SPORT RESOLUTIONS

SR/199/2026

IN THE MATTER OF PROCEEDINGS BROUGHT UNDER THE ANTI-DOPING RULES OF WORLD ATHLETICS

Before:
Nick De Marco KC (Sole Chair)

BETWEEN:

WORLD ATHLETICS ***Anti-Doping Organisation***

– and –

Mr BO LI ***Respondent***

DECISION OF THE DISCIPLINARY TRIBUNAL

I. INTRODUCTION

1. World Athletics ("**WA**") is the international federation governing the sport of Athletics worldwide. It has its registered seat in Monaco. WA was represented by the Athletics Integrity Unit (the "**AIU**").

2. The Respondent, Mr. Bo Li (the "**Athlete**") is a 32-year-old road runner from China. He is an amateur Athlete. He earns his living from working as a firefighter.

3. Hereafter, WA and the Athlete are referred to collectively as the "**Parties**".

II. FACTUAL BACKGROUND

4. On 21 September 2025, the Athlete provided a urine Sample In-Competition at the 2025 Taiyuan Marathon, held in Taiyuan, China (the "**Race**"). The Sample was split into an 'A' Sample and a 'B' Sample.

5. The A Sample was analysed by the World Anti-Doping Agency ("**WADA**") accredited laboratory in Beijing, China (the "**Beijing Laboratory**") and resulted in an Adverse Analytical Finding ("**AAF**") for the presence of a Metabolite of Oxandrolone, that is, 17α-Hydroxymethyl-17β-methyl-18-nor-2-oxa-5α-androst-13-en-3-one.

6. Oxandrolone (and its Metabolites) is a Prohibited Substance under the WADA 2025 Prohibited List under the category S1.1 Anabolic Androgenic Steroids. It is a Non-Specified Substance that is prohibited at all times.

7. The AIU reviewed the AAF 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 Metabolite of Oxandrolone 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 AAF.

8. On 20 October 2025, the AIU issued the Athlete with a Notice of Allegation (the "**NoA**") of Anti-Doping Rule Violations ("**ADRVs**") imposing a Provisional Suspension (effective immediately) and invited him to: (i) provide a detailed written explanation for the AAF; and (ii) confirm whether he wanted the B Sample analysed at his cost by no later than 27 October 2025.

9. On 24 October 2025, the Athlete applied to lift the Provisional Suspension imposed upon him on 20 October 2025 (the "**Application**") on the basis that it was likely that the

violations involved a Contaminated Product. Specifically, he pointed to a suspicion that the source of the AAF was contaminated food served in the dining area of the hotel (the "**Race Hotel**") provided for participants of the Race by the Race Organising Committee.

10. On 26 October 2025, the Athlete requested the B Sample analysis, and on 30 October, he confirmed he would attend the B Sample opening, accompanied by a representative.

11. On 5 November 2025, the Race Organising Committee provided the AIU with copies of food inspection reports for 19, 20 and 21 September 2025 for the Race Hotel.

12. On 7 November 2025, the B Sample opening and analysis took place at the Beijing Laboratory in the presence of the Athlete and his representative.

13. On 12 November 2025, the AIU informed the Athlete that the B Sample analysis had confirmed the AAF in the A Sample.

14. On 14 November 2025, the Athlete wrote to the AIU and (i) requested the estimated concentration of the Oxandrolone metabolite detected in the B Sample and (ii) indicated that he was "*undergoing a doping screening for [his] daily dietary and supplement intake*" and that he hoped to submit a supplementary explanation by the end of the month.

15. On 17 November 2025, the AIU provided the Athlete with the estimated concentration of the Oxandrolone Metabolite detected in the B Sample (1 ng/mL) and asked him to provide details of the supplements that he had used prior to the Race.

16. Also on 17 November 2025, the AIU issued a decision rejecting the Application on the basis that the Athlete had failed to demonstrate that the violations were likely to have involved a Contaminated Product and noted that the Application was devoid of any supporting evidence of food contamination and that Oxandrolone is not approved for use as a growth promoter in the food industry worldwide.

17. On 21 November 2025, the Athlete provided the AIU with information regarding the supplements/products he had used prior to the Race, namely, Sodium Fructose Diphosphate Oral Solution, Move Free Advance, Move Free Ultra, SIS Energy Gel, Fastum Ketoprofen Gel and GNC Phosphatidylserine Protein Solid Beverage.

18. On 12 December 2025, the Athlete sent the AIU test reports from the two (2) institutes (the Beijing Qingxi Technology Research Institute (the "**Beijing Institute**") and the Guangdong Huace Judicial Authentication Center (the "**Shenzhen Institute**"), stating that he needed to find a third testing provider as the test reports obtained were contradictory in the following respects:

18.1. the Beijing Institute reported findings of Oxandrolone in three (3) supplements/products (Move Free Advance, Move Free Ultra and Fastum Ketoprofen Gel) as well as in pigeon meat sample submitted by the Athlete;

18.2. the Shenzhen Institute did not detect the presence of Oxandrolone in any of the supplements/products (Move Free Advance, Move Free Ultra or Fastum Ketoprofen Gel).

19. On 23 December 2025, following inquiries, the AIU informed the Athlete that both the WADA accredited Laboratory in Seibersdorf, Austria (the "**Seibersdorf Laboratory**") and the Food and Drug Testing laboratory associated with the China Anti-Doping Agency ("**CHINADA**"), could act as the third testing provider and proceed with the supplement/products testing.

20. On 5 January 2026, the Athlete informed the AIU that he wished for his supplements/products (namely, Move Free Advance, Move Free Ultra and Fastum Ketoprofen Gel) to be analysed by the Seibersdorf Laboratory.

21. On 10 February 2026, the Athlete wrote to the AIU to confirm the shipment of the above-mentioned supplements/products to the Seibersdorf Laboratory.

22. On 26 February 2026, the Seibersdorf Laboratory confirmed that the shipment had arrived and that it would initiate the testing of the supplements.

23. On 18 March 2026, the AIU informed the Athlete that the Seibersdorf Laboratory had completed its analysis of all three (3) supplements/products (Move Free Advance, Move Free Ultra and Fastum Ketoprofen Gel) and that it had not detected the presence of Oxandrolone. The Athlete was asked to confirm by 23 March 2026 whether he wanted to analyse other supplements or otherwise to provide his final explanation for the AAF.

24. On 23 March 2026, the Athlete informed the AIU that he had no further requests for supplement analysis at that stage. The AIU then gave him until 27 March 2026 to provide his final written explanation for the AAF.

25. On 26 March 2026, per the Athlete's request, the AIU granted him an extension until 3 April 2026 to submit his written explanation.

26. On 3 April 2026, the Athlete provided his explanation for the AAF in which he stated, among other things, that:

26.1. He is employed full-time as a firefighter, "*a profession that tolerates no deception or complacency*".

26.2. His racing results over the years have been relatively stable with no significant fluctuations in his performance.

26.3. His doping tests before 21 September 2025 were negative.

26.4. He had participated in anti-doping Education sessions organised by CHINADA and was "*fully aware of the dangers of doping and understands that the use of prohibited substances—particularly anabolic agents—can lead to endocrine disorders, liver damage, and an increased risk of cardiovascular disease and may cause male infertility*."

26.5. He "*had no subjective intent to use any prohibited substance*" as he was planning to retire from running and start a family after the 2025 National Games and would not endanger his health.

26.6. Upon receipt of the NoA, the Athlete had promptly investigated, including testing his supplements at his own expense.

26.7. He voluntarily underwent a polygraph test at the Psychological Testing Center of the Institute of Public Security Studies of People's Public Security University of China, which concluded that *"[n]o information was detected in [his] memory indicating that [he] had intentionally taken any prohibited substance or supplements containing oxandrolone*".

26.8. Prior to the Race, between 8 July and 18 September 2025, he had trained and resided at the Huize Training Base in Yunnan (the "**Base**") together with the Qinghai Team.

26.9. It is likely that he had accidentally ingested Oxandrolone while training at the Base since:

(a) he may have ingested other athletes' pre-mixed sports drinks, which may have contained Oxandrolone; and

(b) he shared a water bottle during training with a fellow runner, Mr. Xue Jun, who had since returned an AAF for Oxandrolone and been sanctioned with a three (3) year ban.

26.10. Alternatively, the Athlete claimed that the AAF could be the result of environmental contamination, in the following circumstances:

(a) at the Base, he shared the same dormitory floor with Mr. Jun and, after training, would visit his room and sometimes ate snacks there;

(b) between 12 August and 17 September 2025, he used a shared hyperbaric oxygen chamber provided by the Qinghai Team at the Base approximately twice a week (40-minute session), which was not disinfected after each use, and

(c) on 19 and 20 September 2025, while in Taiyuan prior to the Race, he visited places such as massage parlours and the hair salon.

26.11. Further, the Athlete alleged that meat contaminated with Oxandrolone could be the source of the AAF:

(a) at the Base, the Athlete took all his meals at the athletes' dining hall, and

(b) the Race Organising Committee failed to provide any valid copies of the Race Hotel food inspection reports for 19, 20 and 21 September 2025 in relation to the food served in the dining area for athletes at the Race Hotel.

27. On 6 May 2026, the AIU issued the Athlete with a Notice of Charge (the "**NoC**") in accordance with Rule 8.5.1 of the WA Anti-Doping Rules 2025 ("**ADR**") and Article 7.1 of the International Standard for Results Management.

28. On 19 May 2026, the Athlete requested a hearing in this matter and provided his response (the "**Response**") to the NoC.

29. On 17 March 2026, the World Athletics Disciplinary Tribunal Secretariat, Sport Resolutions ("**SR**"), informed the Parties stating, inter alia, that the matter would "*be referred to the Chairperson of the Disciplinary Tribunal, Mr Charles Hollander KC, who will appoint an Independent Panel to hear and determine this case*". SR further confirmed that it would "*inform both parties of the Panel's composition in due course*".

30. On 1 June 2026, pursuant to Rule 8.7 of the WA ADR 2026, SR informed the Parties that Mr Nick De Marco KC had been appointed to chair the Panel that would determine

the present matter. The Parties subsequently agreed that Mr De Marco KC would sit as Sole Chair.

III. JURISDICTION

31. The anti-doping rule violations ("**ADRVs**") with which the Athlete has been charged arise from Testing conducted under the Testing Authority of World Athletics. Accordingly, the Athlete is an International-Level Athlete for the purposes of Results Management under the ADR, including pursuant to Rule 1.4.4(d) ADR. Pursuant to Rules 1.3 and 8.2(a) ADR, the Disciplinary Tribunal has jurisdiction to hear and determine ADRVs alleged against an International-Level Athlete. The Panel therefore has jurisdiction in the present matter.

IV. THE PARTIES' WRITTEN SUBMISSIONS AND EVIDENCE

32. Within this section I summarise the main written arguments and evidence put forward by the Parties as the case developed before the hearing took place. I have read all of the arguments made before me, and the failure to mention or discuss in any detail any of them should not be understood to mean I have not considered each one. Rather, I repeat or summarise here the essential arguments before me.

(A) The AIU's Brief

33. The WA Brief dated 3 July 2026, set out the various applicable rules establishing jurisdiction over the Athlete (Rule 1.2 ADR), the application of the ADR to athletes, athlete support personnel and other persons (Rule 1.4.2(f), ADR), the classification of International Level Athletes for the purposes of the ADR (Rule 1.4.4, ADR), which was

said to apply to the Athlete, and the jurisdiction of the Disciplinary Tribunal (Rule 8.2(a), ADR).

34. By the time this matter was heard before me, these issues were no longer controversial. The Athlete accepted that this Panel had jurisdiction to consider the matter.

35. Nor was the issue of the burden and standard of proof controversial. It was accepted by both Parties that (pursuant to Rule 3.1, ADR) the burden of proof was on the AIU to prove the ADRVs, and the applicable standard of proof was "*comfortable satisfaction*", whereas where the burden fell on the Athlete to rebut a presumption or establish specified facts or circumstances the standard was "*the balance of probabilities*".

The Anti-Doping Rule Violations

36. The AIU relied on the following rules.

37. Rule 2.1 ADR specifies that the Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample constitutes an ADRV:

> *"**2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample***
>
> *2.1.1 It is each Athlete's personal duty to ensure that no Prohibited Substance enters their body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary to demonstrate intent, Fault, Negligence or knowing Use on the Athlete's part in order to establish a Rule 2.1 anti-doping rule violation.*
>
> *2.1.2 Sufficient proof of an anti-doping rule violation under Rule 2.1 is established by any of the following: (i) the presence of a Prohibited Substance or its Metabolites or Markers in the Athlete's A Sample where the Athlete waives analysis of the B Sample and the B Sample is not analysed; (ii) where the analysis of the Athlete's B Sample confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the Athlete's A Sample; or (iii) where the Athlete's A or B Sample is split into two parts and the analysis of the confirmation part of the split Sample confirms the presence of the Prohibited Substance or its Metabolites or*

Markers found in the first part of the split Sample or the Athlete waives analysis of the confirmation part of the split Sample.

2.1.3 Excepting those substances for which a Decision Limit is specifically identified in the Prohibited List or a Technical Document, the presence of any reported quantity of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample will constitute an anti-doping rule violation.

2.1.4 As an exception to the general rule of Rule 2.1, the Prohibited List, International Standards or Technical Documents may establish special criteria for reporting or the evaluation of certain Prohibited Substances."

38. Rule 2.2 ADR provides that the Use of a Prohibited Substance constitutes an ADRV:

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

2.2.1 It is the Athlete's personal duty to ensure that no Prohibited Substance enters their body and that no Prohibited Method is Used. Accordingly, it is not necessary to demonstrate intent, Fault, Negligence or knowing Use on the Athlete's part in order to establish an anti-doping rule violation for Use of a Prohibited Substance or a Prohibited Method."

<u>*Consequences for the Anti-Doping Rule Violations*</u>

39. As to the Consequences of the ADRV if proven, the AIU submitted as follows:

39.1. Rule 10.2 ADR provides the sanction to be imposed for ADRVs under Rule 2.1 and Rule 2.2 ADR as follows:

*"**10.2 Ineligibility for Presence, Use or Attempted Use, or Possession of a Prohibited Substance or Prohibited Method***

The period of Ineligibility for a violation of Rule 2.1, Rule 2.2 or Rule 2.6 will be as follows, subject to potential elimination, reduction or suspension pursuant to Rules 10.5, 10.6 and/or 10.7:

10.2.1 Save when 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.

[...]

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."

39.2. According to Rule 10.2.3, the term "*intentional*" in the context of Rule 10.2 means as follows:

"10.2.3 As used in Rule 10.2, the term 'intentional' is meant to identify those Athletes or other Persons who engage in conduct that they knew constituted an antidoping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. [...]"

Detailed Submissions

40. The AIU submitted that the Beijing Laboratory issued an AAF for the presence of an Oxandrolone Metabolite in the Athlete's A Sample. The analysis of the B Sample confirmed the finding in the ASample. There was no valid TUE to justify the presence of the Oxandrolone Metabolite in the Athlete's Sample, and no apparent departures from the ISTI or the ISL were identified.

41. As such, according to the AIU, the Panel can therefore be comfortably satisfied that the Athlete has committed ADRVs pursuant to Rule 2.1 and Rule 2.2 of the ADR. The Athlete did not challenge the existence of the ADRV.

42. As to intention, the AIU submitted that although the ADR do not specifically require the origin of the Prohibited Substance to be established for the purpose of determining intent, it is clear from the Court of Arbitration for Sport ("**CAS**") case law that, in all but the very rarest and exceptional of cases, it is a prerequisite that an athlete establishes the origin of the relevant Prohibited Substance(s) to demonstrate an absence of intent.

43. The AIU relied on the following CAS cases in particular:

43.1. CAS 2023/A/9377 *Kristian Jensen v. World Rugby*:

> *"[…] there exists an extensive and consistent line of CAS awards holding that establishing the origin of the Prohibited Substance is a crucial, almost indispensable element for an athlete to disprove intent, the absence of which leaves only "*the narrowest of corridors through which such athlete must pass to discharge the burden which lies upon him*" (CAS 2017/A/5016 & 5036 – Abdelrahman – para. 123, CAS 2020/A/7068 –* Iannone *– para. 134). On the contrary, there are only a few cases at CAS that would comfortably support a deviation from this general rule that the athlete is highly unlikely to be able to disprove intent in the absence of a credible identification of the source. These few cases (*inter alia*, CAS 2016/A/4534 and CAS 2020/A/7579 & 7580) in which a lack of intent can be affirmed without the athlete establishing the source of the Prohibited Substance are outliers."*

43.2. CAS 2024/A/10800 & CAS 2024/A/10802 *World Athletics & WADA v. Erriyon Knighton*:

> *"109. As regards the question of whether in order to establish lack of intent, within the meaning of Article 10.2 of the WADC, the Athlete has to establish the source of the Prohibited Substance found in his Sample, the Panel notes that unlike the definitions of NFN (Article 10.5 of the WADC) and NSFN (Article 10.6 of the WADC), the wording of this provision does not require the Athlete to establish how that Substance entered their system in order to claim that the ADRV was not intentional. However, according to constant CAS jurisprudence, apart from extremely rare cases (see CAS 2016/A/4534, CAS 2016/A/4676, and CAS 2016/A/4919), an athlete must establish how the prohibited substance entered their system in order to discharge the burden of establishing the lack of intention (CAS 2016/A/4377, CAS 2023/A/9377). This is also clear from the above-mentioned comment to Article 10.2.1.1 of the WADC.*
>
> *110. To establish the origin of the prohibited substance, it is not sufficient for an athlete to merely protest their innocence and suggest that the substance must have entered their body inadvertently from a supplement, medicine, or other product. Rather, an athlete must adduce concrete evidence to demonstrate that a particular supplement, medication, or other product that the he or she has taken did contain the substance in question. For example, details about the date of intake, the location and route of intake, or any other details about the ingestion are necessary (CAS 2017/A/5248).*
>
> *111. In this regard, the Panel concurs with other CAS panels which considered that the requirement of showing how the Prohibited Substance got into an athlete's system must be enforced rather strictly since, if the manner in which a substance entered in athletes*

system is unknown or unclear, it is logically difficult to determine whether the athlete has taken precautions to prevent such occurrence. The threshold requirement of showing how the substance entered an athlete's system is to enable, inter alia, the CAS to determine the issue of fault on the basis of facts and not speculation (CAS 2012/A/2760). In the Panel's view, an athlete has to adduce some cogent evidence showing that his or her explanation for the AAF, in the present matter the oxtail contamination scenario, is scientifically plausible (CAS 2017/A/5296). Therefore, there must be a causal link between the allegedly contaminated product ingested, and the Prohibited Substance found in the athlete's system (CAS 2023/A/10025 & 10227).

112. *Finally, regarding the above mentioned "extremely rare cases" in which a ADRV may be deemed unintentional even if an athlete has failed to prove the source of a prohibited substance, the Panel considers that in such a case an athlete has to establish lack of intention with other robust evidence, such as the possibility that the prohibited substance came from a specific product, the athlete's credible testimony, evidence by the athlete's doctors that the athlete had no intent to use a prohibited substance, or the implausibility of a scenario that the athlete intentionally used prohibited substances (CAS2017/A/5248 and CAS 2023/A/10273). Or, as the CAS Panel in CAS 2023/A/9451, 9455 & 9456 has summarized it:*

"An athlete must provide actual evidence to support his protestations of innocence; he or she must provide 'concrete and persuasive evidence establishing such lack of intent on the balance of probabilities'; protestations of innocence, however credible they appear, 'carry no material weight in the analysis of intent' […]. The same applies to a 'lack of a demonstrable sporting incentive to dope, diligent attempts to discover the origin of the prohibited substance or the athlete's clean record', which have constantly been rejected as justifications for a plea of lack of intent […]"."

44. In summary, the AIU submitted that it is only in the very rarest and exceptional of cases that an athlete will be able to demonstrate that an ADRV was not intentional without clearly establishing the origin of the Prohibited Substance, and even then, the evidence adduced must be concrete, objective, and persuasive evidence capable of demonstrating a causative link with the AAF. Evidence establishing only that it is possible that the Athlete's claim is true is not enough to discharge the burden. The evidence has to be strong enough to show that the claim is more probable than its non-occurrence.

45. As to the Athlete's various explanations:

45.1. As to the Athlete's suggestion that, while training at the Base, he could have accidentally drank from a bottle of a pre-mixed sports drink that belonged to one of his teammates and contained Oxandrolone, the AIU submitted that:

(a) the Athlete had not positively asserted that he did in fact drink from the premixed sports drink of one of his teammates – he just put the mere possibility that this could have happened forward;

(b) there was no evidence that any of the Athlete's teammates were drinking anything containing Oxandrolone during training at the Base, including in the period from 8 July to 18 September 2025, and

(c) according to the AIU's expert witness, Professor Martial Saugy, as Oxandrolone is only available as tablets, which are not designed to dissolve into water, and would not mix well if crushed, this scenario was extremely unlikely.

45.2. As to the suggestion that Oxandrolone entered the Athlete's body while sharing a water bottle with fellow runner, Mr. Jun during training, the AIU submitted that:

(a) there was no evidence of the alleged sharing of the water bottle;

(b) there was no evidence that Mr. Xue Jun had ingested Oxandrolone shortly before a training session in which he allegedly shared a water bottle with the Athlete;

(c) the quantity of Oxandrolone left in a person's saliva shortly after ingesting an Oxandrolone tablet would be negligible, and the quantity of any Oxandrolone transferred via shared use of a water bottle would then be even smaller, and

(d) based on the known pharmacokinetics of Oxandrolone, in the expert opinion of Professor Saugy, it is highly unlikely that the AAF in the Sample collected 3 days

after the Athlete's last training session on 15 September 2025 could have been caused by the Athlete's shared use of a water bottle.

45.3. As to the suggestion that the Athlete's claims that the AAF could be the result of environmental contamination by sharing space and snacks with Mr. Jun at the Base, using the same hyperbaric oxygen chamber or visiting a massage parlour and/or a hair salon, the AIU submitted that:

(a) there was no evidence that Mr. Jun or any other athlete was using Oxandrolone at the relevant time in the Base;

(b) there was no evidence of any environmental contamination of any area of the Base (or any other area such as a massage parlour or hair salon) with Oxandrolone, and

(c) it is highly unlikely that any residue of Oxandrolone would transfer to the hands/fingers and even if that were the case, the residue levels would be negligible. Oxandrolone is consumed orally as tablets and has no transdermal properties. It would not enter an athlete's body through transdermal transfer associated with environmental contamination according to Professor Saugy's expert opinion.

45.4. Regarding the asserted lack of a sporting incentive to dope and/or the Athlete's clean record, the AIU submitted that CAS jurisprudence is clear in rejecting them as justifications for a plea of lack of intent, citing amongst others, CAS 2019/A/6213 WADA v. CADC & CSF & Kateřina Kašková, paragragh 65:

> *"The Athlete bears the burden of establishing that the violation was not intentional, and a lack of intention cannot be inferred from protestations of innocence (however credible), the lack of a demonstrable sporting incentive to dope, unsuccessful attempts by the athlete to discover the origin of the prohibited substance or the athlete's clean record."*

46. The AIU invited the Panel to rule that:

46.1 The Panel has jurisdiction to decide on the subject matter of this dispute.

46.2 The Athlete has committed ADRVs pursuant to Rule 2.1 (Presence) and/or Rule 2.2 (Use) of the ADR.

46.3 The date of the Panel's award but to give credit for the period of Provisional Suspension imposed on the Athlete from 20 October 2025 until the date of the Panel's award against the total period of Ineligibility, provided that the Provisional Suspension has been effectively served.

46.4 The results obtained by the Athlete at the 2025 Taiyuan Marathon and of any results obtained by the Athlete from 21 September 2025 until 20 October 2025 be Disqualified with all resulting Consequences including the forfeiture of any titles, awards, medals, points and prize and appearance money pursuant to Rules 9, 10.1 and 10.10 ADR.

46.5 World Athletics be awarded a contribution towards its legal and other costs incurred in relation to this matter (including the costs of the proceedings before the Panel) pursuant to Rule 10.12.1 ADR 2026.

(B) The Athlete's Response to Charge and Answer Brief

47. The Athlete submitted a Response to the Charge and made a request for a hearing on 19 May 2026. In that Response to the Charge, the Athlete:

47.1. Denied both ADRVs.

47.2. Stated that he did not intentionally, knowingly or negligently use or consume Oxandrolone.

48. The Athlete explained he was a professional firefighter, an occupation that demanded honesty, discipline and responsibility, that he had consistently undergone ant-doping

testing and had always tested negative, and that he had planned to retire as an Athlete after the 2025 National Games.

49. In addition to his previous suggestion that the source of the presence of the Prohibited Substance may have been Contaminated Products, the Athlete suggested three (3) possible sources for the presence of the Prohibited Substance:

49.1. First, while training at the Base, and in particular, during long-distance runs, he shared the same mineral water bottles and pre-mixed sports drinks with other members of the team including Mr. Jun who had subsequently tested positive for Oxandrolone. The Athlete postulated that he may have inadvertently consumed Mr. Jun's drink containing Oxandrolone.

49.2. Second, that during training he also shared a hyperbaric oxygen chamber, a massage parlour, and a hair salon with other athletes including Mr. Jun, and this may have led to environmental contamination.

49.3. Third, that there may have been contamination from meat consumed at the Race Hotel. The Athlete claimed that the Organising Committee had not provided him with food sample retention reports. He also relied in various CAS cases in support of his submission that meat contamination can lead to AAFs for anabolic agents, including Oxandrolone, citing CAS 2019/A/6313 Lawson v IAAF, and CAS 2022/ADD/46 United World Wrestling v Jackson.

50. The Athlete further explained that he had, at his own expense, arranged the testing of a number of supplements that he had used, the results of which were not conclusive, and that he underwent a voluntary polygraph test, the results of which concluded his "*memory contains no information of intentional use of any prohibited substance*".

51. In his "**Answer Brief**" dated 24 July 2026, the Athlete argued that he bore No Fault or Negligence or alternatively No Significant Fault or Negligence for the ADRVs. He further argued, in the alternative, that the breach was not intentional.

52. In addition to the information provided in his Response to the Charge, the Athlete provided further information about the pigeon meat he had consumed in training, and about Contaminated Products he took. He claimed that the Beijing Institute had detected Oxandrolone in the same supplement products that he had consumed, whereas the Shenzhen Institute had not done so.

53. The Athlete provided some evidence demonstrating from where the pigeon meat was purchased and when. He argued that the "*trace-level concentration"* (0.1207 µg/g) in pigeon meat is consistent with the trace-level Oxandrolone concentrations found in the Athlete's urine (A Sample: 0.5 ng/mL; B Sample: 1 ng/mL), supporting the theory of inadvertent ingestion of a minute quantity of Oxandrolone through contaminated food. He argued that this pigeon meat contamination evidence constituted "*concrete evidence*" of a source of the Oxandrolone Metabolite.

54. With respect to the suggestion that the source of the Oxandrolone may have originated from the ingestion of Contaminated Products, the Athlete argued that there were contradictory results from the different laboratories and that "*in the Ademi case, multiple laboratories similarly produced contradictory results for the same supplement (Megamin), and the CAS Panel treated this contradiction not as fatal to the athlete's defence, but as evidence that the supplement was a possible source of the Prohibited Substance*", citing CAS 2016/A/4676, Arijan Ademi v. Union of European Football Associations (UEFA). (paragraphs 73, 76.)

55. With respect to the shared water bottle and other environmental contamination theories, and Professor Saugy's expert opinion that the shared water bottle scenario is "*extremely*

unlikely" because Oxandrolone is practically insoluble in water and would settle at the bottom of a water bottle, the Athlete submitted that:

55.1. Athletes in training are constantly in motion. When a water bottle is carried, passed between athletes, or shaken during running, any solid particles (including Oxandrolone tablets or residue) settled at the bottom of the bottle would be disturbed and dispersed throughout the water. Under such conditions of agitation, it is scientifically plausible that a small quantity of Oxandrolone could be suspended in the water column and ingested by an athlete drinking from the bottle.

55.2. The Athlete's urine concentration was extremely low (A Sample: 0.5 ng/mL; B Sample: 1 ng/mL). These trace-level concentrations are consistent with inadvertent ingestion of a minute quantity of Oxandrolone through a shared water source, rather than with deliberate oral administration of a therapeutic dose.

55.3. The simultaneous positive finding for both the Athlete and his training partner Mr. Jun for the same Prohibited Substance (Oxandrolone) was a significant factual coincidence that strongly suggested a common source of contamination within the training environment — whether through contaminated pigeon meat or through a shared water bottle.

56. With respect to the issue of intention, the Athlete argued that he did not know the pigeon meat or supplements he consumed were contaminated, nor that there was a significant risk that consuming them might result in an ADRV. They both were ordinary, everyday items with no apparent risk of contamination. As such his conduct was not intentional.

57. As to failure to establish the sources of contamination, the Athlete stressed that this was not a requirement under Article 10.2.1.1 World Anti-Doping Code and relied on the WADA Comment to Article 10.2.1.1 (page 65):

> *"While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system [...]".*

58. The Athlete relied on CAS 2016/A/4534 Mauricio Fiol Villanueva v. Fédération Internationale de Natation ("FINA") in further support of the proposition that the source of the Prohibited Substance is not mandatory to disprove intention.

59. Acknowledging that the panel in that case had described the corridor as "*the narrowest*" and that successful passage would be "*extremely rare*", the Athlete submitted that "*these characterizations confirm that the corridor exists and is traversable — they do not negate the legal principle that proof of source is not a mandatory prerequisite*." He submitted that his case presented precisely the type of exceptional circumstances that warranted passage through that narrow corridor.

60. The Athlete argued that the Ademi case (CAS 2016/A/4676) was particularly instructive: Ademi was a professional football player who had tested positive for stanozolol metabolites. He claimed that the source was a Contaminated Product called "Megamin". He submitted the supplement for testing to multiple laboratories. Despite contradictory and inconclusive laboratory results — which prevented the athlete from definitively establishing the source of the stanozolol — the panel found that the athlete had proved lack of intent on the balance of probabilities (paragraphs 75-79).

61. Further, in CAS 2019/A/6313 Lawson v. IAAF, the Panel held that:

> *"The state of the relevant science as presented to the Panel, combined with the totality of the other evidence, viewed with common sense and bolstered by the Athlete's credibility, opened up the corridor for him to establish his lack of intentionality without concretely proving the origin of the tiny amount of Epitrenbolone found in his urine on 2 June 2018." […]* (Paragraph 65)

62. The Athlete relied on the following other supporting evidence:

62.1. Oxandrolone is an anabolic androgenic steroid whose performance-enhancing effects are well documented for increasing muscle mass, strength, and power output, attributes relevant to sprinting, weightlifting, and other power-based disciplines, but have no scientifically demonstrated benefit to the type of endurance running he did.

62.2. A marathon runner who deliberately used Oxandrolone would gain no competitive advantage relevant to his sport. The Athlete's consistent performance over multiple years showed no anomalous improvement that could suggest doping. The detected concentration levels (0.5 ng/mL in the A Sample and 1 ng/mL in the B Sample) were at trace-levels, entirely inconsistent with deliberate administration of a performance-enhancing dose.

62.3. The Athlete was planning to retire from competitive running after the 2025 National Games and start a family. He had no incentive to risk his health, career, and personal future by deliberately using a Prohibited Substance that offered no benefit to his sport. This "*no motive*" factor, while not independently dispositive, was a relevant consideration in the overall assessment of intent.

62.4. He further relied on his clean record, anti-doping Education and the results of his Polygraph Examination. He submitted, with respect to the latter, that the *Lawson* panel found that polygraph evidence was "*at the very least sufficiently credible to warrant that it be taken into consideration*" (paragraph 88).

62.5. The Athlete relied on his diligence in investigating the potential source of the Oxandrolone by submitting his supplements for analysis at his own expense to three (3) testing institutions, submitting pigeon meat for testing, and continuing to pursue further investigation even after receiving contradictory results. He said that this diligence demonstrated his genuine belief in his innocence and his commitment to uncovering the truth.

62.6. The Athlete also relied on various character witness statements as to his "*honesty and commitment to clean sport*".

(C) The AIU's Reply

63. On 28 August, the AIU submitted a further "**Reply Brief**" addressing the new evidence, and case said to have been advanced by the Athlete in his Answer Brief.

64. The AIU argued that the Athlete's case had fundamentally changed in relation to the alleged source of the AAF: not as a result of new evidence, but by relying on evidence available to the Athlete since December 2025, but which he did not place reliance upon in his explanation dated 3 April 2026 or in response to the NoC dated 19 May 2026.

65. The AIU pointed out that as a result of the contradictory test results of the two (2) Chinese laboratories, the Athlete had asked for some of his supplements/products (namely, Move Free Advance, Move Free Ultra and Fastum Ketoprofen Gel) to be tested by a third party and they had been sent to the Seibersdorf Laboratory. The Athlete did not provide a pigeon meat sample to the Seibersdorf Laboratory for analysis. On 18 March 2026, the Seibersdorf Laboratory reported that it had not detected Oxandrolone in any of the three (3) supplements/products. Following those results, the Athlete excluded the Beijing Institute reports and did not rely on them to establish the source of the AAF in his explanation dated 3 April 2026 or in response to the NoC dated 19 May 2026.

66. However, in his Answer Brief, the Athlete relied upon the findings of the Beijing Institute to support his argument that he has established the origin of the AAF as being either (i) pigeon meat consumed during his stay at the Base or, (ii) the supplements/products (Move Free Advance, Move Free Ultra or Fastum Ketoprofen Gel) that he used prior to the 2025 Taiyuan Marathon.

67. As a result, on 31 July 2026, WA asked the Athlete to produce (i) a detailed account, with supporting contemporaneous evidence, of the Athlete's alleged consumption of

pigeon meat during his stay at the Base between 8 July and 18 September 2025, (ii) the Beijing Institute's Standard Operating Procedures ("**SOP**") and (iii) the underlying analytical data produced by the Beijing Institute when analysing the three (3) supplements/products and the sample of pigeon meat. This was provided by the Athlete on 14 August 2026.

(D) The Athlete's further evidence

68. The further evidence submitted by the Athlete on 14 August 2026 included:

68.1. A detailed statement, provided by the Athlete, dated 14 August 2026, setting out evidence of his purchase and consumption of pigeon meat.

68.2. The "*Tianjin Branch of Beijing Qingxi Technology Research Institute Test Report*" of December 2025 (the "**Beijing Report**") which reported findings of Oxandrolone in three (3) supplements/products (Move Free Advance, Move Free Ultra and Fastum Ketoprofen Gel) as well as in a pigeon meat sample submitted by the Athlete in the following amounts: Move Free Advance: 0.5724 µg/g; Move Free Ultra: 1.570 µg/g; Fastum Ketoprofen Gel: 0.6221 µg/g; and Pigeon meat: 0.1207 µg/g.

68.3. The Shenzhen Institute that did not detect the presence of Oxandrolone in any of the supplements/products (Move Free Advanced, Move Free Ultra or Fastum Ketoprofen Gel).

68.4. A statement from Xia Peijin, the operator of the Jinhongyu Native Chicken Shop in Huize in Yunnan Province, China, certifying that the Athlete had bought pigeons and native chickens from his store from 28 July 2025 to cook nourishing soup.

68.5. A statement from Zhou Xiaoyi of the Jiangbei Weiqiang Clinic who certified that from 16 June 2025 he had provided the Athlete with Move Free ADVANCED and Move Free ULTRA joint-care dietary supplements at sourced from COSTCO Wholesale in Tucson, USA.

68.6. A statement from Mr. Jun, an athlete of the Qinghai Provincial Marathon Team, explaining that he had trained together with the Athlete in 2025, and that:

> *"We shared the hyperbaric oxygen chamber of the base for post-training recovery.*
>
> *During the training period, Li Bo and I had three daily meals together at the staff canteen of Xinchen Jinyue Hotel. In spare recovery time, we bought live pigeons to cook soup for nutritional conditioning and drink together. Specifically, both Li Bo and I purchased live pigeons and native chickens from Jin Hongyu Native Chicken Shop at Huize Tongbao Farmers Market adjacent to the training base."*

68.7. A statement from Wu Shenzhi, the Athlete's coach, stating, among other things, that *"Li maintains strict self-discipline in daily life, trains diligently, and fully complies with training discipline and dietary management rules. He has never shown any inclination or intent to use prohibited substances."*

68.8. A statement from Li Lin, the Athlete's inaugural long-distance running coach, testifying that the Athlete "*has never thought of relying on external substances to boost performance during training or daily life. For over a decade, he has polished basic training day after day, and cherishes his hard-earned athletic career, fully aware that doping violations will terminate his sports life completely*."

68.9. A statement from Li Jinyong, the Chief of the Fire and Rescue Station where the Athlete works and responsible for the Athlete's day-to-day running training, testifying as to his good character and of there being no record of him ever seeking doping or any short cuts.

68.10. A statement from Xia Shaofei, President of Chongqing Long-distance Running Association, as to the Athlete's good character and lack of motive to dope.

68.11. A statement from Pan Yuanchen, another athlete, as to the Athlete's good character.

68.12. A statement from Qin Guidu, a coach, as to the Athlete's good character.

(E) The AIU's Response

69. On 28 August 2026, The AIU made further reply submissions in response to the new arguments and evidence advanced by the Athlete. The AIU also relied on and served a Supplementary Expert Opinion from Professor Saugy dated 28 August 2026.

70. In his Supplementary Expert Opinion, Professor Saugy explained that he had analysed the results in the Beijing Report and found that, considering the data correctly, that, in fact, "*oxandrolone was not identified in any of the four samples (Move Free Advanced, Move Free Ultra, Fastum Ketoprofen Gel and the Pigeon meat). It is even difficult to understand how the quantification for those products were done, because none of the specific peaks for the substance appear in the chromatographic analyses. The Beijing Institute analytical data therefore support the negative results of the Shenzhen*."

71. The AIU submitted that, considering the two (2) expert reports of Professor Saugy, there was no evidence that Oxandrolone was present in pigeon meat, or present in the Athlete's supplements that he had submitted for testing before being consumed at the Base prior to the Race.

72. The AIU argued that:

> *"the Athlete has failed to discharge his burden of proof to establish that the ADRVs were not intentional. The Athlete has failed to advance any credible explanation supported by concrete, actual evidence as to the source of the Metabolite of Oxandrolone in his Sample.*
>
> *The Athlete's case amounts to little more than unsubstantiated hypotheses, which are unsupported by any contemporaneous, objective evidence."*

V. THE HEARING

73. On 9 September 2026, I held a hearing of the case via videoconference. WA were represented by Mr. Tony Jackson, Ms. Laura Gallo, Mr. Joe Wightman and Ms. Annie Ryden of the AIU. Professor Saugy appeared as an independent expert witness called by World Athletics.

74. The Athlete attended and was represented by Ms. Xiaolin Yang, Mr. Yuyang Li and Mr. Jiang Wen, Counsel from Dentons. In addition, two (2) interpreters were present to translate evidence and submissions made in Chinese into English.

75. I am grateful to both Parties and to all of their representatives for their hard work and concise submissions.

76. I heard oral submissions from both Parties, both in opening and closing, and the Athlete and Professor Saugy both gave oral submissions and answered questions.

77. One narrow issue arose at the hearing that had not emerged before: it was submitted on behalf of the Athlete that there was written evidence suggesting that Oxandrolone had been noted to have been used in animal feed in China. I was shown a document in Chinese that had not previously been disclosed before. Having heard submissions from the Parties, it was agreed, and I directed that the Athlete should provide a translation of the document and any written submissions, and that the AIU have an opportunity to respond to the same in short order following the hearing, and that I would delay my decision until after receiving the same. As it turned out, the Athlete's representatives subsequently realised that the document they had relied on did not in fact evidence the proposition they had first understood, and they made no further submissions on the question.

78. The Athlete then sent in a further letter on his own behalf, without permission and after the closure of evidence. The AIU objected to it being admitted so late. I read the letter

and concluded that it did not provide any new evidence or argument, but rather largely repeated various evidence and submissions already made by the Athlete as to his character and the unlikelihood of him doping. As it did not add anything, I did not need to admit it as evidence, and I did not do so.

79. It became evident at the outset of the hearing (and was conformed to me by them) that the issues between the Parties had substantially narrowed:

79.1. The Athlete accepted that this Panel had jurisdiction to consider the matter.

79.2. It was accepted by both Parties that (pursuant to Rule 3.1 ADR) the burden of proof was on the AIU to prove the ADRVs, and the applicable standard of proof was "*comfortable satisfaction*", whereas where the burden fell on the Athlete to rebut a presumption or establish specified facts or circumstances the standard was "*the balance of probabilities*".

79.3. The Athlete no longer seriously maintained that there had been no ADRVs, nor that he could rely on No Fault or Negligence or No Significant Fault or Negligence. He was right not to maintain those arguments given, amongst other things, he had been unable to identify the source of the Oxandrolone.

79.4. The only real issue between the Parties was whether the ADRVs were intentional for the purposes of the ADR.

80. The Athlete gave persuasive evidence as to a number of matters. In summary:

80.1. He was an amateur athlete with a long and unblemished history of competition in long distance running.

80.2. He was the first amateur athlete to ever compete in the National Games, something he was very proud of.

80.3. He did not receive any salary from competing and nor did he have a support team.

80.4. In the run up the test, he had trained with, and shared drinks and food with the athlete Mr. Jun, who had subsequently tested positive for Oxandrolone.

80.5. He would not have intentionally taken any Prohibited Substance before the Taiyuan Marathon and/or he would not have performed so well in that race because he knew that those who finished in the first eight positions, as he had, would be subject to random testing. Participation in the National Games was so important to him that he would not have risked being found to be ineligible for it by taking a Prohibited Substance before the Taiyuan Marathon.

80.6. The only financial benefit he could obtain from his running was from a sponsorship agreement that provided sponsorship to him regardless of performance but subject to only one condition, that he did not commit an ADRV. He would not have risked that finding by doping.

80.7. He had limited means and had done all he could, at considerable personal financial cost, to try and establish the source of the Oxandrolone. He was going to retire shortly but was very concerned to clear his reputation.

81. Whilst the AIU took issue with some of the Athlete's evidence, none of it was seriously challenged. I accepted his evidence as truthful.

82. Professor Saugy gave oral evidence and answered questions consistent with the two (2) expert reports had provided. I found his evidence to be truthful and compelling. I did not find it was undermined by any of the questions put to him.

83. The Athlete did not call any expert evidence. In those circumstances, I accept Professor Saugy's opinion.

84. Both Parties made oral closing submissions consistent with their written submissions summarised above.

VI. DISCUSSION

85. I have found this to be a difficult decision.

86. It is clear that the Athlete committed an ADRV, and that he could not rely on No Fault or Negligence, or No Significant Fault or Negligence in order to reduce the sanction that shall apply for such a breach. That was, in part, because he was unable to prove the source of the Oxandrolone, before one even gets to arguments about his degree of fault or negligence: the relevant definitions of both No Fault or Negligence and No Significant Fault or Negligence in Appendix 1 to the ADR (as relied upon by both Parties) provide that "*the Athlete must also establish how the Prohibited Substance entered their system*."

87. The Athlete suggested various theories about how the Oxandrolone may have entered his system, in short: Contaminated Products, environmental contamination (including sharing a water bottle) and/or contaminated pigeon meat. However, the scientific evidence suggested that each of his theories was not only unlikely, but extremely unlikely.

88. While that is fatal to the Athlete's case with respect to No Fault or Negligence and No Significant Fault or Negligence, it is not, on its own, determinative of the question of intentional Use, which was the real issue between the Parties by the time the hearing took place.

89. As the ADR itself, and the various cases cited by the Parties, make clear, it is not necessary for an athlete to show how the Prohibited Substance entered their system in order to rebut the presumption that its Use was intentional.

90. As the AIU's submissions stressed, the cases are replete with references to "*narrow corridor*" or words like "*exceptional*" for those cases where an athlete can prove their Use was not intentional in the absence of demonstrating the source of the Prohibited Substance. Similarly, the cases talk of the need for "*credible*", "*robust*" and/or "*compelling*" evidence for an athlete to rebut the presumption of intention where they cannot establish the source of the Prohibited Substance. But those phrases are of limited use to me in a case like this. While they tell me that it may be very difficult to disprove intention without establishing source, they do not, or at least the phrases selected in the submissions do not, inform me as to what type of other evidence is necessary in these circumstances.

91. In *Knighton*, the CAS panel found that:

> "*Finally, regarding the above mentioned "extremely rare cases" in which a ADRV may be deemed unintentional even if an athlete has failed to prove the source of a prohibited substance, the Panel considers that in such a case an athlete has to establish lack of intention with other robust evidence, such as the possibility that the prohibited substance came from a specific product, the athlete's credible testimony, evidence by the athlete's doctors that the athlete had no intent to use a prohibited substance, or the implausibility of a scenario that the athlete intentionally used prohibited substances. (CAS2017/A/5248 and CAS 2023/A/10273). […]*"

92. The CAS panel in *Knighton* did not provide an exhaustive list of factors that could be taken into account – and nor could they: each case must depend on its highly specific circumstances. But it is clear that things like the Athlete's credible testimony are matters that may be taken into account.

93. In my view I am entitled to take the following factors into account in the Athlete's favour:

93.1. The credibility of his firm and consistent denial of intentional Use. Of course, I accept that an athlete may lie about his Use of a Prohibited Substance, but where he gives evidence and is cross-examined, I must assess his credibility. There was nothing in his oral evidence before me that suggested he was telling anything other than the truth.

93.2. The fact that he is an amateur athlete, with little or nothing to gain from doping.

93.3. The fact he is an amateur athlete with limited means is also relevant to the two (2) further matters: (i) the weight I should give to his failure to prove the source of the Prohibited Substance and failure to call his own expert evidence, and (ii) the weight I give to the fact he has incurred considerable cost in fighting an allegation of intentional Use with nothing to gain financially from such efforts. As to these facts:

(a) The AIU were critical of the Athlete for, amongst other things, not having all of the supplements that he had taken, tested, but only a sample of them. They said he could have done more. His answer was that he only had limited means and could not afford to have all supplements tested. That seems to me to be a fair point. Had the Athlete been a professional athlete with greater means trying to prove lack of intention I would have expected him to test all of his supplements, as I would have also expected him to instruct his own expert. There would be no reason not to do so other than cost. But it would be wrong to hold the Athlete in question to the same standard as an elite athlete with the means and support to provide the type of evidence the AIU expected.

(b) The fact that, despite being an amateur athlete soon to retire, and without any financial incentive to prove he had ingested the Prohibited Substance without intent other than to defend his integrity as a clean athlete is a matter I can take into account in so far as it helps me reach conclusions as to the overall credibility of the Athlete.

93.4. The Athlete's long and unblemished history of competition in long distance running, having previously been tested without ever committing an ADRV is another factor I can take into account.

93.5. The lack of incentive to dope in the Athlete's specific circumstances is significant. In evidence, the Athlete explained, and it was not seriously challenged, that he had already agreed a sponsorship agreement that provided him with a set amount of money for participating in the National Games regardless of his place or performance, but so long as he did not dope. As he said in evidence, why would he deliberately dope before the Taiyuan Marathon, ending in a finishing position that made it likely he would be subject to testing, risking his participating in the National Games and any sums that he would receive from the Sponsorship Agreement? That would appear to be a highly unlikely scenario. The AIU postulated that maybe he did not know at the time of his participation in the Taiyuan Marathon that the position he ended in would put him a pool of athletes subject to random testing. Of course that is a possibility, but the Athlete was not seriously challenged as to his testimony on this point which I found credible.

93.6. The fact that Mr. Jun, the teammate he trained, ate and drank with before the test had also tested positive for the same Prohibited Substance (13 days after the Athlete's AAF) is evidence that supports a theory of possible incidental exposure to Oxandrolone, whether through exposure to the same environment, Contaminated Product or meat.

93.7. The fact that Oxandrolone is not a Prohibited Substance likely to be used by a long-distance runner, and the trace-level concentrations found in this case made deliberate doping unlikely. I accept, of course, that the counter-arguments that Oxandrolone can be used by athletes to recover from injury, the Athlete had been recovering from injury, and the trace-levels may result from the tail end of a previous doping regime. But

nevertheless, the type of Prohibited Substance and the level of concentration found are factors that weigh more in favour of the Athlete in this case.

94. None of these factors alone would be sufficiently credible evidence (or even come close to being sufficiently credible evidence) for the Athlete to rebut the presumption of intentional Use, but when I consider them all together, in the round, assessing the quality of the Athlete's evidence and his demeanour in the hearing they amount to a body of relevant and credible evidence I can weigh in the Athlete's favour.

95. I return to the scientific evidence. In summary, that showed that the various theories that the Athlete provided were not implausible but were very unlikely to provide an explanation for the presence of Oxandrolone. But all that shows is the limited explanations the Athlete was able to speculate were insufficient to prove source of the Oxandrolone. It does not show that there may not have been same other far more plausible explanation. Inevitably, the lack of scientific evidence in the Athlete's favour makes it more difficult for him to rebut the presumption of intention, but it does not make it impossible.

96. Finally, I remind myself of the standard of proof I must apply to the burden on the Athlete. Despite phrases like the "*narrowest of corridors*" the need for "*credible*", "*robust*" and "*cogent*" evidence, the standard of proof on the Athlete remains the same. It is not somehow heightened by his inability to prove source. I must still ask myself, when considering the totality of the evidence in the round, whether the Athlete has discharged the burden on him to prove it is more likely than not that he did not intend to commit an ADRV, as defined.

97. Although this is a difficult case, I find that that the Athlete has just met that burden on him: it is more likely than not, considering all of the evidence in the round, that his ADRV was not intentional as that term is defined in the ADR.

VII. CONSEQUENCES

98. The Consequences of my findings are as follows:

98.1. The Athlete having established that the ADRVs were unintentional, but being unable to establish No Fault or Negligence or No Significant Fault or Negligence, the period of Ineligibility shall be two (2) years.

98.2. In accordance with Rule 10.13 ADR, the two (2) year period of Ineligibility shall start from the date of the decision in this matter with credit for the period of Provisional Suspension served by the Athlete since 20 October 2025.

98.3. In accordance with Rules 9 and 10.1 ADR, all the Athlete's individual results obtained at the Race shall be automatically Disqualified, with all resulting Consequences, including forfeiture of any medals, titles, awards, points and prize and appearance money.

98.4. In accordance with Rule 10.10 ADR, the Athlete's competitive results obtained from the date of the Sample collection (21 September 2025), through to the commencement of the Provisional Suspension on 20 October 2025 shall also be Disqualified.

VIII. COSTS

99. The AIU applied for a contribution towards WA's legal and other costs incurred in relation to this matter (including the costs of the proceedings before me) pursuant to Rule 10.12.1 of the ADR 2026. I found this somewhat surprising given the Athlete was an amateur of limited means and it was not seriously suggested that he had acted unreasonably in these proceedings.

100. Rule 10.12.1 ADR 2026 provides:

> "*10.12.1 Where an Athlete or other Person is found to have committed an anti-doping rule violation or other breach of these Anti-Doping Rules, the Disciplinary Tribunal or CAS (or, in cases where Rule 8.5.6 applies, the Integrity Unit), taking into account the proportionality principle, may require the Athlete or other Person to reimburse World Athletics for the costs that it has incurred in bringing the case, irrespective of any other Consequences that may or may not be imposed.*"

101. The rule thus provides a discretionary power to award costs, and I must take into account the proportionality principle in applying that discretion.

102. I considered the following facts:

102.1. The ADRV had been established, and so I had the power to make a costs order.

102.2. The Athlete had contested certain matters that had likely caused the AIU to incur more costs than otherwise.

102.3. The Athlete had originally contested the ADRV itself, and had originally argued No Fault or Negligence or No Significant Fault or Negligence. He had been unsuccessful with respect to these matters.

102.4. However, the real dispute between the Parties, in particular by the time of the hearing, had been with respect to intention, and the Athlete had been successful on that issue.

102.5. The Athlete was an amateur Athlete of limited means. He had already incurred significant financial costs in these proceedings, claiming he did so because proving he was not deliberately doping was so important to him. He stood to gain no financial benefit from so doing.

103. Considering all those matters, I make no costs order.

SPORT RESOLUTIONS SR THE INDEPENDENT EXPERTS
ENABLING FAIR PLAY

IX. FINAL ORDER

104. For the reasons set out above, I impose the following orders:

104.1. The Athlete is held to have committed the ADRVs alleged.

104.2. The period of Ineligibility shall be two (2) years, starting from 16 October 2026, with credit given for the period of Provisional Suspension served by the Athlete since 20 October 2025, such that the period of Ineligibility shall expire on 19 October 2027.

104.3. All the Athlete's individual results obtained at the Race shall be automatically Disqualified, with all resulting Consequences, including forfeiture of any medals, titles, awards, points and prize and appearance money.

104.4. The Athlete's competitive results obtained from the date of the Sample collection (21 September 2025), through to the commencement of the Provisional Suspension on 20 October 2025 shall also be Disqualified.

104.5. There be no order as to costs.

SPORT RESOLUTIONS
SR
THE INDEPENDENT EXPERTS
ENABLING FAIR PLAY

X. RIGHT OF APPEAL

105. This decision may be appealed to the CAS, located at Palais de Beaulieu Av. des Bergières 10, CH-1004 Lausanne, Switzerland (procedures@tas-cas.org), in accordance with Rule 13 ADR 2026.

106. In accordance with Rule 13.6.1(a) ADR 2026, the Parties shall have 30 days from receipt of this decision to lodge an appeal with the CAS.



Nick De Marco KC

On behalf of the Disciplinary Tribunal

London

16 October 2026