
Decision of the Athletics Integrity Unit in the Case of Mr Roman Kokoshko

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 Roman Kokoshko ("the **Athlete**") is a 28-year-old shot put Athlete from Ukraine.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)."*

Whereabouts Failures

4. Rule 2.4 ADR sets out that the following shall constitute an Anti-Doping Rule Violation:

"2.4 Whereabouts Failures by an Athlete in a Registered Testing Pool

¹ <https://worldathletics.org/athletes/ukraine/roman-kokoshko-14685394>

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Results Management, within a 12-month period by an Athlete in a Registered Testing Pool.”

5. A Missed Test and a Filing Failure are defined in the International Standard for Results Management (“**ISRM**”) respectively as follows:

*“**Missed Test:** A failure by the Athlete to be available for Testing at the location and time specified in the 60-minute time slot identified in their Whereabouts Filing for the day in question, in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B.2 of the International Standard for Results Management.*

***Filing Failure:** A failure by the Athlete (or by a third party to whom the Athlete has delegated the task) to make an accurate and complete Whereabouts Filing that enables the Athlete to be located for Testing at the times and locations set out in the Whereabouts Filing or to update that Whereabouts Filing where necessary to ensure that it remains accurate and complete, all in accordance with Article 4.8 of the International Standard for Testing and Investigations and Annex B.2 of the International Standard for Results Management.”*

6. In short, an athlete violates Rule 2.4 of the ADR where he or she has any combination of three Missed Tests and/or Filing Failures within any twelve-month period, that period beginning on the day of the first relevant Missed Test/Filing Failure.

The Athlete’s Commission of an Anti-Doping Rule Violation

7. In this instance, the Athlete has had three Whereabouts Failures in the twelve-month period beginning on 1 January 2024, specifically:

- (i) a Filing Failure, on 1 January 2024;
- (ii) a Missed Test on 2 May 2024; and
- (iii) a Missed Test and/or a Filing Failure on 29 October 2024.

8. The circumstances of each of these Whereabouts Failures are set out in detail below.

I. First Whereabouts Failure – Filing Failure on 1 January 2024

9. On 29 November 2023, the Athlete was advised of his inclusion in the World Athletics Registered Testing Pool for Quarter 1 (“**Q1**”) of 2024 and informed that he must therefore submit a Whereabouts Filing for Q1 2024 by no later than 15 December 2023, including specific information about his whereabouts each day of that Quarter, and that failure to do so may constitute a Filing Failure.
10. On 6 December 2023 and 13 December 2023, the Athlete was reminded that he must submit his Whereabouts Filing for Q1 2024 by 15 December 2023. The Athlete failed to submit his Whereabouts Filing by 15 December 2023.

11. Therefore, on 22 December 2023, the AIU wrote to the Athlete granting him until no later than 31 December 2023 to submit his Whereabouts Filing.
12. The Athlete failed to submit his Whereabouts Filing for Q1 2024 by the deadline of 31 December 2023 and in any event before the beginning of Q1 2024 on 1 January 2024.
13. On 5 January 2024, the AIU wrote to the Athlete requesting his explanation for an apparent Whereabouts Failure which occurred on 1 January 2024 by no later than 19 January 2024.
14. On 5 January 2024, the Athlete sent his response to the AIU and, in summary, accepted that he had made an error in failing to submit his Whereabouts Filing for Q1 2024 by 1 January 2024.
15. Therefore, on 10 January 2024, the AIU wrote to the Athlete and confirmed the Whereabouts Failure on 1 January 2024 against him. The Athlete was afforded the right to request an administrative review of that decision by no later than 24 January 2024 and advised that, if he failed to do so, the Whereabouts Failure would be confirmed against him as a Whereabouts Failure for the purposes of Rule 2.4 ADR.
16. No request for an administrative review was received by 24 January 2024.
17. Therefore, the AIU recorded a first Whereabouts Failure (a Filing Failure) against the Athlete effective 1 January 2024.

II. Second Whereabouts Failure – Missed Test on 2 May 2024

18. The Athlete's Whereabouts information stated that he would be at an address in Monte Gordo, Portugal ("the **Monte Gordo Address**") on 2 May 2024 during his 60-minute timeslot between 22:00-23:00.
19. In summary, a DCO arrived at the Monte Gordo Address on 2 May 2024 at 21:57, rang the doorbell throughout the Athlete's 60-minute time slot but received no answer. The DCO was informed by a third-floor resident that the other apartments in the building were empty at the time. The DCO remained at the Monte Gordo Address for the duration of the 60-minute time slot and concluded their attempt at 23:01.
20. On 15 May 2024, the AIU wrote to the Athlete requesting his explanation for an apparent Whereabouts Failure which occurred on 2 May 2024 by no later than 29 May 2024.
21. On 28 May 2024, the Athlete submitted his explanation and stated that he was at the Monte Gordo address indicated in his whereabouts information on 2 May 2024 during his 60-minute time slot. The Athlete added that the DCO had failed to call his mobile phone during the attempt.
22. Following review of the Athlete's explanation, on 4 June 2024, the AIU wrote to the Athlete and confirmed the Whereabouts Failure on 2 May 2024 against him. The Athlete was afforded the right to request an administrative review of that decision by no later than 18 June 2024 and advised that, if he failed to do so, the Whereabouts Failure on 2 May 2024 would be considered as his second Whereabouts Failure in the twelve-month period beginning on 1 January 2024 for the purposes of Rule 2.4 ADR.

23. No request for an administrative review was received by 18 June 2024.
24. Therefore, the AIU recorded a second Whereabouts Failure against the Athlete effective 2 May 2024.²

III. Third Whereabouts Failure – Missed Test/Filing Failure on 29 October 2024

25. The Athlete's Whereabouts information stated that he would be at an address in Lisbon, Portugal ("the **Lisbon Address**") on 29 October 2024 during his 60-minute timeslot between 07:00-08:00.
26. In summary, a DCO arrived at the Lisbon Address on 29 October 2024 at 7:00 and told a security officer that he was looking for the Athlete. The security officer informed the DCO that the Athlete had not been staying at the Lisbon Address since 1 September 2024. The DCO knocked at the door of the room number specified in the Athlete's Whereabouts information for the Lisbon Address but there was no reply.
27. The security guard informed the DCO that the Athlete had been assigned a different room number for the season beginning on 1 September 2024, but that the Athlete had not yet checked in to that room. The security officer opened the door of the other room number for the DCO, and the DCO noted that nobody was inside and that the room was unoccupied. The DCO remained at the Lisbon Address for the duration of the 60-minute time slot and concluded the attempt at 08:09.
28. On 7 November 2024, the AIU wrote to the Athlete requesting his explanation for an apparent Whereabouts Failure which occurred on 29 October 2024 by no later than 21 November 2024.
29. On 7 November 2024, the Athlete submitted his explanation to the AIU. In summary, the Athlete stated that he had made a mistake and apologised. The Athlete accepted that he had given an incorrect address as the location for his 60-minute time slot on 29 October 2024 and explained that this was because he had received medical treatment and had not observed due caution.
30. Following a request for further information from the AIU, the Athlete explained that he had an injury requiring surgery, but that due to the high number of military personnel receiving medical care in Ukraine, the surgery could not be performed immediately. The Athlete therefore decided to go to Portugal whilst he awaited surgery. However, the Athlete explained that on 27 October 2024 he received late notice that surgery could be performed the next day in Ukraine, so he immediately travelled to Kyiv, but had failed to update his whereabouts information accordingly.
31. On 29 November 2024, the AIU wrote to the Athlete and confirmed the Whereabouts Failure on 29 October 2024 against him. The Athlete was afforded the right to request an administrative review of that decision by no later than 13 December 2024 and advised that, if he failed to do so, the Whereabouts Failure would be considered as his third Whereabouts

² This Whereabouts Failure was confirmed as a Missed Test.

Failure in the twelve-month period beginning on 1 January 2024 for the purpose of Rule 2.4 ADR.

32. On 9 December 2024, the Athlete sent a further e-mail to the AIU explaining that the third Whereabouts Failure had occurred due to circumstances beyond his control, including, inter alia, because during his hospital stay for surgery in Kyiv, air raid alarms had sounded requiring the Athlete to shelter underground with no mobile phone signal. The Athlete also explained that he had frequently experienced power cuts, which meant that he could not access the online system (ADAMS). The AIU considered this e-mail from the Athlete as a request for an administrative review.
33. Following review of the Athlete's 9 December 2024 e-mail, the AIU noted that the Athlete had failed to explained why he failed to update his whereabouts information as soon as possible after he became aware of a change in his circumstances (i.e., the surgery that could be performed the next day) before he travelled and that the Athlete had failed to be present and available for Testing at the location specified in his Whereabouts Filing during the specified 60-minute time slot on 29 October 2024.
34. Therefore, on 19 December 2024, the AIU wrote to the Athlete to confirm that the conclusion of the administrative review was that all the requirements of Articles B.2.1 and B.2.4 ISRM were met and that the Whereabouts Failure dated 29 October 2024 was confirmed against him.

Disciplinary proceedings

35. On 20 December 2024, the AIU issued a Notice of Allegation to the Athlete for a violation of Rule 2.4 ADR, including the imposition of a Provisional Suspension, and specified that the AIU would seek Consequences including a period of Ineligibility of two (2) years and disqualification of the Athlete's results since 29 October 2024 with all resulting consequences. The Athlete was invited to respond to the Notice of Allegation confirming how he wished to proceed by no later than 3 January 2025.
36. On 3 January 2025, the AIU received a response from the Athlete including a request for a short extension to obtain legal advice, which the AIU agreed to.
37. On 16 January 2025, the AIU received correspondence from the Athlete's legal representatives requesting a further extension to obtain further information/evidence in support of the Athlete's response to the Notice of Allegation. The AIU agreed to this request.
38. On 24 January 2025, the Athlete's lawyers wrote to the AIU asking to discuss potential terms and conditions of an agreement in relation to the determination of the matter. Between 8 February 2025 and 5 May 2025, the AIU and the Athlete's lawyers engaged in without prejudice discussions concerning the potential resolution of the matter.
39. Following without prejudice discussion between the Athlete's representatives and the AIU, which included representations made relating to the Athlete's degree of Fault for the Anti-Doping Rule Violation, the Athlete agreed to resolve the matter on terms specified by the AIU as set out in further detail below.

Consequences

40. This is the Athlete's first Anti-Doping Rule Violation.
41. Rule 10.3.2 ADR specifies that the period of Ineligibility for an Anti-Doping Rule Violation under Rule 2.4 ADR shall be as follows:
- “10.3.2 For violations of Rule 2.4, the period of Ineligibility will be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the Athlete's degree of Fault. The flexibility between two (2) years and one (1) year of Ineligibility in this Rule is not available to Athlete where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for Testing.”*
42. The period of Ineligibility is therefore two years, subject to a reduction down to a minimum of one year based on the Athlete's degree of Fault.
43. Before addressing the Athlete's level of Fault in this case, it is necessary to recall the following key principles that have been upheld by the Court of Arbitration for Sport (“CAS”) in relation to the whereabouts system³.
44. First, the whereabouts regime constitutes the single most important system through which doping can be effectively detected through no advance notice out of competition testing and it is therefore critical to the fight against doping.
45. Second, whilst that system places substantial demands upon Athletes in terms of sacrifice of freedom or privacy, that is the necessary quid pro quo for Athletes to ensure their participation in doping-free sport.
46. Finally, therefore, all Athletes must be held strictly accountable for their failure (for whatever reason) to comply with their duties under the whereabouts regime to maintain the credibility and integrity of the system and to protect clean Athletes.
47. In that context, an assessment of Fault for a Rule 2.4 Anti-Doping Rule Violation also requires consideration of Fault in relation to all three Whereabouts Failures. As set out in CAS 2020/A/7526 World Athletics v. Salwa Eid Naser & CAS 2020/A/7559 WADA v. World Athletics & Salwa Eid Naser (para. 206) *“given that the ADRV is composed of three different Whereabouts Failures that form part of the First Charge, the Panel will have to assess the Athlete's degree of Fault taking into account the circumstances pertaining to all of them.”*
48. In addition, in CAS 2020/A/7528 Christian Coleman v. World Athletics the CAS Panel calibrated the potential reduction of the period of Ineligibility from two years down to one year in relation to a Rule 2.4 Anti-Doping Rule Violation based on levels of Fault ranging from

³ See CAS 2020/A/7526 World Athletics v. Salwa Eid Naser & CAS 2020/A/7559 WADA v. World Athletics & Salwa Eid Naser.

“high” (24-20 months with a midpoint of 22 months), “medium” (16-20 months with a midpoint of 18 months) and “low” (12-16 months with a midpoint of 14 months).

49. Fault is defined as follows in the ADR (emphasis added):

*“**Fault:** Fault is any breach of duty or any lack of care appropriate to a particular situation. **Factors to be taken into consideration in assessing an Athlete’s or other Person’s degree of Fault include, for example, the Athlete’s or other Person’s experience, whether the Athlete or other Person is a Protected Person, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk.** In assessing the Athlete’s or other Person’s degree of Fault, the circumstances considered must be specific and relevant to explain the Athlete’s or other Person’s departure from the expected standard of behaviour. Thus, for example, the fact that an Athlete would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Athlete only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Rule 10.6.1 or 10.6.2.”*

50. As to the Athlete’s degree of Fault in the specific circumstances of his case, the Athlete explained that the ongoing war in Ukraine has had a severe impact on his emotional/psychological state generally. More specifically, he explained that he was deeply concerned for the safety of his family in Ukraine following documented drone and missile attacks in the area where his parents live in December 2023⁴. Moreover, the Athlete asserted that he experienced significant uncertainty surrounding his own living situation and conditions at the same time due to the ongoing conflict in Ukraine. These circumstances coincided with the Athlete’s inclusion in the Registered Testing Pool for the first time. The AIU is therefore prepared to accept that the combination of these factors resulted in the Athlete’s level of awareness (to submit his Whereabouts Filing for the first time) being reduced by a careless but understandable mistake.

51. In consideration of the foregoing, the AIU considers that the Athlete’s level of Fault for the Rule 2.4 Anti-Doping Rule Violation to be at the midpoint of the “high” range of Fault (per the calibration of the one-year range as adopted by the CAS Panel in *Coleman*), i.e., a period of twenty-two (22) months. The Athlete has accepted that period of Ineligibility.

52. On the basis that the Athlete has admitted the Anti-Doping Rule Violation under Rule 2.4 ADR and accepted Consequences specified by the AIU, in accordance with Rule 10.3.2 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:

52.1. a period of Ineligibility of twenty-two (22) months commencing on 20 December 2024 (the date of Provisional Suspension); and

⁴ The Athlete provided corroborating evidence of his parent’s address and of the drone and missile attacks in that area in December 2023.

- 52.2. disqualification of the Athlete's results on and since 29 October 2024, with all resulting Consequences, including the forfeiture of any medals, titles, awards, points, prizes, prize money and appearance money.
53. 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

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

Rights of Appeal

55. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
56. Further to Rule 13.2.3 ADR, WADA and the Ukraine National Anti-Doping Organisation 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.
57. If an appeal is filed against this decision by WADA or the Ukraine National Anti-Doping Organisation, the Athlete will be entitled to exercise his right of cross-appeal in accordance with Rule 13.2.4 ADR.

Monaco, 12 May 2025