Athletics Integrity Unit

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# Decision of the Athletics Integrity Unit in the Case of Mr Nehemiah Kipyegon

## 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 Nehemiah Kipyegon ("the **Athlete**") is a 27-year-old road 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 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*

[1] https://worldathletics.org/athletes/kenya/nehemiah-kipyegon-14973369

*[…]*

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

5. On 15 February 2025, the Athlete provided a urine Sample In-Competition in Nigeria, which was given code 1045407 ("the **Sample**").

6. On 28 March 2025, the WADA-accredited laboratory in Lausanne, Switzerland, reported an Adverse Analytical Finding in the Sample based on the presence of Trimetazidine ("the **Adverse Analytical Finding**").

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

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

   7.2. 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.

8. Therefore, on 1 April 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.

9. 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.

10. On 6 April 2025 and 10 April 2025, the AIU received responses from the Athlete stating that he accepted the consequences.

11. On 13 May 2025, the AIU wrote to the Athlete noting his responses and confirmed that, unless the Athlete advised otherwise, the AIU's understanding of his position was that he admitted the Anti-Doping Rule Violations based on the Adverse Analytical Finding and accepted the Consequences proposed by the AIU.

12. The Athlete responded immediately stating that he used the substance (i.e., Trimetazidine]) without knowing and accepted the consequences.

## Consequences

13. 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:*
>
> *(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."*

14. Trimetazidine is a Prohibited Substance under the WADA 2025 Prohibited List under the category S4.4 Metabolic Modulators. It is a Non-Specified Substance prohibited at all times.

15. The period of Ineligibility to be imposed is therefore a period of four (4) years, unless the Athlete demonstrates that the Anti-Doping Rule Violations were not intentional.

16. 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.

17. However, Rule 10.8.1 ADR provides that an athlete potentially subject to an asserted period of Ineligibility of four (4) 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."*

18. On 1 April 2025, the Athlete was notified of the Adverse Analytical Finding and that this may result in Anti-Doping Rule Violations under Rule 2.1 ADR and/or Rule 2.2 ADR and a period of Ineligibility of four (4) years.[2]

[2] This Notice of Allegation of Anti-Doping Rule Violations was issued to the Athlete in accordance with Article 5.1.2 of the ISRM, prior to a Notice of Charge issued in accordance with Article 7 of the ISRM. Considering the Athlete' communications stating that he acceptance the consequences on 6 April 2025 and 10 April 2025, no Notice of Charge was ever issued.

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19. On 6 April 2025 and on 10 April 2025, the Athlete wrote to the AIU stating that he accepted the consequences and on 13 May 2025, the Athlete comfirmed his position.

20. 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.

21. 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 and the application of Rule 10.8.1 ADR, the AIU confirms by this decision the following Consequences for a first Anti-Doping Rule Violation:

    21.1. a period of Ineligibility of three (3) years commencing on 1 April 2025 (the date of Provisional Suspension); and

    21.2. disqualification of the Athlete's results between 15 February 2025 and 1 April 2025, with all resulting Consequences, including the forfeiture of any titles, awards, medals, points, prizes and appearance money.

22. 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

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

## Rights of Appeal

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

25. 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.

26. 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, 14 May 2025