3</sup>.
31. 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:*

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<sup>3</sup> Ibid.

- (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.”*

32. Triamcinolone acetonide 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<sup>4</sup> or rectal route.

**A. First Anti-Doping Rule Violation**

33. The First Adverse Analytical Finding constitutes the Athlete's First Anti-Doping Rule Violation.
34. The period of Ineligibility to be imposed is therefore a period of Ineligibility of two (2) years, unless the AIU demonstrates that the Anti-Doping Rule Violations were intentional.
35. The AIU has no evidence that the First Anti-Doping Rule Violation was intentional and the mandatory period of Ineligibility to be imposed is therefore a period of two (2) years.

**B. Second Anti-Doping Rule Violation**

36. The Second Adverse Analytical Finding constitutes the Athlete's Second Anti-Doping Rule Violation.
37. As set out above, the period of Ineligibility for an Anti-Doping Rule Violation (treated as if it were a first violation) under Rule 2.1/Rule 2.2 involving a Specified substance is a period of two (2) years in accordance with Rule 10.2.2, unless the AIU demonstrates that the Anti-Doping Rule Violations were intentional. The AIU has no evidence that the Second Anti-Doping Rule Violation was intentional.
38. However, in accordance with Rule 10.9.1(a) the period of Ineligibility for a second Anti-Doping Rule Violation shall be in the range between (i) the sum of the period of Ineligibility imposed for the first Anti-Doping Rule Violation (2 years) plus the period of Ineligibility otherwise applicable to the second Anti-Doping Rule Violation treated as if it were a first violation (2 years) (i.e., a total of 4 years), and (ii) twice the period of Ineligibility otherwise applicable to the second Anti-Doping Rule Violation treated as if it were a first violation (i.e., 2 x 2 years = 4 years).

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<sup>4</sup> Including oromucosal (e.g., buccal, gingival, sublingual).

39. The period of Ineligibility to be imposed for Second Anti-Doping Rule Violation is therefore a period of Ineligibility of four (4) years, which shall be served consecutively to the period of Ineligibility imposed for the First Anti-Doping Rule Violation as per Rule 10.13.

### C. Conclusion

40. On the basis that the Athlete is deemed to have admitted the First and Second Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR, and accepted the Consequences specified by the AIU in accordance with Rules 10.2 and 10.9.1(a) ADR, the AIU confirms by this decision the following Consequences for the Athlete's First and Second Anti-Doping Rule Violations:

- 40.1. a total period of Ineligibility of six (6) years<sup>5</sup> commencing on 20 February 2025 (the date of Provisional Suspension); and
- 40.2. disqualification of the Athlete's results on and since 27 October 2024, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points, prizes and appearance money.

## Publication

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

## Rights of Appeal

42. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
43. Further to Rule 13.2.3 ADR, the Athlete, WADA and the 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.
44. If an appeal is filed against this decision by WADA or ADAK, the Athlete will be entitled to exercise his right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 16 July 2025

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<sup>5</sup> A period of Ineligibility of two (2) years for the First Anti-Doping Rule Violation, followed by a period of Ineligibility of four (4) years for the Second Anti-Doping Rule Violation.