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General Authority of Youth & Sports Welfare
National Anti Doping Committee
(UAE NADO)

Appeal Committee Decision
for Swimmer Mohammed Abdullah Mubarak Al-Ghaferi
23 Years Old - UAE National

- After perusal articles nos. 13 & 8 of the National Anti Doping Regulation in sports for the year 2009
- And after perusal the papers and deliberation with the members of the appellate committee
- The accusation and evidence thereof has been detailed in the appealed decision and the Committee refers to the same and considers it an integral part hereof. However, the facts of the accusation can be summarized as the above-mentioned player Mohammed Abdullah Mubarak Al-Ghaferi, the respondent, has taken a prohibited substances during his participation in the First GCC Athletics Championship held in Bahrain; he was recalled by the representative of the Doping Control Committee on 19/10/2011 and took a urine sample from the player. When the sample was examined, the result was found to be positive and contain (Methylhexaneamine) which is prohibited substance.
- On 23/1/2012, the Disciplinary Committee issued a decision to impose three months ineligibility penalty on the player as from 29/11/2011 to 26/2/2012 and to cancel the results of the player in that period.
- The World Anti-Doping Agency wasn't satisfied with such decision and challenged it by the present appeal and requested for reconsideration of the decision issued by the Sanctions Committee of the National Anti Doping Committee and to be punished in accordance with the law.





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- At the hearing scheduled for consideration of the appeal, the swimmer, respondent, has not attended.
- The appellate committee decided to adjourn appeal to today's hearing for consideration.
- The appeal has been submitted on the specified time and met all its legal forms, then this appeal is accepted in form.
- The above-mentioned incident has been proved to be true and valid and has been attributed to the player Mohammed Abdullah Mubarak Al-Ghaferi according to the doping examination report and the presence of prohibited substances punishable as the article 2 of the World Anti-Doping Code in sports.
- Since the appeal is one of the ways of the ordinary appeal on the decisions issued by the disciplinary committee of first instance, then this incident can be again brought before a higher committee in order to cancel or modify the appealed decision. Whereas the appeal is filed by the World Anti-Doping Agency, then this committee is entitled to uphold, cancel or modify the decision, whether against or in favour of the player.
- Whereas this Committee responds to the request of WADA in respect of reconsidering the appealed decision through changing the ineligibility penalty noting that
 - 1- As the educational level of the player is low and cannot read or write English, he could not read the ingredients or conduct online research.
 - 2- There is no doctor for the team or association so that the player may ask him about the dietary supplement.
- Taking into account article no. 9/10 of the World Anti-Doping Code which states that any suspension period shall commence from the date of temporary suspension.





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For such reasons

The Appellate Committee decided to accept the appeal in form and on the merits amending the decision and imposing a period of two-years ineligibility against the player Mohammed Abdullah Mubarak Al-Ghaferi as from 29/11/2011 up to 28/11/2013 as well as forfeiture of the medals or prizes that he got during the prescribed period of suspension.

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| Attorney: Heba Ahli | Dr. Abdulghaar Mohammad | Dr. Abdullah Al Shamssi |
| Appeal Committee Member (Signed) | Appeal Committee Member (Signed) | Appeal Committee Head (Signed) |

(Stamped by General Authority of Youth and Sports Welfare)

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