

INTERNATIONAL OLYMPIC COMMITTEE

**IOC DISCIPLINARY COMMISSION
DECISION**

**REGARDING YUDELQUIS MARIDALIN CONTRERAS
BORN ON 27 MARCH 1986, ATHLETE, DOMINICAN REPUBLIC, WEIGHTLIFTING**

(Rule 23.2.1 of the Olympic Charter)

1. On 1 August 2008, Yudelquis Maridalin Contreras (hereinafter the "Athlete"), a participant in the Games of the XXIX Olympiad in Beijing (the "2008 Olympic Games") was requested to provide a pre-competition blood sample for a doping control.
2. On 10 August 2008, the Athlete competed in the Women's 53 kg weightlifting event of the 2008 Olympic Games, in which she placed 5th.
3. The A sample of the Athlete was tested during the 2008 Olympic Games by the WADA Accredited Laboratory in Beijing, but did not result in an adverse analytical finding at the time.
4. After the end of the 2008 Olympic Games, the A and B samples collected from the Athlete at such occasion were sent to Lausanne, at the WADA Accredited "Laboratoire Suisse d'Analyse du Dopage" (hereinafter the "LAD"), along with all other samples collected at the occasion of the 2008 Olympic Games.
5. The International Olympic Committee (hereinafter the "IOC"), pursuant to Article 6.5 of the *IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008* (the "*Rules*"), decided in January 2009 to perform further testing on the samples collected during the 2008 Olympic Games, targeting mirCERA© (hereafter "CERA", a third generation of EPO) and insuline.
6. The A sample of the Athlete was subject to a screening test for the prohibited substance CERA by the LAD, and subsequently sent for analysis to the WADA accredited "Laboratoire d'Analyses de l'Agence Française de Lutte contre le Dopage" ("LAAFLD").
7. Pursuant to Article 7.2.1 of the *Rules*, the representative of the Chairman of the IOC Medical Commission (Dr Patrick Schamasch), was informed on 28 April 2009, by the Head of the LAAFLD, of an adverse analytical finding on the A sample of the above-noted blood.
8. Pursuant to Article 7.2.2 of the *Rules*, Dr Patrick Schamasch determined that the above-noted A sample belonged to the Athlete, and verified that it did in fact give rise to an adverse analytical finding. He also determined that there was no apparent departure from the International Standards for Testing or the International Standards for Laboratories that undermined the validity of the adverse analytical finding.
9. Pursuant to Article 7.2.3 of the *Rules*, the IOC President, Dr Jacques Rogge, was promptly informed of the existence of the adverse analytical finding and the essential details were made available to him concerning the case.
10. Pursuant to Article 7.2.4 of the *Rules*, the IOC President, by letter dated 28 April 2009, set up a Disciplinary Commission, consisting of:
 - Thomas Bach (Chairman)
 - Denis Oswald

- Frank Fredericks

The IOC President also informed the Disciplinary Commission that, pursuant to Rule 23.2.4 of the Olympic Charter and Article 7.1.4 of the *Rules*, the decision of the Disciplinary Commission in this case would constitute the decision of the IOC.

The IOC President has in this case decided that the procedure may be extended beyond the 24 hour time limit as per Article 7.2.13 of the *Rules*.

11. Pursuant to Article 7.2.5 of the *Rules*, by letter dated 28 April 2009 notified to the Athlete, to the Secretary General of the National Olympic Committee ("NOC") of the Dominican Republic, to the International Weightlifting Federation and to the Head of the Independent Observers' Programme, the IOC President advised of, among other things, the above-mentioned adverse analytical finding and that the Athlete had the option to attend the hearing of the Disciplinary Commission and/or to submit a defence in writing. The Athlete and the Chef de Mission were notified of the deadline to submit a defence in writing and of the date and place of the hearing.

The analytical report of the laboratory analysis of the A sample, prepared by the Head of the LAAF LD and attached to the above-mentioned letter dated 28 April 2009, indicated the presence of the prohibited substance CERA.

12. The Athlete requested the analysis of the B sample, which occurred on 15 June 2009, in Paris.

The analysis report indicated that the presence of CERA could not be detected in the B sample of the Athlete.

13. The Disciplinary Commission, after reviewing the facts and elements available in the present case as of today, unanimously concludes that there is not enough proof to pronounce a sanction against the Athlete for a violation of the *Rules*.

CONSIDERING the above, pursuant to the Olympic Charter and, in particular, Rule 23.2.1 thereof, and pursuant to the *IOC Anti-Doping Rules applicable to the Games of the XXIX Olympiad in Beijing in 2008* and, in particular, Articles 3.1 thereof

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. On the basis of the proof currently available in the present case, no sanction shall be imposed upon the Athlete Yudelquis Maridalin Contreras.
- II. The IOC's right to re-open a disciplinary procedure is reserved in the event that new evidence comes to light.
- III. The International Weightlifting Federation and the NOC of the Dominican Republic shall be informed of this decision.
- IV. This decision shall enter into force immediately.

Lausanne, ___ November 2009

The IOC Disciplinary Commission



Thomas BACH
Chairman

Denis OSWALD

Frank Fredericks

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. On the basis of the proof currently available in the present case, no sanction shall be imposed upon the Athlete Yudelquis Maridalin Contreras.
- II. The IOC's right to re-open a disciplinary procedure is reserved in the event that new evidence comes to light.
- III. The International Weightlifting Federation and the NOC of the Dominican Republic shall be informed of this decision.
- IV. This decision shall enter into force immediately.

Lausanne, ___ November 2009

The IOC Disciplinary Commission

Thomas BACH
Chairman



Denis OSWALD

Frank Fredericks

THE DISCIPLINARY COMMISSION OF THE
INTERNATIONAL OLYMPIC COMMITTEE
DECIDES

- I. On the basis of the proof currently available in the present case, no sanction shall be imposed upon the Athlete Yudelquis Marjaldin Contreras.
- II. The IOC's right to re-open a disciplinary procedure is reserved in the event that new evidence comes to light.
- III. The International Weightlifting Federation and the NOC of the Dominican Republic shall be informed of this decision.
- IV. This decision shall enter into force immediately.

Lausanne, ___ November 2009

The IOC Disciplinary Commission

Thomas BACH
Chairman



Denis OSWALD

Frank Fredericks