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# Decision of the Athletics Integrity Unit in the Case of Mr Daniel Kinyanjui

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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. According to the World Athletics Profile for Mr Daniel Kinyanjui ("the **Athlete**"), he is a 20-year-old long distance runner from Kenya<sup>1</sup>.
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 Anti-Doping Rule Violations

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"*

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<sup>1</sup> <https://worldathletics.org/athletes/kenya/daniel-kinyanjui-14892192>

[...]

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

5. On 27 December 2024, the Athlete provided a urine Sample Out-of-Competition in Keringet, Kenya as part of Testing conducted under the Testing Authority of the Anti-Doping Agency of Kenya (“**ADAK**”) which was given code 8099654 (the “**Sample**”).
6. On 1 January 2025, the Athlete was included in the AIU/World Athletics Registered Testing Pool (“**RTP**”) and classified as an International Level Athlete for the purposes of the Rules pursuant to Rule 1.4.4(a) of the Rules.
7. On 30 January 2025, the World Anti-Doping Agency (“**WADA**”) accredited laboratory in Stockholm, Sweden (the “**Laboratory**”) reported that analysis of the Sample had revealed the presence of methoxy polyethylene glycol-epoetin beta (“**CERA**”) (the “**Adverse Analytical Finding**”).
8. CERA is a Prohibited Substance under the WADA 2024 Prohibited List under the category S2.1 *Erythropoietins (EPO) and Agents Affecting Erythropoiesis*. It is an erythropoiesis stimulating agent (“**ESA**”) used in “blood doping” to artificially stimulate erythropoiesis and increase the level of hemoglobin in blood, thereby increasing the body’s oxygen carrying capacity. It is a Non-Specified Substance prohibited at all times.
9. Considering the Athlete’s inclusion in the RTP from 1 January 2025 and his classification as an International-Level Athlete, on 7 February 2025, the AIU agreed to accept delegated responsibility for Results Management related to the Adverse Analytical Finding (pursuant to Rule 7.1.3(b) of the Rules) following a request submitted to the AIU by ADAK.
10. The AIU therefore reviewed the Adverse Analytical Finding in accordance with Article 5 of the International Standard for Results Management (“**ISRM**”) and determined that:
  - 10.1. the Athlete did not have a Therapeutic Use Exemption (“**TUE**”) that had been granted (or that would be granted) for the CERA found in the Sample; and
  - 10.2. 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.
11. Consequently, on 11 February 2025, 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 and of the imposition of an immediate Provisional Suspension.
12. 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 Adverse Analytical Finding and to admit the Anti-Doping Rule Violations and potentially benefit from a one-year reduction in the period of Ineligibility pursuant to Rule 10.8.1 ADR.

13. On 23 April 2025, the AIU received notification of an Adverse Passport Finding (“**APF**”) from the Athlete Passport Management Unit (“**APMU**”)<sup>2</sup> in relation to the Athlete’s hematological Athlete Biological Passport (“**Blood Passport**”) which included 12 valid blood samples collected from the Athlete between 11 January 2024 and 25 January 2025.
14. The AIU also received a Joint Expert Opinion issued by an Expert Panel<sup>3</sup> dated 17 April 2025, which identified abnormalities in the Blood Passport (specifically in Samples 2 and 3, collected on 21 September 2024 and 28 September 2024 respectively, and in Samples 8 to 11, collected between 27 December 2024 and 16 January 2025, i.e., shortly after the Adverse Analytical Finding in the Sample).
15. The Joint Expert Opinion confirmed that the Expert Panel had unanimously concluded that the likelihood that the Blood Passport was the result of the Athlete’s Use of a Prohibited Substance or Prohibited Method (blood doping) outweighed the likelihood that the Blood Passport was the result of a normal physiological or pathological condition.
16. After reviewing the ABP Documentation Package and the Joint Expert Opinion in accordance with Article C.5.2 ISRM, the AIU notified the Athlete of the APF on 30 April 2025 and confirmed that it was considering asserting (additional) Anti-Doping Rule Violations pursuant to Rule 2.2 ADR against him.
17. The Athlete was afforded the right to provide an explanation for the Adverse Passport Finding and informed that if, based on information in the Blood Passport and any explanation that the Athlete provided, the Expert Panel maintained its unanimous opinion, then he would be charged with (additional) Anti-Doping Rule Violation(s).
18. The Athlete was also informed of his rights, inter alia, to to admit the Anti-Doping Rule Violations relating to the Adverse Analytical Finding and the APF and potentially benefit from a one-year reduction in the period of Ineligibility pursuant to Rule 10.8.1 ADR.
19. On 4 June 2025, the AIU received an Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form signed by the Athlete.

## Consequences

20. 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>2</sup> Per the definition in the ISTI, the APMU is a unit composed of a Person or Persons responsible for the timely management of Athlete Biological Passports in ADAMS on behalf of the AIU/World Athletics

<sup>3</sup> See Article 6.0 of the WADA ABP Operating Guidelines – Version 9.0 – July 2023, which provides that, for the hematological module of the Athlete Biological Passport, the Expert Panel should consist of at least three (3) Experts who have qualifications in one or more of the fields of clinical and laboratory hematology, sports medicine and exercise physiology, as they apply to blood doping.

- (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.”*

21. The Adverse Analytical Finding constitutes evidence of Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR for the Presence of CERA in the Sample and the Use of CERA by the Athlete. The Rule 2.2 ADR for Use of CERA is also corroborated by the abnormalities identified in the Blood Passport in Samples collected from the Athlete in December 2024/January 2025, which constitute compelling evidence of the Athlete’s Use of CERA.
22. CERA is a Prohibited Substance under the WADA 2024 Prohibited List under the category S2.1 Erythropoietins (EPO) and Agents Affecting Erythropoiesis. It is a Non-Specified Substance prohibited at all times.
23. In addition, the abnormalities identified in the Blood Passport in the Samples collected from the Athlete in September 2024 also constitute compelling evidence of additional Anti-Doping Rule Violations by the Athlete in or around September 2024, i.e., the Athlete’s Use of CERA (or another ESA e.g., erythropoietin) on or around 21 September 2024.
24. The period of Ineligibility to be imposed is therefore a period of four (4) years, unless the Athlete demonstrates that these Anti-Doping Rule Violations were not intentional.
25. The Athlete has not demonstrated that the Anti-Doping Rule Violations were not intentional. Therefore, the mandatory period of Ineligibility is a period of Ineligibility of four (4) years.
26. However, Rule 10.4 ADR specifies that the period of Ineligibility for an Anti-Doping Rule Violation may be greater than the standard sanction when it is established that Aggravating Circumstances are present:

*“10.4 Aggravating Circumstances that may increase the period of Ineligibility*

*If the Integrity Unit or other prosecuting authority establishes in an individual case involving an anti-doping rule violation [...] 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 will be increased by an additional period of Ineligibility of up to two (2) years depending on the seriousness of the violation and the nature of the Aggravating Circumstances, unless the Athlete or other Person can establish that they did not knowingly commit the anti-doping rule violation.”*

27. Aggravating Circumstances are defined in the ADR as follows:

*“Aggravating Circumstances: Circumstances involving, or actions by, an Athlete or other Person which may justify the imposition of a period of Ineligibility greater*

*than the standard sanction. Such circumstances and actions shall include, but are not limited to: the Athlete or other Person Used or Possessed multiple Prohibited Substances or Prohibited Methods, Used or Possessed a Prohibited Substance or Prohibited Method on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of Ineligibility; the Athlete or Person engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the Athlete or other Person engaged in Tampering during Results Management. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of Ineligibility."*

28. The Adverse Analytical Finding and the APF provide clear and compelling evidence of the Athlete's Use of a Prohibited Substance on multiple occasions, specifically of the Athlete's Use of CERA (and/or another ESA) on or around 21 September 2024 and Use of CERA on or around 27 December 2024. The Use of multiple Prohibited Substances and the Use of a Prohibited Substance on multiple occasions are expressly identified in the definition of Aggravating Circumstances and therefore justify an increase of the period of Ineligibility unless the Athlete can establish that he did not knowingly commit the Anti-Doping Rule Violations.
29. The Athlete has failed to establish that he did not knowingly commit the Anti-Doping Rule Violations. Therefore, based on the seriousness of the Athlete's Anti-Doping Rule Violations and the nature of the Aggravating Circumstances, the AIU considers the period of Ineligibility to be imposed is a period of six (6) years.
30. However, Rule 10.8.1 ADR provides that an athlete potentially subject to an asserted period of Ineligibility of four (4) or more years may benefit from a one (1)-year reduction in the period of Ineligibility based on an early admission and acceptance of sanction:

*"10.8.1 One year reduction for certain anti-doping rule violations based on early admission and acceptance of sanction.*

*Where the Integrity Unit notifies an Athlete or other Person of an anti-doping rule violation charge that carries an asserted period of Ineligibility of four (4) or more years (including any period of Ineligibility asserted under Rule 10.4), if the Athlete or other Person admits the violation and accepts the asserted period of Ineligibility no later than 20 days after receiving the Notice of Charge, the Athlete or other Person may receive a one (1) year reduction in the period of Ineligibility asserted by the Integrity Unit. Where the Athlete or other Person receives the one (1) year reduction in the asserted period of Ineligibility under this Rule 10.8.1, no further reduction in the asserted period of Ineligibility will be allowed under any other Rule."*

31. The Athlete was notified of the Adverse Analytical Finding and potential Anti-Doping Rule Violations arising therefrom on 11 February 2025. On 30 April 2025, the Athlete was also

notified of the APF and that this may result in additional Anti-Doping Rule Violations and a period of Ineligibility of six (6) years.<sup>4</sup>

32. On 5 June 2025, the Athlete returned a signed Admission of Anti-Doping Rule Violations and Acceptance of Consequences Form confirming that he admitted the Anti-Doping Rule Violations and accepted the asserted period of Ineligibility.
33. The AIU therefore considers that the Athlete shall receive a one (1) year reduction in the asserted period of Ineligibility pursuant to Rule 10.8.1 ADR based on an early admission and acceptance of sanction.
34. On the basis that the Athlete has admitted the Anti-Doping Rule Violations under Rule 2.1 ADR and Rule 2.2 ADR, in accordance with Rule 10.2.1 ADR, Rule 10.4 ADR, and by application of Rule 10.8.1 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:
  - 34.1. a period of Ineligibility of five (5) years commencing on 11 February 2025 (the date of Provisional Suspension); and
  - 34.2. disqualification of the Athlete's results between 21 September 2024 and 11 February 2025, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points, prizes and appearance money.
35. The Athlete has accepted the above Consequences for his Anti-Doping Rule Violations and has waived his right to have those Consequences determined by the Disciplinary Tribunal at a hearing.

## Publication

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

## Rights of Appeal

37. This decision constitutes the final decision of the AIU pursuant to Rule 8.5.6 ADR.
38. 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.

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<sup>4</sup> This Notice of Allegation of Anti-Doping Rule Violations was issued to the Athlete in accordance with Article 5.3.1.3 and Annex C of the ISRM, prior to a Notice of Charge issued in accordance with Article 7 of the ISRM. Considering the Athlete's signed admission and acceptance of Consequences on 5 June 2025, no Notice of Charge was ever issued.

39. 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, 6 June 2025