

# FÉDÉRATION INTERNATIONALE DE GYMNASTIQUE



FONDÉE EN 1881

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## Decision by the FIG Presidential Commission

### Ms. USMANOVA Alisa (BLR), antidoping test performed on 3 October 2009, Nr. 394105 A

#### Facts :

Ms. USMANOVA Alisa, born on 10 November 1989 and competing for the National Federation (« **NF** ») of Belarus (« **BLR** »), underwent an antidoping test during the 24<sup>th</sup> European Championships of Acrobatic Gymnastics on 3 October 2009. The urine sample Nr. 394105, analyzed by the WADA accredited laboratory, Laboratório de Análises de Dopagem ADOP Lisbon, Portugal, revealed a positive result to furosemide. Furosemide is a diuretic included in the list of prohibited substances and methods established by the World Anti-Doping Agency (« **WADA** »).

No Therapeutic Use Exemption (« **TUE** ») was granted by the Fédération Internationale de Gymnastique (« **FIG** ») nor requested by the gymnast.

No apparent departure from the International Standards for Testing or for Laboratories resulted in the adverse analytical finding.

By letter dated 6 November 2009 sent by DHL, e-mail and fax, the FIG informed the « Belarus Gymnastics Association » (« **BLR-NF** ») of the positive test result, of the opening of proceedings and of the gymnast's rights. A "B Sample Analysis Request form" and a "Hearing Request form" were attached to this letter.

On 17 November 2009, the FIG having received no request to analyse the B sample within the set deadline, the FIG confirmed to the BLR-NF and the laboratory, that the A sample was deemed as accepted and that there would be no analysis of the B sample.

By return e-mail of the same day, the FIG received confirmation from the BLR-NF that the gymnast was indeed notified and that she did not request any hearing.

On 27 November 2009, the FIG received an explanatory letter from the gymnast outlining that she had started her gymnastics career 10 years earlier, with many excellent results and with the goal to obtain medals at European and World championships. The gymnast justifies that she has a complex towards her partners, that she does not consider herself as beautiful as them and that she could not get rid of a weight problem around her waist, despite the exercises that her coach recommended and the diet that he suggested to her. She explains having hence decided to take furosemide tablets in order to become thin and beautiful. She claims that she never takes any substance to improve her performance. She expresses regrets towards her coaches, her partners and the national team members, and claims to be shameful of her acts.

On 2 December 2009, the FIG notified the gymnast and the BLR-NF, by e-mail, fax and DHL, that the case was transferred to the FIG Disciplinary Commission.

The Presidential Commission, considering:

- That the result of the analysis of the sample Nr 394105A is positive to furosemide;
- That the gymnast did not contest the positive result;
- That the gymnast did not ask for a TUE;
- That there is no apparent departure from the International Standards for Testing or the International Standard for Laboratories;
- That the gymnast did not require the analysis of the B sample;
- That therefore, the FIG Anti-Doping Rule (« **FIG ADR** ») and the WADA Code, both effective since 1<sup>st</sup> January 2009, are applicable;
- That according to the WADA « List of Prohibited Substances 2009», which forms an integral part of the FIG ADR and of the WADA Code, furosemide is a diuretic to be considered as a specified substance under Article 4.2.2. of the FIG ADR and 4.2.2 of the WADA Code;
- That according to Article 10.4 FIG ADR and Article 10.4 WADA Code, the suspension period of two (2) years provided for under Article 10.2 FIG ADR and 10.2 WADA Code may be reduced provided that the gymnast may establish how a specified substance entered her body and that such specified substance was not intended to enhance the athlete's sport performance nor mask the use of a performance-enhancing substance;
- That the gymnast has been active in competition at international level for many years, having obtained many results;
- That the gymnast immediately admitted having ingested the substance;
- That she used furosemide in order to improve her appearance and not in order to enhance her performance;
- That the gymnast expressed regrets and shame towards her coaches, her partners and her national team;
- The attenuating circumstances taken into consideration by the Presidential Commission;
- That, therefore, all the conditions for a reduction of the suspension period are gathered, Article 10.4 FIG ADR and 10.4 WADA Code apply;
- The proposal of the Disciplinary Commission to the Presidential Commission on 5 January 2010 ;

For these reasons, and based on articles 2, 9, 10.2 and 10.4 FIG ADR, the FIG Presidential Commission confirms the proposals made by the Disciplinary Commission and

**decides:**

- **to suspend Ms. USMANOVA Alisa for the period of one (1) year starting from the date of the decision of the Presidential Commission;**
- **to disqualify Ms USMANOVA Alisa of the result(s) obtained at the 24<sup>th</sup> European Championships of Acrobatic Gymnastics with all resulting consequences, including forfeiture of any medals, points and prizes.**

### Costs of Proceedings:

The costs of the 1<sup>st</sup> instance disciplinary proceedings (Disciplinary Commission and Presidential Commission) are paid by the FIG. Each Party shall bear its own fees and expenses.

### Remedy:

The appeal duly signed by the Appellant and with rationale, shall be sent in writing, to the address of the FIG headquarters to the attention of the FIG Appeal Tribunal within 21 days from the notification of the decision. The Appellant shall indicate if his appeal is intended to be dealt with within the framework of a hearing or review of the case, without appearance of the parties.

Should the Appellant wish to call witnesses or experts, a hearing shall be held.

The appeal shall either be directly delivered to the FIG headquarters at the latest within the appeal deadline or to a Swiss post office at the latest by midnight of the last day of the deadline. The Appellant is responsible for showing proof, within a time limit to be determined by the President of the Appeal Tribunal, that his appeal has been lodged in due time, otherwise, the appeal shall be considered inadmissible.

The Appellant shall pay in advance the expenses of CHF 5'000.- to the FIG account at the same time as he shall lodge his appeal and at the latest by the end of the time limit for the appeal. While this amount shall be reimbursed to the appellant in the event that his appeal is allowed, this amount shall be kept by the FIG in the event that his appeal is considered inadmissible or is fully or partly rejected. The FIG is exempt from the obligation to pay the expenses in advance for its appeal.

Should the Appellant omit to pay in advance the expenses of CHF 5'000.- within the time limit, his appeal shall be considered inadmissible.

The appeal statement shall contain an account of the facts, the reasons for the appeal, the presentation of all evidence relied on by the appellant or an offer to present all the evidence (such as, the request for the hearing of witnesses or the request for an expert) and the arguments of the Appellant, failing which it shall be considered inadmissible.

The Appellant shall not be authorized to produce new elements of proof once his appeal is submitted, unless he justifies that he has not been able to do so for reasons beyond his control or his behest. The Appeal Tribunal may automatically conduct the investigations they may deem necessary.

Lausanne, 27 January 2010

**Fédération Internationale de Gymnastique**  
**On behalf of the Presidential Commission**



Prof. Bruno Grandi  
President



André F. Gueisbuhler  
Secretary General